



# SALEM TOWNSHIP

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March 24, 2021

The Honorable Gary Howell  
Chairman, House Committee on Natural Resources & Outdoor Recreation  
S1186 Anderson House Office Building  
PO Box 300014  
Lansing, MI 48909

Via email: [garyhowell@house.mi.gov](mailto:garyhowell@house.mi.gov)

RE: Salem Township Position on Part 115 "Adjacent Community Role"

Dear Rep. Howell and members of the Michigan House Natural Resources & Outdoor Recreation Committee,

On behalf of Salem Township, I want to thank you for your leadership and work to update the state's solid waste management laws. As you move forward, Salem, as a landfill host community, would like to relay Salem Township's position and perspective on two important aspects of HB 4461 in the Part 115 bill package. These aspects deal with **adjacent community control and local pre-emption of state regulatory authority and enforcement**.

Salem Township is located in northeast Washtenaw County, with our township and county lines abutting those of Northville Township and Wayne County. As you likely recall from last year's discussion around Part 115, Salem Township is host to Arbor Hills landfill. Arbor Hills has operated here for more than 60 years now.

Salem Township acknowledges the challenges and concerns related by Northville Township residents and government officials in recent years, and we have worked collaboratively toward resolving them. Arbor Hills has been responsive and has modernized structural and operational elements of the landfill to address these concerns, which is a positive benefit to our entire collective community.

### **Adjacent Community Control**

**Very simply stated: Salem Township opposes any provision that would cede veto authority to non-host adjacent communities**, and we urge caution as the committee entertains possible changes in the longstanding jurisdiction given to host communities. Host communities bear responsibility for ensuring waste disposal facilities exist and meet the need of citizens and businesses for safe, clean, affordable disposal.

Host communities adapt land use and master planning in our jurisdiction to accommodate this publicly vital infrastructure and forfeit some of the opportunities non-host communities enjoy for building their communities. As a result, we believe it is important that host communities preserve key autonomy features contained in Michigan's current statute.

## Local Pre-Emption

We strongly oppose universal “pre-emption” changes to the statute. These changes would result in expensive unfunded mandates for local governments, and effectively give host jurisdictions regulatory and enforcement authority that now properly resides at the state level with EGLE and its air, waste and water divisions, as well as with federal agencies. Local jurisdictions rely on these authorities and their expertise to ensure permitting and compliance requirements are met and to exercise enforcement actions as appropriate. This authority needs to remain at state and federal levels and not imposed on local government.

Our experience shows that good landfill-host community working relationships result in cooperation and address most community concerns. Landfill operators recognize the benefits of being good neighbors and taking measures to ensure the quality of life in the community.

We value our relationship with Northville township government officials and other neighboring townships, as well as Washtenaw County. Our communities are the kinds of neighborhoods in which people choose to live; property values remain competitive; and our planning for growth can be properly managed. We do this as a matter of course and need to maintain flexibility to resolve issues in our own best ways – not through a requirement under state statute.

We are opposed to provisions that would undermine, usurp or disrupt the current long-standing and successful process Michigan has had in place to ensure critical waste disposal resources exist and adapt to meet regional sanitation needs.

Thank you once more for your leadership and thoughtfulness.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Whittaker". The signature is fluid and cursive, written over a light blue horizontal line.

Gary Whittaker  
Supervisor