

SPRINGFIELD CHARTER TOWNSHIP

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Atwell Consultant Interview

Springfield Township
12000 Davisburg Road, Davisburg, MI 48350
Wednesday 19th, 2025
12:30 PM

PRESENT: Richard L. Davis, Township Supervisor
 Greg Need, Township Attorney
 Gerald Fisher, Township Special Council
 Kara Okonewski, Resident
 Chris Todd, Resident
 Don Berninger, Associate Director at Atwell
 Danielle Sink, Supervisor's Assistant/Recording Secretary

Supervisor Richard L. Davis convened the meeting to continue the Township's consultant interview process regarding the proposed sand and gravel mining application. He began by explaining that Springfield Township is one of the most environmentally diverse and ecologically sensitive communities in southeastern Michigan. He emphasized that the Township contains some of the most unique natural features in the state, including prairie fens, as well as critical wetlands, aquifers, and interconnected stream systems that support state and federally protected species. These habitats, he stressed, are essential components of the Township's identity and are deeply valued by residents.

Supervisor Davis stated that as the Township evaluates the proposed sand and gravel mining operation, it must do so with complete integrity, transparency, and neutrality. He reiterated that the Township has no preconceived agenda, neither to approve nor deny the application, and is instead committed to a fact based approach. He explained that the Township is therefore seeking an independent firm with no prior financial or professional connection to the applicant or any associated entities, including Levy Mining Corporation, Burrows Mining Corporation, and American Aggregates. He asked the consultant to confirm that neither he nor his firm had any such connections. Don stated that he personally had never worked with Levy and would verify that Atwell also had no history of work for Levy, Burrows, or American Aggregates.

Supervisor Davis explained that the consultant's role would be to help the Township carefully vet all technical claims and studies submitted by the applicant, identify gaps or inconsistencies, and produce a structured, research driven deliverables that will assist the Planning Commission in making informed and transparent recommendations. He explained that this report must also serve as a public facing resource to help the broader community understand how the proposed mining

operation could affect long term environmental health, public safety, and Township sustainability. He outlined concerns including groundwater impacts, habitat disturbance, infrastructure strain, property value effects, habitat fragmentation, light and noise pollution, traffic impacts, dust migration, and the site's proximity to an EPA designated Superfund site. The most recent five year Superfund review, completed in July, confirmed that the contamination plume is currently contained, but Supervisor Davis stressed that excavation or hydrologic changes could compromise that containment. He also explained that the review must account for future environmental conditions driven by climate change, such as more intense flooding, shifts in recharge patterns, and periods of drought, all of which can influence groundwater behavior and ecological stability.

Don asked whether the Township expected analyses such as groundwater evaluation, noise, traffic, wetlands, and geotechnical testing. Supervisor Davis confirmed that if Atwell intended to use subcontractors, the Township would require that those subcontractors meet the same conflict of interest standards and that the Township would review credentials before approving any subconsultant involvement. He then asked whether Atwell had any direct or indirect conflicts that could impair neutrality. Don said no, noting that he had no current projects in Springfield Township and was reviewing Atwell's prior work history to confirm no past involvement with the entities mentioned.

Special Counsel Fisher asked whether Atwell's work in Springfield in the past was done for private entities, and Don confirmed that it would have been. Supervisor Davis then moved into questions about technical expertise, asking what specific areas of competency Atwell offers that are relevant to evaluating a sand and gravel mining application. Don explained that Atwell is a full service engineering, survey, and environmental firm, but that its environmental division is more narrowly focused on natural resources. His personal expertise lies in wetlands science, state and federal wetland permitting, and sensitive habitat evaluation. He noted that Atwell routinely partners with subconsultants for geotechnical work, traffic analysis, and light/noise studies, as those services are not provided in house.

Supervisor Davis asked whether Atwell had experience evaluating mining or excavation projects near sensitive ecosystems or protected species. Don responded that he had worked on multiple gravel operations. Supervisor Davis then asked whether Atwell had experience working in environmentally sensitive communities facing active residential and ecological concerns. Don referenced the Saline Data Storage Center project, a large and highly publicized development with complex environmental impacts, explaining that he and his team are currently engaged in that review.

When asked whether Atwell had experience with site reclamation or long term post mining monitoring, Don stated that his firm has limited experience in long term mining monitoring but has conducted numerous mitigation monitoring projects for residential developments, wetland mitigation banks, and habitat restoration sites. Attorney Need asked whether Atwell has represented sand and gravel operators seeking permits; Don said no. Supervisor Davis also asked whether Atwell had ever evaluated mining applications for municipalities and what risks they observed; Don stated that Atwell typically works for private entities rather than municipalities.

Supervisor Davis asked whether the firm is familiar with dewatering, ground vibration, dust, and diesel emission risks. Don noted that Atwell had assisted as an impartial reviewer on the Nestlé water withdrawal case in Everett, Michigan, which involved groundwater modeling and environmental impact assessments. Supervisor Davis asked whether Atwell could evaluate both direct and cumulative impacts, including offsite impacts. Don answered yes. Supervisor Davis also

asked whether the firm could address complex issues such as the impact of large scale material removal on groundwater pressure and flow. Don asked for clarification regarding reclamation, and Supervisor Davis explained that the applicant intends a phased extraction followed by ongoing phased reclamation. Don asked about future land use, and Supervisor Davis stated that low impact residential development with a lake is the expected outcome.

Supervisor Davis then asked whether Atwell could evaluate changes in groundwater flow caused by excavation or dewatering and whether they could analyze interactions between the mining operation and the adjacent Superfund site, including plume mobilization. Don said that Atwell's subconsultants could. When asked whether they had worked in areas with legacy contamination or federal cleanup sites, Don referenced an EPA Superfund project in Howell where Atwell completed wetland, habitat, and species evaluation work while subcontracting the groundwater modeling components. When Attorney Fisher asked whether Atwell itself conducts groundwater work, Don confirmed that neither he nor Atwell performs groundwater modeling directly. When asked which subconsultant they typically use, he named G2.

Attorney Need asked whether Atwell performs GIS or environmental modeling, and also who would be assigned to the project if the Township retained Atwell. Don stated that he would lead wetland related tasks, with their vice president, Bourke Thomas, serving as project lead, and that Atwell would provide CVs. Presentations to boards or commissions would likely be done by Don and Bourke, with additional specialists as needed. Sarah asked whether Atwell presents to the public on environmental impacts, and Don confirmed that they do, noting that their work frequently involves EGLE public hearings. When Attorney Need asked about transparency and resident engagement, Don confirmed that he is comfortable participating in those settings, although he focuses strictly on wetland expertise during such presentations.

Attorney Need asked whether Don had provided expert witness testimony; Don confirmed two past cases, one involving a residential development on Michigan's west side and another commercial project in southeast Michigan. He also clarified that compliance evaluations include federal and state requirements.

Supervisor Davis asked whether Atwell's reporting could be prepared in a form suitable for inclusion in the Township's official record or for legal use. Don said yes. When asked whether Atwell could independently verify the applicant's technical submissions, including hydrogeological, traffic, noise, and environmental data, he confirmed that they could.

Supervisor Davis moved into project scope and capacity, asking about timeline and availability. Don stated that Atwell could begin immediately and confirmed that they have the capacity for ongoing review work and follow up evaluations. Supervisor Davis explained that attendance at Planning Commission and Township Board meetings may be required; Don said that he, Bourke, or their public relations specialist Danielle would attend as appropriate, noting that he has substantial experience presenting in environmentally sensitive communities such as West Bloomfield and Pittsfield Township.

Special Counsel Fisher asked who would handle groundwater issues for Atwell, and Don again identified G2 as their likely subcontractor. Attorney Need asked about property value analysis, and Don stated that a subcontractor would be required.

Sarah raised questions about ecological modeling and potential impacts to the Township's fen, which hosts endangered species. She showed Don a map illustrating the mining site, adjacent

wetlands, the nature preserve, and the Superfund site. Supervisor Davis added context, explaining that groundwater in the region generally flows toward the fen and that any hydrostatic pressure changes on the mining site could affect both plume containment and ecological temperature and flow conditions. Jerry noted that excavation would remove esker deposits that provide natural filtration. Don acknowledged the complexity and confirmed that the site contains numerous wetlands. Sarah explained that Springfield is known for its seeps, springs, and groundwater fed systems, noting that changes in water flow or temperature could significantly affect sensitive plants and the species dependent on them. Don said that baseline groundwater monitoring wells and surface level monitoring would be essential and could be done in coordination with Atwell's GIS and survey teams.

Jerry asked whether Atwell performs wetland delineations; Don confirmed they do. Jerry then asked whether delineation could result in reclassification of isolated wetlands as regulated wetlands. Don explained EGLE's 500 foot rule, differences between state and federal jurisdiction, and how groundwater connections may exist even when not recognized as regulated features. Kara asked how Atwell integrates subcontractor modeling into comprehensive reports identifying impact ranges and thresholds. Don explained that baseline data especially the decades of well records already available is crucial for valid long term projections. He stated that Atwell would analyze the applicant's proposed excavation depth, groundwater movement patterns, and site geology before structuring a multi layered assessment.

Supervisor Davis emphasized that the Township has paused the application and that the public hearing remains open, giving ample time to gather data and proceed methodically. Don agreed that time is essential for credible projections. Kara asked whether Atwell incorporates seasonal variation and climate conditions into assessments; Don confirmed that they do, explaining how annual precipitation and Army Corps APT tools are used in their evaluations.

Supervisor Davis then explained that the Township may compartmentalize consultant roles, asking whether Atwell was willing to work only on specific segments of the project. Don agreed and said he is most effective when focused on wetland related issues. Supervisor Davis asked whether Atwell is able to identify when certain segments overlap or require additional work outside the initial scope; Don confirmed that they would.

Supervisor Davis asked whether Atwell could provide a proposal by the first or second week of December. Don said yes and asked what the Township wanted included. Supervisor Davis stated that the Township prefers hourly rate structures, full transparency regarding subcontractor rates, and the ability to review subcontractor qualifications in advance. He explained that the Township may ask Atwell to work intermittently starting certain components, pausing at defined points, and resuming once additional information is available. He emphasized that the Township may host public sessions where Atwell's findings will be discussed alongside the applicant's experts, and he asked whether Atwell was comfortable communicating clearly to the public and working collaboratively with other professionals. Don said yes and added that they maintain good working relationships with many environmental firms. Supervisor Davis asked whether Don was familiar with the Township's existing experts, Brian O'Mara and Mike Wilczynski, and Don confirmed that he was.

Supervisor Davis reiterated that the proposal should include CVs, hourly rates for all Atwell contributors, and the rates or pass through costs for any subcontractors such as G2. Don confirmed that Atwell typically uses direct pass through billing for subcontracted work. Supervisor Davis said the Township might have follow up questions and explained again that he, Special

Counsel Fisher, Attorney Need, and himself were tasked with interviewing firms with residents present for transparency.

After concluding the interview, Supervisor Davis thanked Don for his time and excused him so that Township officials and residents could discuss their impressions candidly.

Following Don's departure, Special Counsel Fisher commented that Atwell could be valuable for wetlands analysis specifically. Attorney Need agreed, noting that Atwell lacked gravel mining experience and limited municipal experience. Supervisor Davis said he viewed Atwell's strength as highly focused on wetlands, and that this specialization could still serve a purpose as part of a multi expert review team. Fisher noted that having someone accustomed to private sector work might even add credibility before the applicant. Supervisor Davis observed that the Township would likely assemble a team of experts rather than relying on a single consultant, and that Atwell might fill a targeted role rather than a broad one. He also noted that Don was less strong as a public presenter compared to the other group, which several in the room agreed with.

Residents and staff shared observations. Sarah appreciated Don's strong grounding in wetlands science and his understanding of seasonal and ecological variability, which she felt other consultants had not addressed. Jerry commented on Don's evident passion for wetlands. Kara noted that Don demonstrated strong technical fluency, especially regarding endangered species, flora, and fauna. She believed that while groundwater modeling was outside Atwell's scope, Don clearly understood the ecological connectivity and could provide expertise that the Township currently lacks. She also remarked that the opportunity to work with Michigan's top fen would likely motivate him to do a thorough job.

Fisher concluded that Don came into the meeting without background preparation but answered questions truthfully and openly. Several participants agreed that while wetlands expertise alone would not cover the entire project, it would be useful to treat this review as a multi-disciplinary effort, hiring different specialists for different components. Supervisor Davis agreed, stating that using multiple experts would minimize bias and strengthen the credibility of the final record. He closed by indicating that Atwell may serve a limited but meaningful role in the Township's broader technical evaluation strategy.