

HOUSE BILL 4875

SUPPORT

Bill Richardson

- **Written Testimony for the June 21st, 2022 Local Government and Municipal Finance Committee meeting**
- **Position: Support HB4875 / Oppose SB429**

My name is Bill Richardson and I live in Waterloo Township in Jackson County.

I have served as the Waterloo Township Extraction Committee Chair for the past 14 years, I am one of the co-authors of Waterloo Township's 2002 Extraction Ordinance, and have been involved in the permitting process for two extractive operations in Waterloo for the past 20 years. One of the mines is a sizable one of over 200 acres that produces mainly gravel and small stone product. The other is a smaller operation of ~40 acres that excavates mainly sand.

Both operations require a Special Use Permit (SUP) under the Township's Zoning Ordinance, as well as an Extractive permit under the Township's Police Power Ordinance. The SUP is issued when the operation first applies for a permit on the parcel, and remains intact until the mining is complete as long as mining boundaries are maintained. The Extractive permit is good for one year and is renewed annually in a formal review process. We find the annual review helpful and necessary to keep up with the progress at the plant and make corrections if necessary, before things can't be undone. It can also help the operator save money by reducing the amount of the reclamation bond as they have performed phased reclamation on the site.

The Township's Extraction Committee exists specifically for reviewing these applications, both renewals and initial applications. The Committee consists of a Chair, 2 Township Board members, one Planning Commission member, and two citizens who live in the Township. Also on this Committee is a member of our legal firm and a member of the engineering firm that we contract with for these permit renewals.

This process has been working very well in our Township for nearly two decades. The Township has what it considers 'partnerships' with the extractive operations. The Township recognizes the right of the operation to mine a critical resource that is necessary for all residents of Michigan, and the mining operations recognize the Township resident's rights of health, safety and welfare while the mining facility is in operation.

I believe local control should be maintained because the Township (the smallest local unit of government in this case) is closest to the operation, understand the impacts on its citizens, and can monitor in real time how the operations are progressing against the operation's goals and the applicable requirements. This facilitates a quicker response to any issues.

A few quick examples from Waterloo Township:

1. If loose gravel is observed on the road exiting the pit area that can cause a safety issue (loose sand on a curve), we call the contact at the operation and they take care of it with a sweeper they have on-site.
2. We had concerns a few years ago from citizens whose children were getting on a bus at 6:40 a.m. and saw a loaded gravel truck having to lock up its brakes to keep from hitting

the school bus. This happened more than once. As a result, the Township updated it's ordinance and moved the hours of operation back to 7:00 a.m. to avoid this potential safety issue with the morning school bus schedule.

3. We had a proposal recently from one of our operations to mine material underneath a low traveled gravel road within our Township (since they were mining on both sides of that road already). The operation had county approval to do so, and the proposal would result in a contour that will be more pleasing to the eye when fully reclaimed, so the Township was in favor of this as well. However, the Township was aware that there is an annual gravel bike road race (one of the EPIC race events in the state) that utilizes that particular gravel road and the Township didn't want EPIC races to have to cancel the event as it draws awareness about our Township. So, the Township connected the race coordinator with the Regional Manager of the operation and they worked out an alternate route for the race while the road is being mined, a route that actually went through the pit and the operation shut down for the day to allow the event to happen. All parties involved were satisfied with the arrangement.

I bring these examples up because they are good examples of the need to have local authority over these types of projects. The local municipalities are closest to the operation, they are more familiar with the residents in the area and what concerns they might have, and they are much quicker to respond than a state agency would be.

I may also add that if there are issues with one or two townships in the state delaying or denying permits outright, that these issues be addressed separately as opposed to stripping away ALL regulatory authority from ALL townships, since most of us make it work just fine.

In addition to removing local control, SB429 also moves things in the wrong direction when it comes to public health, safety and welfare of our residents in Waterloo Township. I am speaking specifically about setbacks for mining and structures, as well as operating hours. The setbacks are far too small and the hours of operation provides no peace for the residents. HB4875 keeps public health, safety and welfare in mind and actually attempts to define "very severe consequences" which has been a very vague standard in the past.

These are the reasons for my support of HB4875 and opposition to SB429.

I thank you for your consideration,

Bill Richardson

Waterloo Township Extraction Committee Chair & Extraction Committee Member

CC: Doug Lance: Waterloo Township Supervisor & Extraction Committee Member

CC: Janice Kitley: Waterloo Township Clerk

CC: Wendy Walz: Waterloo Township Treasurer

CC: Josh McAllister: Waterloo Township Trustee & Extraction Committee Member

Molly Wingrove

From: Gordon Smith <gmoneyinthehouse1134@yahoo.com>
Sent: Monday, June 20, 2022 2:17 PM
To: Rep. Julie Calley (District 87); The Office of Senator Bizon; Molly Wingrove
Subject: House Bill 4875

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Please enter our comments below into the public record regarding HB 4875.

We understand you are currently considering the merits of HB 4875. We are generally supportive of this bill as it makes some important changes, additions, and clarifications to current gravel mining regulations.

We note the provision for a 5 mile buffer zone around inland lakes over 2,000 acres in size and 660 feet around and rivers and streams that are tributaries of these large lakes, and applaud the rationale provided for these buffer strips: "to protect the water quality of this state's most important natural resources, protect and enhance fish and wildlife habitat, and conserve biodiversity."

We believe **all** lakes and rivers in Michigan require and deserve some level of protection from the carnage of gravel mine operations, as do the residential lake communities that surround these lakes and rivers. Small inland lakes and their residential communities define very the character of our state, and gravel mines in close proximity threaten not only water quality and wildlife, but their noise, dust, traffic, and disruption can destroy the fundamental character of Pure Michigan lake communities. We have personal experiences of damages caused by sand and gravel mining on inland lakes (Wilkinson Lake which we live fulltime & also Loomis Lake near us) both caused by the same sand and gravel miner. Protecting only larger bodies of water simply doesn't make sense for all the residents in Pure Michigan. Look at the lakes over 2,000 acres in size and its apparent this bill is to provide safety and health protection for only those with high incomes.

We ask your consideration of adding a buffer strip of at **least** a half mile or more around **all** lakes and rivers to **fully** protect water quality and the fundamental character of the residential communities that surround these precious water resources.

Growing up in Parchment Michigan my drinking water was contaminated by industrial hazards just like the same threat as sand and gravel mining. The Flint water crisis along with other Michigan cities have received national exposure for contaminated drinking water as well. Unfortunately if I can't get protection from my legislators for my drinking water as a lifetime Michigan resident I will be forced to leave this great state I truly love.

As I end this letter,

Please consider protecting **ALL** inland lakes from the harm and damages caused by sand and gravel mining. Also please keep is critical decision making process at the local level where they best understand who has city water vs drinking well water and also other risk in their communities. HB 4875 certainly has more protections than Senate Bills 429 - 431 so please stand up for all Michigan residents that you serve so well and protect us from the safety and health risk of sand and gravel mining along with protecting our natural resources.

Sincerely,

Gordon & Jennifer Smith
8374 Chain O Lakes Drive
Delton, MI. 49046

Molly Wingrove

From: LAWRENCE HESLINGA <lawrenceheslinga@sbcglobal.net>
Sent: Monday, June 20, 2022 12:54 PM
To: Molly Wingrove
Subject: HB 4875 comments

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To: House Local Government and Municipal Finance Committee

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We ask your consideration of adding a buffer strip of at least a half mile or more around all lakes and rivers to more fully protect water quality and the fundamental character of the residential communities that surround these precious water resources.

Respectfully,

Larry and Barb Heslinga
Grand Rapids, MI

Molly Wingrove

From: ellyatt@sbcglobal.net
Sent: Monday, June 20, 2022 1:24 PM
To: Molly Wingrove
Cc: Rep. Steven Johnson (District 72)
Subject: HB 4875 comments

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To: House Local Government and Municipal Finance Committee

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We ask your consideration of adding a buffer strip of at least a half mile or more around ALL lakes and rivers to more fully protect water quality and the fundamental character of the residential communities that surround these precious water resources.

Respectfully,

David Ellyatt
Gaines Township, MI

Molly Wingrove

From: john schumacher <schubru@msn.com>
Sent: Monday, June 20, 2022 9:50 PM
To: Molly Wingrove
Subject: regarding HB 4875

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Respectfully,

John Schumacher

Kalamazoo Mi

Sent from [Mail](#) for Windows

Molly Wingrove

From: S Houck <sharonehouck@gmail.com>
Sent: Tuesday, June 21, 2022 7:25 AM
To: Molly Wingrove
Subject: HB4875

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Dear Molly Wingrove

Just writing to state that as a Waterloo Township resident for over 20 years, I am in support of HB4875 to keep local control of gravel pit permits in the sole control of local townships. For many reasons that I won't go into as I don't feel you would actually take time to read them. Safety is a big one but I oppose SB429 and in great support of HB4875. May you do what is right for Michigan citizens.

Respectfully

Sharon Houck

Molly Wingrove

From: frenger4@comcast.net
Sent: Tuesday, June 21, 2022 8:25 AM
To: Molly Wingrove
Subject: HB 4875

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We ask your consideration of adding a buffer strip of at least a half mile or more around all lakes and rivers to more fully protect water quality and the fundamental character of the residential communities that surround these precious water resources.

Respectfully,

Beryl Frenger
Delton, MI