

SENATE BILLS 429, 430, 431

OPPOSITION



michigan municipal league



MICHIGAN ENVIRONMENTAL COUNCIL



SIERRA CLUB
MICHIGAN CHAPTER



June 21, 2022

The Honorable Julie Calley, Chair
Committee Members
House Local Government & Municipal Finance Committee
Michigan House of Representatives
P.O. Box 30014
Lansing, MI 48909

Chair Calley and Members of the House Local Government and Municipal Finance Committee:

Our organizations, representing local governments, schools and the environment, are united in our opposition to Senate Bills 429-431, currently before this committee. We ask that you oppose this legislation, which preempts local authority over sand and gravel mining operations—regardless of their location or impact on a community, neighboring residents or property owners, small businesses, schools or the environment—and also does not address the myriad environmental concerns over these operations. Further, the bills eliminate all existing local control and instead shift complete oversight to the state—far removed from the people and areas most impacted.

These mining operations can have long-lasting and far-reaching impacts on our communities, residents and the environment if not properly sited and operated. Local involvement and oversight in gravel mining operations are critical to ensure issues are addressed to the benefit of all concerned. The current system works—allowing local officials and operators to address concerns or questions regularly as they arise. Additionally, permit applications for sand and gravel mining operations have been overwhelmingly approved, with local governments working with the industry to ensure respect for the community and protection of assets and natural resources.

The Senate-passed legislation creates a top-down oversight process within the Michigan Department of Environment, Great Lakes, and Energy—essentially a state takeover of a very local issue with local impacts. Even more concerning, the legislation as written is simply a checklist of documentation that mining operators seeking a permit must submit. Rather than creating a standard that safeguards our environment, the bills instead remove local regulation and oversight from this industry. The department is not required to garner local input about the impact of the mining operation to the community or those affected, or to review operators regularly. The legislation is not responsive to concerns around groundwater contamination, noise pollution, truck routes, hours of operation, or whether the remediation plan is sufficient to restore the site after the mining company is completed.

Local governments are best equipped to address local issues and concerns. Every community should have a voice over issues impacting their neighborhoods, health, safety and quality of life.

We support access to materials necessary to fix Michigan’s roads as well as for building construction and development. The current process allows for local governments to balance those needs along with those of their community. Although the bills are modeled

after statute (Part 632) that offers local oversight over safeguards, such as truck routes and noise abatements, they currently offer no such protections or authority.

These bills strip away all local government oversight and authority in the permitting and operations of sand and gravel mining, and do not include adequate environmental protections, including impacts on neighboring wells and drinking water. We urge your opposition to Senate Bills 429, 430 and 431. Our organizations remain committed to engage in discussions for a compromise on this issue.

Judith Allen
Director of Government Relations
Michigan Townships Association

Deena Bosworth
Director of Governmental Affairs
Michigan Association of Counties

Amy O'Leary
Executive Director
Southeast Michigan Council of Governments

Sean McBrearty
Michigan Legislative and Policy Director
Clean Water Action

Tim Minotas
Legislative and Political Coordinator
Sierra Club

Jennifer Smith
Director of Government Relations
Michigan Association of School Boards

Jennifer Rigterink
Assistant Director, State & Federal Affairs
Michigan Municipal League

Megan Tinsley
Water Policy Director
Michigan Environmental Council

Andrea Brown
Executive Director
Michigan Association of Planning

Nick Occhipinti
Director of Government Affairs Michigan
League of Conservation Voters

Melissa DeSimone
Executive Director
Michigan Lakes and Streams Association

Matthew Kennedy
Chair, Government Affairs Council
MI-AWWA

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: Bruce Bedford <ggraybeard@gmail.com>
Sent: Tuesday, June 21, 2022 11:50 AM
To: Molly Wingrove
Cc: Rep. Matt Hall (District 63); sensmccann@senate.michigan.gov
Subject: SB429, 430 and 431 and House Bill 4875

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning, Molly.

Could you please see that this email, containing my personal information, in opposition of the above bills is entered in the proper record for today's meeting and those yet to come. I have written more than ten times to my representative, Matt Hall, and my senator, Sean McCann regarding the irresponsible attempt by state legislators to remove the authority from all local governments for the process of permitting sand and gravel mining operations. It is absurdity to give the state such authority over those who live in close proximity to the proposed sites. The residents of affected townships should have say about their quality of life and the proposed effects of mining around their homes. Townships and other local governments spend much time and effort making one year, five year, ten year and so on, development plans for their area. I will wager the farm that not one has a mission statement that says, continue the gradual dismantling of local government and hand it to the state and the industry lobbyists. Neither would one say, our plan includes inviting an aggregate mining company to tear up existing, important ecosystems...right next to those who have chosen to live in quiet places.

This entire activity, the consideration of these bills, preparing to usurp the power from local government...has suffered from a lack of innovative thought, from disorganization, and corruption acknowledged by the Auditor General. Stop this nonsense, this entirely inadequate path...even something as simple as setting a deadline for resolution of permit applications is being discussed. It is true there is no law under which a deadline is set. Can you tell me how much time is planned for application completion? What about every other point of concern? Is an EIS necessary? If so, it may take longer than the prescribed length of time. If not necessary, who decides? Will the time be reduced?

Please stop this terrible action you seek to undertake this afternoon.

Bruce Bedford
8905 N 28th Street
Richland, Michigan 49083
(269) 370-7979
ggraybeard@gmail.com
Rep. Matt Hall
Sen. Sean McCann

June 17, 2022

State Representative Julie Calley
Chair
House Members
Michigan State House Representatives
Local Government and Municipal Finance Committee
N-1191 House Building
Lansing, MI 48909

RE: Gravel Mining - Substitute for Senate Bill 429 and Senate Bills 430 and 431 Referred to the House Committee on Local Government and Municipal Finance

Dear Chairperson Calley and Members of the House Local Government and Municipal Finance Committee:

As Supervisor for Kasson Township in central Leelanau County (northwest of Traverse City), I am writing to make you aware of Kasson Township's strong opposition to the package of gravel mining bills identified as: the Substitute for Senate Bill 429, and the companion Senate Bills 430 and 431 ("SBs 429-431" collectively). It is the Township's understanding that SBs 429-431 may be considered by the House Local Government and Municipal Finance Committee ("House LG Committee") at a hearing as early as next week.

SBs 429-431 aim to restrict – or for the most part eliminate – local zoning and planning control over gravel mining, while also containing a set of weak mining standards that would be implemented statewide to the harm of residents neighboring a gravel mine. Moreover, the current statute (which the Draft Bill proposes to amend) is already very restrictive with respect to local government control over gravel mining, and was amended as late as 2011.

The legislation would also overturn decades of practice in Michigan granting local control over gravel (and sand mining) which has been distinguished from the state regulation of the mining of other minerals such as iron and copper. These decades of practice have recognized that supplies of gravel, and the local/regional need for gravel, vary across the state, and that local communities deserve the right to adopt reasonable regulations, and to zone and plan, in order to accommodate the public need for gravel, while also protecting neighboring property owners, in the context of those specific conditions.

The proponents behind SBs 429-431 largely argue that local governments, such as rural townships, should not, and/or cannot, regulate gravel mining in their communities (and impliedly that state agencies are better equipped to do so).

Kasson Township's experience with gravel mining is a case in point that *rebutts* the premise behind SBs 429-431 and is also a warning about the danger of not having close local oversight over both how and where gravel mining occurs.

So, in short, Kasson Township, a rural township in northern Michigan, proved that a local government can and should be in position to regulate gravel mining as has been the case for decades in Michigan. Other local governments have done so and can do so in the future as well. So, the premise behind SBs 429-431 is flawed and untrue.

Additionally, SBs 429-431 would impose inadequate mining performance standards statewide, unmindful of the need to adjust standards to local conditions. For example, the bill would allow gravel mining noise to reach sound levels of up to 75 decibels in *residential* areas. Such a sound level is *four times* louder than the 55 decibels recommended by a US EPA study with respect to outdoor residential noise levels. And the way this 75-decibel standard is applied, it is based on an 8-hour average, which means that noise could *exceed* the 75-decibel level (i.e. 100 decibels) for substantial periods of time. This would allow very loud and harmful noise levels. Even higher noise levels are allowed for commercial (85 decibels) and industrial areas (90 decibels), respectively, which could still be used for residential or small business purposes.

The bills provide for standardized mining setbacks, i.e. 400 feet from a residence, which may not be appropriate in the context of local conditions.

In summary, based on all of the discussion above, Kasson Township joins with the Michigan Township Association and others and respectfully requests the Chair and Members of the House LG Committee oppose SBs 429-431.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory Julian", written over a light blue horizontal line.

Gregory Julian
Supervisor, Kasson Township

Molly Wingrove

From: Paul Yelsma <paul.yelsma@wmich.edu>
Sent: Tuesday, June 21, 2022 10:27 AM
To: Molly Wingrove
Subject: I urge you to **oppose** and reject proposed Senate Bills 429-431

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from paul.yelsma@wmich.edu. [Learn why this is important](#)

To: House Local Government and Municipal Finance Committee
House committee at: mwingrove@house.mi.gov
From: Paul Yelsma
Date: June 21, 2022
Re: The Proper Control of Local Mining in Residential Communities

I have become aware that the committee is currently considering the merits of proposed Senate Bills 429-431. These bills remove critical local control and oversight of aggregate mines and shifts vital decision-making to EGLE. Unfortunately, EGLE is poorly staffed, under-funded, and ill-equipped for this responsibility. It can hardly do just to managing the water issues around the State.

There are numerous shortcomings and alarming technical provisions with SB 429-431, but most concerning is the proposed total elimination of critically important local government approval and oversight of highly disruptive sand and gravel mining operations.

These bills destroy local zoning ordinances by making them completely inapplicable to sand and gravel mine operations, allowing miners to trample on local property owners' rights which are established and protected by the Michigan Constitution.

Gravel mines are necessary, but can have very serious negative consequences on local residential communities and on environmentally sensitive areas. Important decisions regarding the location and operation of these mines must remain at the local level where local knowledge and understanding is needed to make responsible decisions. We urge you to reject these bills.

As you consider these and any similar bills, please recognize that the aggregate industry greatly understates the supply of gravel in Michigan, and the industry's claims of looming shortages are unsupported by verifiable data. The fact that for decades Michigan has been among the top exporters of gravel in the nation makes the claim of potential shortages even more incongruous.

Again, I urge you to oppose and reject proposed Senate Bills 429-431 and any similar bills that remove local oversight and reduce regulations pertaining to the aggregate industry -- this is an industry that has earned more oversight and control, not less.

Regards
Paul Yelsma
7102 Shoreline Dr.
Delton, MI 49046

Molly Wingrove

From: J C <gsdkeeperjc@gmail.com>
Sent: Friday, June 17, 2022 9:54 PM
To: Molly Wingrove
Subject: SB 429, 430, 431 Card of Opposition

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from gsdkeeperjc@gmail.com. [Learn why this is important](#)

I am writing to voice my **opposition** to these bills. These bills only serve to make it easier for these companies to force their way into our cities by circumventing local government approval. They do not care about our community, just their end goal of money, no matter the cost.

Thank you,
Janet Chavez
Richland, Michigan

Molly Wingrove

From: Rob Smith <chiptwpsupor@yahoo.com>
Sent: Friday, June 17, 2022 9:49 PM
To: Molly Wingrove
Subject: bills 429-431

Follow Up Flag: Follow up
Flag Status: Flagged

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sbs429-431

The townships do not need help with zoning of mining projects. Chippewa Township and Isabella County have had 5 to 6 large operations and have had very little problems. the state does not know our needs and should not be involved at the local level. the only thing i see it doing is benefiting someone at the state level and costing tax payer's more money for needless bill's like these. let the local people run the government not the government run the people from a distance.

Robert P. Smith

Chippewa Township Supervisor

oppose

Molly Wingrove

From: Fred Sheridan <frednbeth@gmail.com>
Sent: Friday, June 17, 2022 8:30 PM
To: Molly Wingrove
Subject: House bills 429 430 431

Follow Up Flag: Follow up
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[You don't often get email from frednbeth@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

My name is Fred Sheridan Birch Run township trustee. I oppose these 3 bills because they take too much control and regulation from the local municipalities. Lansing has no idea what happens at these sites once the digging starts and even less of an idea of what carnage is left behind. Hell on your next trip north on 75 when you come up onto West Branch just look at the behemoth operation on your left. If you think that will ever be reclaimed and made usable again you are definitely in the wrong kind of work. Or on north bound 75 north of the Clarkston area close to Grand Blanc you can see the same results there and won't have to spend \$ 5.15 a gallon gas to see it Sent from my iPhone

Molly Wingrove

From: James Green <greenj2@outlook.com>
Sent: Friday, June 17, 2022 8:39 PM
To: Molly Wingrove
Subject: SB 429 -431

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from greenj2@outlook.com. [Learn why this is important](#)

Please record my **opposition** to SB 429, 430 and 431! There is no better place than the local agencies to determine locations and restrictions on sand and gravel mining. The locals have a better grasp of what restrictions are needed to allay the concerns of and impacts on the area residents. This should not be a "one size fits all" situation. The local zoning ordinances need to take precedent over these matters.

James Green
10783 S. Hartel Rd.
Grand Ledge, MI 48837
Oneida Township Trustee

Molly Wingrove

From: LAWRENCE HESLINGA <lawrenceheslinga@sbcglobal.net>
Sent: Monday, June 20, 2022 11:37 AM
To: Molly Wingrove
Subject: Opposition to proposed SB 429-431

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from lawrenceheslinga@sbcglobal.net. [Learn why this is important](#)

To: House Local Government and Municipal Finance Committee

Please enter our comments below into the public record regarding proposed **SB 429-431**.

We understand that you are currently considering the merits of proposed Senate Bills 429-431. These bills remove critical local control and oversight of aggregate mines and shifts vital decision-making to EGLE which is poorly staffed, under-funded, and ill-equipped for this responsibility.

There are numerous shortcomings and alarming technical provisions of SB 429-431, but most concerning is the proposed total elimination of critically important local government approval and oversight of highly disruptive sand and gravel mining operations.

These bills destroy local zoning ordinances by making them completely inapplicable to sand and gravel mine operations, allowing miners to trample on local property owners' rights which are established and protected by the Michigan Constitution.

Gravel mines are necessary, but can have very serious negative consequences on local residential communities and on environmentally sensitive areas. Important decisions regarding the location and operation of these mines must remain at the local level where local knowledge and understanding is needed to make responsible decisions. We urge you to reject these bills.

As you consider these and any similar bills, please recognize that the aggregate industry greatly understates the supply of gravel in Michigan, and the industry's claims of looming shortages are unsupported by verifiable data. The fact that for decades Michigan has been among the top exporters of gravel in the nation makes the claim of potential shortages even more incongruous.

Again, **we urge you to oppose and reject proposed Senate Bills 429-431 and any similar bills** that remove local oversight and reduce regulations pertaining to the aggregate industry -- this is an industry that has earned more oversight and control, **not** less.

Respectfully,

Larry & Barb Heslinga
Grand Rapids, MI

Molly Wingrove

From: ellyatt@sbcglobal.net
Sent: Monday, June 20, 2022 1:11 PM
To: Molly Wingrove
Cc: Rep. Steven Johnson (District 72)
Subject: Opposition to proposed SB 429-431

Follow Up Flag: Follow up
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You don't often get email from ellyatt@sbcglobal.net. [Learn why this is important](#)

To: House Local Government and Municipal Finance Committee

I write to have my thoughts added to the public record regarding proposed SB 429-431.

I understand that the committee is currently considering the merits of proposed Senate Bills 429-431. These bills remove critical local control and oversight of aggregate mines and shifts vital decision-making to EGLE which is poorly staffed, under-funded, and ill-equipped for this responsibility.

There are numerous shortcomings and alarming technical provisions with SB 429-431, but most concerning is the proposed total elimination of critically important local government approval and oversight of highly disruptive sand and gravel mining operations.

These bills destroy local zoning ordinances by making them completely inapplicable to sand and gravel mine operations, allowing miners to trample on local property owners' rights which are established and protected by the Michigan Constitution.

Gravel mines are necessary, but can have very serious negative consequences on local residential communities and on environmentally sensitive areas. Important decisions regarding the location and operation of these mines must remain at the local level where local knowledge and understanding is needed to make responsible decisions. We urge you to reject these bills.

As you consider these and any similar bills, please recognize that the aggregate industry greatly understates the supply of gravel in Michigan, and the industry's claims of looming shortages are unsupported by verifiable data. The fact that for decades Michigan has been among the top exporters of gravel in the nation makes the claim of potential shortages even more incongruous.

Again, I urge you to oppose and reject proposed Senate Bills 429-431 and any similar bills that remove local oversight and reduce regulations pertaining to the aggregate industry -- this is an industry that has earned more oversight and control, *not* less.

Regards

David Ellyatt
Grand Rapids, MI

Molly Wingrove

From: Gordon Smith <gmoneyinthehouse1134@yahoo.com>
Sent: Monday, June 20, 2022 1:32 PM
To: Molly Wingrove; Rep. Julie Calley (District 87); The Office of Senator Bizon
Subject: Senate Bills 429-431

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from gmoneyinthehouse1134@yahoo.com. [Learn why this is important](#)

Please enter our comments below into the public record regarding proposed **SB 429-431**.

We understand that you are currently considering the merits of proposed Senate Bills 429-431. These bills remove critical **local control** and oversight of aggregate mines and shifts vital decision-making to EGLE which is poorly staffed, under-funded, and ill-equipped for this responsibility. We have encountered damages caused by sand and gravel operations to Loomis Lake in Barry County which took EGLE over 9 months to respond to the erosion photos and written complaint. It's been over 1 year since EGLE has asked the sand and gravel company to repair the damages that occurred to Loomis Lake. Simply put this destruction will happen to many more bodies of water if this Senate Bill passes the House.

There are numerous shortcomings and alarming technical provisions of SB 429-431, but most concerning is the proposed total elimination of critically important local government approval and oversight of highly disruptive sand and gravel mining operations.

These bills destroy local zoning ordinances by making them completely inapplicable to sand and gravel mine operations, allowing miners to trample on local property owners' rights which are established and protected by the Michigan Constitution.

Gravel mines are necessary but can have very serious "negative" consequences on local residential communities and on environmentally sensitive areas. Important decisions regarding the location and operation of these mines **MUST** remain at the local level where local knowledge and understanding is needed to make responsible decisions. We urge you to reject these bills.

As you consider these and any similar bills, please recognize that the aggregate industry greatly understates the supply of gravel in Michigan, and the industry claims of looming shortages that are unsupported by verifiable data. The fact that for decades Michigan has been among the top exporters of gravel in the nation makes the claim of potential shortages even more incongruous. Please understand the data and facts before voting for a devastating bill that will impact the health, safety, drinking waters and natural resources of our wildlife and Michigander's.

Again, **we urge you to oppose and reject proposed Senate Bills 429-431 and any similar bills** that remove local oversight and reduce regulations pertaining to the aggregate industry -- this is an industry that has earned more oversight and control, **not** less.

Gordon & Jennifer Smith
8374 Chain O Lakes Drive

Molly Wingrove

From: clerk@elmiratownship.com
Sent: Monday, June 20, 2022 1:43 PM
To: Molly Wingrove
Subject: Senate Bills 429, 430 and 431

Follow Up Flag: Follow up
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You don't often get email from clerk@elmiratownship.com. [Learn why this is important](#)

To whom it may concern:

My name is Susan Schaedig, Elmira Township Clerk, Otsego County.

I am in opposition to House Bills 429, 430 and 431

Sincerely,
Susan Schaedig

Molly Wingrove

From: Timothy Callahan <trcallahan@att.net>
Sent: Saturday, June 18, 2022 7:21 AM
To: Molly Wingrove
Subject: Sand and gravel pits

Follow Up Flag: Follow up
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Our township is currently working on permits with Payne & Dolan for a new gravel pit and temporary asphalt plant. I believe these permits and any conditions should be controlled locally and comply with our township zoning requirements.

Thank you
Tim Callahan
Masonville Township

OPPOSE

Sent from my iPad

Molly Wingrove

From: Sarah Laskowski <rslaskowski@gmail.com>
Sent: Saturday, June 18, 2022 9:44 AM
To: Molly Wingrove
Subject: SBs 429-431 Card of Opposition

Follow Up Flag: Follow up
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I strongly oppose SBs 429-431 that would preempt current local government authority and place all jurisdiction at the state level with the Michigan Dept. of Environment, Great Lakes, and Energy. The local unit of government MUST retain existing provisions of the law as the local unit would know what is best for their township.

Thank you,
Sarah E. Laskowski
Sharon Township
Washtenaw County

Molly Wingrove

From: Duane Putnam <dpapavalon@gmail.com>
Sent: Monday, June 20, 2022 11:17 AM
To: Molly Wingrove
Subject: SB's 429-431

Follow Up Flag: Follow up
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You don't often get email from dpapavalon@gmail.com. [Learn why this is important](#)

To all Senators

Please **do not pass** Senate bill's **429-431** in regards to sand and gravel minning. We in Eureka Charter Twp. have a very good relationship with our gravel minning people- working with them to produce a minning ordinance that they are happy with. Do not take these matters that should be dealt with locally out of our control.

Respectfully,

Duane Putnam, Eureka Charter Twp. Planning Commission Chair
9780 Avalon Rd, Greenville, MI 48838
616, 754-3318

--

We are not human beings going through a temporary spiritual experience.
We are spiritual beings going through a temporary human experience.
Bless someone else in some little way today!
Duane

Molly Wingrove

From: supervisor twpofclinton.com <supervisor@twpofclinton.com>
Sent: Monday, June 20, 2022 8:46 AM
To: Molly Wingrove
Subject: SB 429, 430 and 431

Follow Up Flag: Follow up
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You don't often get email from supervisor@twpofclinton.com. [Learn why this is important](#)

My name is Basil Greenleaf Clinton Township Supervisor, Lenawee County. Clinton Township is in complete agreement that SB's 429, 430 and 431 should not pass the senate. Do not take away a townships right to protect there citizens. Basil Greenleaf

Basil Greenleaf
Supervisor Clinton Township
Lenawee County
517-456 6701

Molly Wingrove

From: Rod <jcharles04@charter.net>
Sent: Sunday, June 19, 2022 9:16 AM
To: Molly Wingrove
Subject: SB 429 - 431

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from jcharles04@charter.net. [Learn why this is important](#)

Hello,

I have read that there are attempts to remove LOCAL control over things such as sand and gravel mining. I believe this to be a bad idea. It is more appropriate for those of us who have these activities going on in our own backyards to monitor and control these activities rather than a distant agency.

Respectfully,

Rod Charles
Oxford Township

oppose

Molly Wingrove

From: Phyllis Gresly <phyllisgresly@aol.com>
Sent: Saturday, June 18, 2022 12:07 PM
To: Molly Wingrove
Subject: SB429-430-431

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You don't often get email from phyllisgresly@aol.com. [Learn why this is important](#)

I live in Marshall Township & I oppose SBs 429,430,& 431

My name is Phyllis Gresly
phyllisgresly@aol.com

Molly Wingrove

From: David Herlein <dherlein@springarbor.org>
Sent: Tuesday, June 21, 2022 9:43 AM
To: Molly Wingrove
Subject: SB429-431

Follow Up Flag: Follow up
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You don't often get email from dherlein@springarbor.org. [Learn why this is important](#)

I am writing in regards to SB42-431 under consideration. I am urging you to oppose all 3 of these bills. This matter is best handled by local units of government not a state mandate allowing them without local input. These bills are bad for communities and the residents who live in them. Thank-you.

David Herlein
Supervisor
Spring Arbor Township
517-750-2800 x 201
dherlein@springarbor.org
www.springarbor.org
Follow us on Facebook

Molly Wingrove

From: Mic Mutschler <mutschka2@gmail.com>
Sent: Tuesday, June 21, 2022 8:57 AM
To: Rep. Julie Calley (District 87); Molly Wingrove
Subject: Re: house bills SB 429-431

Follow Up Flag: Follow up
Flag Status: Flagged

Some people who received this message don't often get email from mutschka2@gmail.com. [Learn why this is important](#)

On Tue, Jun 21, 2022 at 7:50 AM Mic Mutschler <mutschka2@gmail.com> wrote:

To: House Local Government and Municipal Finance Committee

I write to have my thoughts added to the public record regarding proposed SB 429-431.

I understand that the committee is currently considering the merits of proposed Senate Bills 429-431. These bills remove critical local control and oversight of aggregate mines and shifts vital decision-making to EGLE which is poorly staffed, under-funded, and ill-equipped for this responsibility.

There are numerous shortcomings and alarming technical provisions with SB 429-431, but most concerning is the proposed total elimination of critically important local government approval and oversight of highly disruptive sand and gravel mining operations.

These bills destroy local zoning ordinances by making them completely inapplicable to sand and gravel mine operations, allowing miners to trample on local property owners' rights which are established and protected by the Michigan Constitution.

Gravel mines are necessary, but can have very serious negative consequences on local residential communities and on environmentally sensitive areas. Important decisions regarding the location and operation of these mines must remain at the local level where local knowledge and understanding is needed to make responsible decisions. We urge you to reject these bills.

As you consider these and any similar bills, please recognize that the aggregate industry greatly understates the supply of gravel in Michigan, and the industry's claims of looming shortages are unsupported by verifiable data. The fact that for decades Michigan has been among the top exporters of gravel in the nation makes the claim of potential shortages even more incongruous.

Again, I urge you to oppose and reject proposed Senate Bills 429-431 and any similar bills that remove local oversight and reduce regulations pertaining to the aggregate industry -- this is an industry that has earned more oversight and control, not less.

Regards

Michael Mutschler

Delton, Michigan 49046

Molly Wingrove

From: Marsha Drouin <mdrouin@richlandtwp.net>
Sent: Monday, June 20, 2022 4:59 PM
To: Molly Wingrove
Subject: opposition to SB 429-431

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from mdrouin@richlandtwp.net. [Learn why this is important](#)

I am against the preemption of Sand and Gravel mining.

I am not against the need to mine.

I am against the loss of local control.

The legislators are being influenced by the miners who don't even live in the communities they are "mining".
They don't care about the effects of their mining.

The local can "mold" the application for the best mining with the least effects on the community.

Molly Wingrove

From: MARK PERKINS <marno51@comcast.net>
Sent: Monday, June 20, 2022 5:03 PM
To: Molly Wingrove
Subject: SB 429-431

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from marno51@comcast.net. [Learn why this is important](#)

To: House Local Government and Municipal Finance Committee
From: Mark Perkins

I strongly advocate that you reject SB 429-431. These bills remove local control and zoning in regard to mining for gravel. Essentially, local property owners on lakes and surrounding areas would lose all their rights. Have any of you on this committee actually visited Barry County where I reside? Barry county is blessed with many beautiful lakes that simply cannot be repaired or replaced if damaged by gravel mining. This is why it is so important to maintain local control. The local governments understand what it will take to prevent the gravel mining companies from inflicting damage to the lakes and surrounding properties. I do not believe that EGLE will ever be funded with enough staff to provide the oversight that is desperately needed. Your consideration of my request is greatly appreciated.

Molly Wingrove

From: Tim Condon <tcondon2002@comcast.net>
Sent: Monday, June 20, 2022 6:44 PM
To: Molly Wingrove
Subject: Opposition SB 429-431

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from tcondon2002@comcast.net. [Learn why this is important](#)

I oppose bill SB 429-431.

Tim Condon
3466 Snowden Ln
Howell, MI. 48843
586-770-1689

Sent with [Aqua Mail for Android](#)
<https://www.aqua-mail.com>

Molly Wingrove

From: Sue Bowyer <suebowyer059@gmail.com>
Sent: Monday, June 20, 2022 6:47 PM
To: Molly Wingrove
Subject: Oppose Bill 429-431

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from suebowyer059@gmail.com. [Learn why this is important](#)

To: House Local Government and Municipal Finance Committee

I write to have my thoughts added to the public record regarding proposed SB 429-431.

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As you consider these and any similar bills, please recognize that the aggregate industry greatly understates the supply of gravel in Michigan, and the industry's claims of looming shortages are unsupported by verifiable data. The fact that for decades Michigan has been among the top exporters of gravel in the nation makes the claim of potential shortages even more incongruous.

Again, I urge you to **oppose** and reject proposed Senate Bills 429-431 and any similar bills that remove local oversight and reduce regulations pertaining to the aggregate industry -- this is an industry that has earned more oversight and control, not less.

Regards

Terry & Sue Bowyer
8358 Chain O Lakes Dr.
Delton, MI 49046

Sent from my iPhone

Molly Wingrove

From: Dawn <dcondon@comcast.net>
Sent: Monday, June 20, 2022 7:01 PM
To: Molly Wingrove
Cc: MI08ESIMA@mail.house.gov; cgriffith@livgov.com
Subject: Opposition Senate Bills 429-431

Follow Up Flag: Follow up
Flag Status: Flagged

[You don't often get email from dcondon@comcast.net. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Good evening,

I **oppose** these bills. Control should remain entirely with our local township.

Dawn Condon
3466 Snowden Ln
Howell, MI 48843

Molly Wingrove

From: Jennifer Krueger <msjennkrueger@outlook.com>
Sent: Monday, June 20, 2022 7:42 PM
To: Molly Wingrove
Subject: Opposition SB 429-431

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from msjennkrueger@outlook.com. [Learn why this is important](#)

Dear Ms. Wingrove,

My name is Jennifer Krueger.

My address is 3133 Stillriver Dr., Howell, MI 48843

My phone number is (734) 377-8319

I would like to state for the record that I oppose SB 429-431. These ordinances regarding gravel mining should be maintained locally and not overseen by those who are not directly impacted by the loss of control.

Sincerely,

Jennifer Krueger
ACCA | Cecchetti Council of America
Member | Dance Masters of America Michigan Chapter 4
Ballet Instructor | Maria's School of Dance, Fowlerville MI
734-377-8319

Be kind whenever possible. It is always possible. ~ Dalai Lama

Molly Wingrove

From: Gidget Pupa <gidgetpupa@gmail.com>
Sent: Monday, June 20, 2022 8:02 PM
To: Molly Wingrove
Subject: Opposition SB 429-431

Follow Up Flag: Follow up
Flag Status: Flagged

[You don't often get email from gidgetpupa@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

To whom it may concern,

My name is Gidget Pupa. My family and I reside at 3524 Snowden lane, Howell, Michigan 48843. My phone number is 517-375-4408. I oppose bill SB 429-431.

Thank you for your time,

Gidget Pupa

Sent from my iPhone

Molly Wingrove

From: Kamil Suzie Kowalski <0622kowalski@gmail.com>
Sent: Monday, June 20, 2022 8:14 PM
To: Molly Wingrove
Subject: opposition SB 429-431

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from 0622kowalski@gmail.com. [Learn why this is important](#)

Hello Ms. Molly Wingrove

My name is Suzanne Kowalski, myself and my husband Kamil Kowalski deeply oppose bill SB 429-431 passing of this bill would impact gravel mining in our township and lead to detrimental consequences in our community. Please hear and stand up for the many people who oppose this bill.

our information is
Kamil & Suzanne Kowalski
5341 E. Grand River Ave
Howell, MI 48843

We could be reached at 815-258-9664 or 708-257-5768

If you could please respond to this email so that we can verify you received our correspondence it would be greatly appreciated.

Thank you for your consideration and your service.

Respectfully submitted,

Suzanne & Kamil Kowalski

Molly Wingrove

From: Larry Lindemann <lindemann@freedomtownshipmi.org>
Sent: Monday, June 20, 2022 8:33 PM
To: Molly Wingrove
Subject: SB 429-431 and HB 4875

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from lindemann@freedomtownshipmi.org. [Learn why this is important](#)

As the supervisor of Freedom township in Washtenaw County I would like to oppose SB 429-431 and HB 4875. Our township has four mining operations in our township all with good working relations. If these bills get past our long working relationship will be for nothing. EGLE will not have the man power nor the time to inspect these arears currently under a mining agreement with the township.

Larry Lindemann
Freedom Township Supervisor

Molly Wingrove

From: Kelly Fasbinder <kellyfasbinder@gmail.com>
Sent: Monday, June 20, 2022 8:34 PM
To: Molly Wingrove
Subject: OPPOSITION SB 429-431

Follow Up Flag: Follow up
Flag Status: Flagged

[You don't often get email from kellyfasbinder@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Hello,

My name is Kelly Fasbinder (2127 Pine Hollow Trl, Brighton, MI 49114; 734-649-3693) and am writing to say I strenuously OPPOSE SB 429-431.

Thank you,
Kelly Fasbinder

Sent from my iPhone

Molly Wingrove

From: Jerrod Horan <jrod0987@yahoo.com>
Sent: Monday, June 20, 2022 9:07 PM
To: Molly Wingrove
Subject: Opposition **Senate Bills 429-431**

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from jrod0987@yahoo.com. [Learn why this is important](#)

Good evening,

I **oppose** these bills. Control should remain entirely with our local township.

Jerrod Horan
305 N Walnut St
Bay City, MI 48706

Molly Wingrove

From: RICHARD MURPHY <genforric@aol.com>
Sent: Monday, June 20, 2022 9:12 PM
To: Molly Wingrove
Subject: Senate bill 429-431

Follow Up Flag: Follow up
Flag Status: Flagged

[You don't often get email from genforric@aol.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Good morning, my name is Richard murphy and I live at 4533 Sid Dr. In Jackson Michigan. My phone number is 239-989-5593. I am writing in opposition to Senate bills 429-431 which would take all local control for mining permits away from local jurisdictions. I personally have seen what a disaster a local mine can be even with local control. To turn this over to EGLE is plain lunacy! EGLE cannot even handle the workload they have right now. A good example is a mine that has been operating in violation in Grass Lake Township for 2 1/2 years and EGLE still has not issued a Lake permit that they formed dredge mining. They have destroyed wetlands with many complaints filed that EGLE Has not addressed. Their excuse is they are under manned and overworked and do not have time to address these violations so how can you add 700 existing mines in Michigan plus any new mining permits and monitoring to their workload. It is just insane. Leave it in local control where it belongs and put a time limit for approval of one year to two years.

Thank You

Sent from my iPhone

Molly Wingrove

From: john schumacher <schubru@msn.com>
Sent: Monday, June 20, 2022 9:38 PM
To: Molly Wingrove
Subject: oppose SB 429 - 431

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from schubru@msn.com. [Learn why this is important](#)

To: House Local Government and Municipal Finance Committee

I write to have my thoughts added to the public record regarding proposed SB 429-431.

I understand that the committee is currently considering the merits of proposed Senate Bills 429-431. These bills remove critical local control and oversight of aggregate mines and shifts vital decision-making to EGLE which is poorly staffed, under-funded, and ill-equipped for this responsibility.

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Gravel mines are necessary, but can have very serious negative consequences on local residential communities and on environmentally sensitive areas. Important decisions regarding the location and operation of these mines must remain at the local level where local knowledge and understanding is needed to make responsible decisions. We urge you to reject these bills.

As you consider these and any similar bills, please recognize that the aggregate industry greatly understates the supply of gravel in Michigan, and the industry's claims of looming shortages are unsupported by verifiable data. The fact that for decades Michigan has been among the top exporters of gravel in the nation makes the claim of potential shortages even more incongruous.

Again, I urge you to **oppose and reject proposed Senate Bills 429-431 and any similar bills** that remove local oversight and reduce regulations pertaining to the aggregate industry -- this is an industry that has earned more oversight and control, **not** less.

Regards

John Schumacher
Kalamazoo Mi

Sent from [Mail](#) for Windows

Molly Wingrove

From: Sharen Frasso <shafrasso@comcast.net>
Sent: Monday, June 20, 2022 10:43 PM
To: Molly Wingrove
Subject: Opposition SB 429 - 431

Follow Up Flag: Follow up
Flag Status: Flagged

[You don't often get email from shafrasso@comcast.net. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Please know that Scott and Sharen Frasso residing at 5683 Eggert Place Brighton MI 610-763-4551 OPPOSE bill SB 429-431.

Thank you .

Sent from my iPhone

Molly Wingrove

From: 1uptonow <uptonow1@gmail.com>
Sent: Monday, June 20, 2022 11:28 PM
To: Molly Wingrove
Cc: Rep. Julie Alexander (District 64); Rep. Julie Calley (District 87)
Subject: Gravel mining

Follow Up Flag: Follow up
Flag Status: Flagged

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Catherine Upton

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

My name is Dr. Catherine Upton and I have lived in Waterloo Township for the past 9 years. I live on Clear Lake Rd which is a main ingress/egress for the double hauler gravel trucks that go to and from I-94, at least one truck per hour. The noise, dust and potholes are a nuisance but we live with it, knowing that these important resources are needed for all of Michigan's residents.

When we first moved here, there was a great deal of controversy about a proposed gravel mine north of Chelsea that would necessitate these trucks going straight through the main street of downtown Chelsea at the rate of 2-3 trucks per hour. Due to community involvement, and because the outcome would have been untenable, this was averted. If the decision was solely left to the state government, I doubt the outcome would have been the same.

I believe local control of gravel pits should be maintained because the local government (e.g. township) is closest to the operation, understands 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.

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. 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.

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**.

Thank you for your time and attention to this matter.

Catherine Upton, MD

Molly Wingrove

From: Bill & Sue Krueger <bskrueg@gmail.com>
Sent: Tuesday, June 21, 2022 12:07 AM
To: Molly Wingrove; SenJBizon@senate.michigan.gov; Rep. Julie Calley (District 87)
Subject: Opposition to proposed SB 429-431

Follow Up Flag: Follow up
Flag Status: Flagged

Some people who received this message don't often get email from bskrueg@gmail.com. [Learn why this is important](#)

To: House Local Government and Municipal Finance Committee

Please enter our comments below into the public record regarding proposed **SB 429-431**.

We understand that you are currently considering the merits of proposed Senate Bills 429-431. These bills remove critical local control and oversight of aggregate mines and shifts vital decision-making to EGLE which is poorly staffed, under-funded, and ill-equipped for this responsibility.

There are numerous shortcomings and alarming technical provisions of SB 429-431, but most concerning is the proposed total elimination of critically important local government approval and oversight of highly disruptive sand and gravel mining operations.

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Again, we urge you to **oppose and reject proposed Senate Bills 429-431 and any similar bills** that remove local oversight and reduce regulations pertaining to the aggregate industry -- this is an industry that has earned more oversight and control, **not** less.

Respectfully,

Bill and Sue Krueger
Delton, MI

Molly Wingrove

From: Dolores Scobey <scoobeydo12@gmail.com>
Sent: Tuesday, June 21, 2022 6:55 AM
To: Molly Wingrove
Subject: Senate Bills 429-431

Follow Up Flag: Follow up
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You don't often get email from scoobeydo12@gmail.com. [Learn why this is important](#)

To: House Local Government and Municipal Finance Committee

I want to add my agreement to Bobbi Llewellyn's thoughts regarding

the merits of proposed Senate Bills 429-431. These bills remove critical local control and oversight of aggregate mines and shifts vital decision-making to EGLE which is poorly staffed, under-funded, and ill-equipped for this responsibility.

There are numerous shortcomings and alarming technical provisions with SB 429-431, but most concerning is the proposed total elimination of critically important local government approval and oversight of highly disruptive sand and gravel mining operations.

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Regards

Dolores Scobey

6561 Woods Trail Drive
Delton, MI 49046

Molly Wingrove

From: Nancy A. Smith <heynancy2015@gmail.com>
Sent: Tuesday, June 21, 2022 7:55 AM
To: Molly Wingrove
Cc: Rep. Sarah Lightner (District 65)
Subject: "No" on SB 429-431

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Ms. Wingrove,

Please register my firm opposition to SB 429-431. I am a rural resident of Jackson County, and this bill package isn't what we need here, or anywhere in rural Michigan.

I stand with the Michigan Townships Association in opposing the bills on the grounds that they take away local control and give it to a centralized authority (who already is unable to keep up with its current enforcement workload). These bills would take authority away from local entities in matters of reviewing or denying applications, remove the requirement for public meetings, and do NOT adequately address environmental reclamation, truck routes, or noise.

Local entities like townships are best positioned to oversee these large mining operations. Neighbors and residents must be allowed to have input on an operation that could significantly impact their quality of life. I appeal to your conservative principles of limited government and local control on this one. Please don't pass SB 429-431, for the good of rural Michiganders and the good of our land, water, air, and wildlife.

Sincerely,

Nancy A. Smith
7390 Hague Ave.
Jackson, MI 49201

Molly Wingrove

From: Sandra McCoy <sandra.mccoy2@gmail.com>
Sent: Tuesday, June 21, 2022 8:11 AM
To: Molly Wingrove
Subject: Senate Bills 429-431

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from sandra.mccoy2@gmail.com. [Learn why this is important](#)

Good morning,

My name is Sandra McCoy and I live at 12273 Old Farm Lane, Grass Lake, MI (Ph. 412-979-5720).

I am writing to strongly oppose Senate Bills 429-431. The permitting process for gravel mining should remain under local control. Each township has a master plan and zoning laws and should be able to control land use. I know that the gravel industry has become frustrated as many towns have not allowed them to set up gravel mining operations anywhere they want. But what is proposed in Bills 429-431 is NOT the answer. The gravel industry and their allies have been saying for years that there is a drastic shortage of gravel in Michigan and they need to be able to set up mines without interference from local township authorities. However, the truth is that there is currently no statewide consensus on the gravel supply in Michigan. And if there is such a shortage of gravel, why is Michigan the 3rd largest exporter of gravel of all the US states? I am also concerned that the gravel industry has not looked at alternatives to these drastic bills. At the Senate Transportation Committee hearing in early 2019, Greg Needham (President of Michigan Aggregates) was asked if other alternatives had been considered and he answered "no" and said that they (the gravel industry) thought that this (taking away local control) was the prudent approach. Maybe it is the most convenient thing for the gravel industry, but it would cause irreparable harm to thousands of Michigan residents.

If Bills 429-431 pass, gravel mines would be set up all over Michigan without regard for neighboring land use. Here in Grass Lake we have a perfect example of that in the form of a mine on Bohne Road operated by Target Trucking. This mine started in 2003 with a farmer removing sand from his property. Over the years it has morphed into a full-blown commercial mining operation. There are 200+ homes in close proximity to the mine and many more along the haul routes. The problems with this mine are well-documented in the form of letters/photos to the township and resident testimony at township meetings. The problems include:

1. Fallout dust which coats the inside/outside of homes, lawns, cars and decks. This dust likely contains silica dust which is known to cause health problems.
2. Health concerns - we know that many nearby residents near the Bohne Rd gravel mine are sick with asthma, COPD, asthma AND COPD and cancer.
3. Residents cannot open their windows.
4. Noise which interferes with the ability to enjoy one's property.
5. Truck traffic.
6. Decreased property values (many residents have been unable to sell their homes for years).

If Bills 429-431 pass, they will create many more instances of the "Bohne Rd gravel mine" across Michigan. I strongly urge you to reject these bills. Leave the permitting process for gravel mines in the hands of local government where it belongs.

Thank you.

Sandra McCoy

Molly Wingrove

From: Gregg Berens <gberens1961@gmail.com>
Sent: Tuesday, June 21, 2022 8:12 AM
To: Molly Wingrove
Subject: Mining bills SB429-431

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from gberens1961@gmail.com. [Learn why this is important](#)

I live on Wilkinson Lake in Delton, Mich. We are currently in a fight with a mining company which wants to open a mine on the shore of our lake within 150 of the water in a 800 foot wetland area. To imagine this being allowed is absolutely ridiculous. The noise, silica dust, traffic and the damage to the environment are grave concerns to us. To take control away from local governments to deny or approve is just wrong. To have EGLE or some other agency in Lansing in charge of permitting will be a disaster for the residents of Michigan. Therefore, I would like my extreme **opposition** to these bills be on record.

Gregg Berens
8244 Nadell St
Delton, Mich
269-455-8548

Molly Wingrove

From: frenger4@comcast.net
Sent: Tuesday, June 21, 2022 8:19 AM
To: Molly Wingrove

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from frenger4@comcast.net. [Learn why this is important](#)

To: House Local Government and Municipal Finance Committee

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Again, I urge you to oppose and reject proposed Senate Bills 429-431 and any similar bills that remove local oversight and reduce regulations pertaining to the aggregate industry -- this is an industry that has earned more oversight and control, not less.

Regards,
Beryl Frenger
Delton, MI

Molly Wingrove

From: Kristofer Enlow <kenlow@lyontwp.org>
Sent: Tuesday, June 21, 2022 10:51 AM
To: Molly Wingrove
Subject: AGAINST SB 429, 430, 341

You don't often get email from kenlow@lyontwp.org. [Learn why this is important](#)
Let it be known that i am in **opposition** to SBs 429-431.

Kristofer Enlow, Lyon Township Trustee

Molly Wingrove

From: Levi Teitel <levi@progressmichigan.org>
Sent: Tuesday, June 21, 2022 10:54 AM
To: Molly Wingrove
Subject: Local Government and Municipal Finance: Opposition to SBs 429-431

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from levi@progressmichigan.org. [Learn why this is important](#)

My name is Levi Teitel, my address is 4861 Arrowhead Rd, West Bloomfield, MI 48323, phone number 248-622-9910, and I would like to register my opposition to SBs 429-431 because they would imperil the health and safety of our community and our air. Local communities know their communities the best, and taking the power away from them when aggregate corporations choose to open up an operation is wrong. The committee should take up bills that take meaningful steps to regulate the aggregates industry and the environment, not these bills.

Molly Wingrove

From: Don Sklenka <don.sklenka@gmail.com>
Sent: Tuesday, June 21, 2022 10:58 AM
To: Molly Wingrove
Subject: Opposition of SB 429-431

You don't often get email from don.sklenka@gmail.com. [Learn why this is important](#)

Ms. Wingrove,

Writing to firmly state my **opposition to SB 429-431**, which would remove local control over gravel and mining operations. To put this simply, this would be the equivalent of removing local voting precincts and just having everyone vote at the state level.

To think that something that would affect so many locally, would be determined state wide, is an insane way to think that we are better off than allowing those that know the local community and nuances to make the decision that would affect LOCAL communities.

Ultimately, this is a lazy way of executing and the gravel mining operation is using bullying tactics to try and get their way to essentially bulldoze local communities to make more money for their businesses.

Please understand the true impact of these bills not only right now, but also what the future would look like!

Thanks
Don Sklenka
8345 Wilkinson Lake St
Delton, Mi

Molly Wingrove

From: Emily Ritchie <eritchie0121@gmail.com>
Sent: Tuesday, June 21, 2022 12:38 PM
To: Molly Wingrove
Subject: Fwd: Letter

You don't often get email from eritchie0121@gmail.com. [Learn why this is important](#)

House Local Government and Municipal Finance Committee

I write to have my thoughts added to the public record regarding proposed SB 429-431.

I understand that the committee is currently considering the merits of proposed Senate Bills 429-431. These bills remove critical local control and oversight of aggregate mines and shifts vital decision-making to EGLE which is poorly staffed, under-funded, and ill-equipped for this responsibility.

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These bills destroy local zoning ordinances by making them completely inapplicable to sand and gravel mine operations, allowing miners to trample on local property owners' rights which are established and protected by the Michigan Constitution.

Gravel mines are necessary, but can have very serious negative consequences on local residential communities and on environmentally sensitive areas. Important decisions regarding the location and operation of these mines must remain at the local level where local knowledge and understanding is needed to make responsible decisions. We urge you to reject these bills.

As you consider these and any similar bills, please recognize that the aggregate industry greatly understates the supply of gravel in Michigan, and the industry's claims of looming shortages are unsupported by verifiable data. The fact that for decades Michigan has been among the top exporters of gravel in the nation makes the claim of potential shortages even more incongruous.

Again, I urge you to oppose and reject proposed Senate Bills 429-431 and any similar bills that remove local oversight and reduce regulations pertaining to the aggregate industry -- this is an industry that has earned more oversight and control, not less.

Regards

Emily Ritchie

Delton, MI

Molly Wingrove

From: Delton Crooked Lake Association <deltoncrookedlakeassociation@gmail.com>
Sent: Tuesday, June 21, 2022 12:43 PM
To: Molly Wingrove
Subject: House Local Government and Municipal Finance Committee

You don't often get email from deltoncrookedlakeassociation@gmail.com. [Learn why this is important](#)

House Local Government and Municipal Finance Committee

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Delton Crooked Lake Association

Delton, MI



Testimony Regarding SB 431 of 2022 before the
Local Government and Municipal Finance Committee
Honorable Julie A. Calley, Chair
June 21, 2022

Tip of the Mitt Watershed Council, on behalf of its 2000 plus members, wishes to extend our concern with regards to Senate Bill 429 - 431. Senate Bill 429 - 431 would specify that Part 639 would preempt an ordinance, regulation, resolution, policy, or practice of a governmental authority created by statute, municipality, or county that prohibited or regulated certain aspects of a mine.

Tip of the Mitt Watershed Council is a nonprofit organization founded in 1979. We speak on behalf of our members including full-time and seasonal residents, lake associations, and businesses. We work to maintain the environmental integrity and economic and aesthetic values of lakes, streams, wetlands, and groundwater in Northern Michigan, as well as statewide and throughout the Great Lakes Basin. As a lead organization for water resources protection in Antrim, Charlevoix, Cheboygan, and Emmet Counties, the Watershed Council is working to preserve the heritage of Northern Michigan – a tradition built around our magnificent waters.

We are greatly concerned about the impacts the enactment of this bill would have for local governments to protect resources above and beyond what the state allows. Proactive efforts by local governments to preserve the quality of life in their community are part of the rich history of home rule in Michigan. In an era of budget cutting and fiscal conservatism at the state and federal level, local governments are accepting more of the responsibility of environmental protection. In Michigan, local government has traditionally assumed the responsibility for land use control through ordinances. The ability for local governments to protect their community's character while at the same time protecting the overall public and environmental health for the long term would be severely hindered though the enactment of this bill.

Tip of the Mitt Watershed Council has a long history of working collaboratively with local units of government and mining companies to identify ways in which companies can effectively mine for aggregates while protecting water resources and the local community.

For example, recently, at the request of the Emmet County Planning Commission, the Watershed Council met with the Rieth-Riley Construction Company and its representatives to discuss a proposed gravel mining operation in Carp Lake Township. As a result, a number of conditions were added to the permit to protect local water resources and community members including:

Tip of the Mitt Watershed Council
426 Bay Street | Petoskey, MI 49770
www.watershedcouncil.org

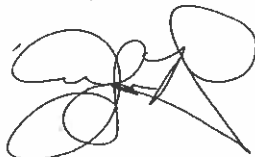
1. All required county and state-level permits must be granted prior to operation, including a soil erosion and sedimentation control permit and a wetlands permit, if necessary.
2. A formal wetland delineation will be conducted prior conducting any operations. In addition, the company will place signage/flags will be used to alert workers to the location of all wetlands. Furthermore, a berm will be placed between operations and the wetlands (to protect the wetlands from runoff).
3. Equipment will be sourced locally. During the county's yearly site visit, the county will monitor for invasive species. Should invasive species be identified on the site, the company will be responsible for management and control in a proper and timely manner to avoid further spread.
4. The company has agreed to include a map of surface waters along with their application.
5. The company provided independent borehole data taken by Pearson Drilling and reviewed by Dean Geers of the Atwell Group.
6. The company will not be washing the aggregate onsite. They intend to use water for dust suppression. The company trucks are filled elsewhere around Northern MI. There will be no water wells on the site to be used for drawing groundwater for other uses.
7. The company is willing to provide for a third party to test the two residential wells that abut the proposed project site. The third party will determine what contaminants the wells should be tested for based on the conditions on site and the drinking water standards per the Health Department of Northwest Michigan.
8. Setbacks were increased for the areas with neighboring buildings onsite.

The Watershed Council appreciates the collaborative nature of its discussions with the applicant and their willingness to take steps to ensure that groundwater, surface water, and drinking water resources are protected during and after operations. This is just one of many examples in which the Watershed Council has worked with a local government to improve the protections in place for mining activities.

Such dialogue and additional protections would not be put into place if local government authority is preempted. The bill would ultimately remove the authority for local governments to provide for the public interest and protect local resources and public health. Therefore, we urge you to **oppose SB 429- 431** to ensure that our vital natural resources are able to be protected under local governmental authority for future generations.

Please feel free contact me with further questions or concerns at jenniferm@watershedcouncil.org or 231-347-1181.

Sincerely,



Jennifer McKay
Policy Director

Tip of the Mitt Watershed Council
426 Bay Street | Petoskey, MI 49770
www.watershedcouncil.org

Molly Wingrove

From: bill159@aol.com
Sent: Tuesday, June 21, 2022 5:04 PM
To: Molly Wingrove
Subject: Gravel Mines Local Control

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from bill159@aol.com. [Learn why this is important](#)

Please don't let big money gravel take all the control away from us locals.

We're small and know impacts of these operations better than someone at the state level.

Thanks,
William Lewis
Sharon Township

SB 429-431
oppose

Sent from the all new AOL app for Android

Molly Wingrove

From: nicole cosby <cosby2013@att.net>
Sent: Tuesday, June 21, 2022 7:20 PM
To: Molly Wingrove
Subject: SB 429-431

You don't often get email from cosby2013@att.net. [Learn why this is important](#)

To: House Local Government and Municipal Finance Committee

I write to have my thoughts added to the public record regarding proposed SB 429-431.

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Again, I urge you to oppose and **reject** proposed **Senate Bills 429-431** and any similar bills that remove local oversight and reduce regulations pertaining to the aggregate industry -- this is an industry that has earned more oversight and control, not less.

Regards

Nicole Cosby
7491 coconut dr.
Jenison MI 49428

Sent from AT&T Yahoo Mail on Android

Molly Wingrove

From: Terri Shelton <mrsrailroad@juno.com>
Sent: Tuesday, June 21, 2022 8:45 PM
To: Molly Wingrove
Cc: rsrailroad@juno.com
Subject: Proposed Senate Bills 429-431

[You don't often get email from mrsrailroad@juno.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

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Local ordinances are for the benefit of the area residents and control of them must remain under local control.

Regards

Rick and Terri Shelton

Delton, MI

Sent from my iPhone

Gary Wommer
Negaunee Township

The term "very serious consequences" has been hanging around in state law for a lot longer time than it has been useful. It appeared in the aggregate mining arguments as a "pacifier" in a circuit court decree to try to keep everybody happy, which seldom if ever happens. Although there have been several zoning permit requests taken to court because of an inability to find common ground, nobody has placed a "value" or "measurement" on the phrase "very serious consequences" and nobody has ever walked out of the courtroom knowing what it really relates to. Loss of property value, environmental issues, constant infrastructure issues just to name a few, but to what degree? Or can this term really be broken down to a degree that means the same to everybody?

I think not.

We all live in different worlds with different environments and to constantly battle over one term does nobody any good.

It would be a lot easier if in future laws there would be some more concrete values to use in where to site aggregate mines or gravel pits, whichever term suits you. If a permit is requested and the operation was to be 10 feet from an existing home, that would indeed be a "very serious consequence" for the home owner. If the same permit was requested and there was a distance of say a quarter mile or 1320 feet I'm sure it would be less of a consequence to the home owner.

It is time to stop putting language into laws that does nothing than invite trips to the courtroom to argue over viewpoints. Put some common values on things and there will be more agreements than arguments.

Rock/ Gravel Sources In The U.P.

During the recent committee hearings on S.B. 429 the question was asked by one of the senators on where and how much actual rock was available in the state. At least at that time nobody at that hearing could reliably answer that question and provide perhaps a description of the general geological features of the state.

The U.S. Department of Agriculture Natural Resources Conservation Service has that very information available and, although it is somewhat dated, it is a very useful tool to use when researching options for gravel pit siting. It has been used by the majority of municipalities when they petitioned to circuit court regarding questionable sites listed on zoning permits. This study, while not the only resource to be consulted in these cases, can aid in revealing less contentious resources and perhaps save a trip to court, which everybody agrees is a cost that should be avoided.

“The rock cannot move and must be mined where it is” is a favorite statement of the aggregate industry that nobody can really question. The fact is that all too often alternative sources are not considered if available. Threats of skyrocketing prices are often the first retort when local zoning conflicts with permit requests. It must be considered that the municipalities that have zoning conflicts with gravel pit sites have no interest in having poor roads and streets for their residents to travel on but they also attempt to provide a safe and comfortable neighborhood for them.

It would be interesting but nearly impossible to find the result of a gravel pit siting dispute and if the resulting cost did indeed cause a road improvement project to be cancelled or delayed. Given time, that information could be found and maybe more compromise and fewer threats would do everybody a little good.

How Do We Predict The Future?

For at least the past 30 years residents in our township have been purchasing and developing their properties in accordance with the zoning ordinances set before them. Our subdivisions, private lots, and waterfront recreational parcels all must conform to the rules which, at times, present some unseen circumstances that must be mitigated before construction can begin. The owner is assured of the future because they have faith in the laws.

Now our state lawmakers want to change the laws that have been abided by millions of homeowners and toss their most valuable asset into jeopardy because somebody tells them that rocks on an adjacent parcel have become extremely valuable and they must be removed from that exact site or the entire population will suffer immensely. If we were discussing gold, silver, platinum, or one of the other precious minerals it would be understandable, but simple Michigamme, Peshekee, or any of the other rock outcroppings in our area are not nearly as valuable.

The old saw about people knowing that some day a mine or gravel pit could suddenly pop up next door and ruin their life holds no water. Using that method of reasoning there would be no place in our great state that would be safe to build on and not have concerns about the future. Giving up all local control for these projects is a ludicrous idea. There is absolutely no way that EGLE would be able to dedicate the time and talent necessary to completely vet an application so that all questions were fairly and completely answered. Not allowing a particular use in one area is no more a taking for the applicant than it is for the adjacent owner who may be facing the loss of peace and solitude that they have had for the previous 30 years. Local control must be used at some point to adjudicate local problems.