

YANKEE SPRINGS TOWNSHIP

October 12, 2023

Resolution 10-12-2023 6

Opposition to legislation to preempt local control for the siting and permitting of utility-scale renewable facilities including solar, wind and large-scale battery storage facilities.

- Whereas: Executive Directive 2020-10 proposes to achieve 100% carbon neutrality in the state by 2050; and
- Whereas: To meet the energy goals and to expand renewable energy projects in Michigan, Gov. Whitmer has proposed the Michigan Public Service Commission be the sole authority for the siting and permitting of utility-scale renewable projects, allowing these projects to be expedited; and
- Whereas: By transferring this sole authority to the Michigan Public Service Commission, local authority will be preempted; and
- Whereas: A township would be unable to determine the number, location, size, setback requirements, site plan approval, fire protection and emergency plan, volume levels, construction traffic routes, decommissioning plan or any other criteria for such solar, wind or large-scale battery facilities; and
- Whereas: A township ordinance, rule, policy or requirement currently in place for solar, wind and large-scale solar facilities would be null and void; and
- Whereas: All other energy facilities regulated by Michigan Public Service Commission must adhere to local zoning requirements; and
- Whereas: Local government is in the best position to establish proper land use regulations for the community. Yankee Springs Township opposes preemption of local government authority for all purposes, including meeting the state's energy goals.
- Whereas: The majority of Yankee Springs Township is forested state and county land and lakes. Local regulation of renewable energy facilities is the only way to incorporate this land use into Yankee Springs Township without destroying its unique and desirable characteristics.
- Whereas: The Michigan Townships Association opposes legislation that eliminates local government authority on the siting and permitting of said facilities that will be located in those communities for 20-50 years:

Therefore, Be It Resolved

That Yankee Springs Township opposes legislation that would preempt local control in the siting and permitting of large-scale renewable energy facilities including solar, wind and large-scale battery storage facilities.

CLERK'S CERTIFICATE

I, Michael Cunningham, Township Clerk of Yankee Springs Township, Barry County, Michigan do hereby certify that in pursuance of law and statute provided, at a regular meeting of the Yankee Springs Township Board held on October 12, 2023, at 6:00 PM, at the Yankee Springs Township Hall, located at 284 N Briggs Rd. Middleville, MI 49333, the Board unanimously approved a motion to adopt Resolution 10-12-2023 6 opposing legislation to preempt local control for the siting and permitting of utility-scale renewable facilities:

Trustee Larry Knowles – Yes

Trustee Dave VanHouten – Yes

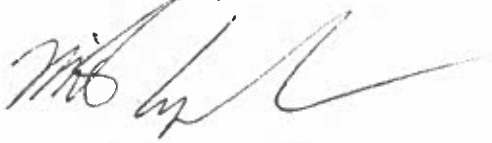
Support by Supervisor Rob Heethuis – Yes

Treasurer Deb Mousseau – Yes

Motion by Clerk Mike Cunningham - Yes

Dated: 10/13/2023

Mike Cunningham, Clerk

A handwritten signature in black ink, appearing to read "Mike Cunningham", is written over the printed name of the clerk.

Molly,

I have pasted into this email a message that I have sent to my state senator and state representative. I would also like to provide these thoughts to the members of the Energy, Communications and Technology Committee.

The message pertains to three current attempts at preemption of local control of land use including renewable energy facilities.

Would you please distribute this email to the committee members as soon as possible?

Please let me know if this is not possible.

Thanks!

Mike Cunningham
Yankee Springs Township Clerk
269-795-9091

I am the Yankee Springs Township Clerk. My family has owned property in the township since 1937 and I was able to purchase property here in 2002 and retire here in 2010 after spending as much time in the township as possible all my life. Our township is characterized by lots of state and county land and by lakes. We are unique and different from other townships. All townships are unique, and in most cases, there is no good one size fits all rule or regulation that serves anyone other than those making the rules. For this reason, the state should not take away the right of the townships to make land use rules based on the unique characteristics of the townships for any reason including the issues currently at hand or the others that will exist in the future.

The groups that are pushing the state to control these issues are doing this because they know the state is more likely to be pressured into doing what they want than the local township residents, planning commissions and township boards. They believe this because the people in Lansing are not from the community and do not know the wishes and interests of the community and they can be swayed by studies and other information that would not convince the local community. The pressure groups all present apocalyptic situations that are just not true.

Homes on our lakes are owned and enjoyed by people in residential neighborhoods who take care of their property, the lakes, and their neighbors. People who buy buildings (not homes) to rent out to make a profit do so at the minimum cost to maximize profit, but they don't take of anything, and their renters make life miserable for the neighbors. This eventually leads to neighbors selling and moving and the investors buying more property and creating more STR's which accelerates the flight out of the neighborhood. There isn't any problem with local regulation that might allow STR's in zoning districts other than residential. There are many land uses that are not allowed in residential neighborhoods and STR's should be one of them. The only problem here is that the investors and realtors want something that the residents do not want. Who wins? The realtors and investors have appealed to the state rather

than work with their neighbors (the township). Who do the residents appeal to? I am appealing to you and all the other legislators to stand firm and make a good and proper decision. There is no reason to take this control away from townships.

Most of what I have stated above applies to gravel mining and **renewable energy** as well.

Sand and gravel are not rare minerals. The mining of these minerals is very disruptive to a community and needs to be regulated by the people in the local area that must put up with the existence of a mining operation in close proximity to residential and other land uses. Regulations usually cost a company more to produce its product. I know and understand this because of my manufacturing/processing experience before I retired. I was employed by a company that operated underground mines and surface quarries. When a business decides on a location, they consider the costs involved to produce the product and to ship it. These costs determine how competitive they can be for any potential sales opportunity. Local regulation may cause gravel operations to move further from large markets for their products based on site selection and that will cause the cost of gravel to increase versus a situation where the state regulates, and the gravel operations can operate and sell at a lower cost. These cost savings are seen by the producer and the user. But nothing is free. The costs avoided by the producer and user are imposed on the local residents through lower home values, higher road costs and lowered quality of life. I know that I, as a resident, am willing to pay a higher cost for gravel in the market than to have my neighborhood and community ruined by the decisions of people outside the community. I believe many others think the same way.

Renewable energy is similar, but I think people (including me) do not know enough about it yet to understand the benefits and problems. It can take time to know the full impact of something like this that is relatively new. Regardless of this I think it is way too soon for anyone to say that the townships will not regulate this properly. I think the rush to take away local control is due to politics and because of the state mandating renewable energy. The state does not want to take the chance that the people will reject this by having any voice in how it is accomplished. This one is very politically motivated. Please consider my views on this and any future attempts by the state to take away a township's rights. If we don't think that we can handle an issue, we will ask for the state's assistance. Until then the state should spend its time doing a few things right rather than many things wrong.

Mike Cunningham

Yankee Springs Township Clerk

269-795-9091