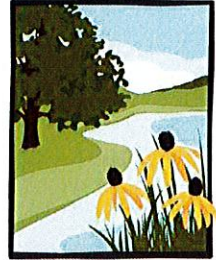


MEMO

New Business

SPRINGFIELD
CHARTER TOWNSHIP



TO: Township Board

FROM: Ric Davis, Supervisor

A DATE: January 8, 2025

B RE: Burroughs Gravel Mine Application Review

Purpose:

B This memo is intended to provide an update on the structured approach being taken to ensure a thorough, impartial, and legally sound review of the Burroughs gravel mining application. The materials attached, including the Scope of Work, Draft Report Template (Exhibit C), and Supervisor's Legal Engagement Memo, together form a comprehensive roadmap for the work ahead. These documents will guide our engagement with independent experts and legal counsel and ensure that our process aligns with state law, Township ordinances, and best practices in environmental oversight.

Document Preparation and Consultation:

These documents were initially drafted by me to provide a foundation for responsible governance of this complex issue. After preparing the drafts, I worked directly with both Gerry Fischer and Greg Need to gather their professional input and ensure legal and procedural soundness.

Their collaboration has helped refine the documents into working tools that reflect both legal requirements and community expectations.

Funding and Fee Allocation:

As the Township continues to rely on expert support, it is important to clarify the source of consultant compensation:

- Greg Need's fees are eligible and approved for payment from the escrow account established with the \$150,000 provided by the Levy Company. These services are related to legal oversight and procedural compliance throughout the gravel mining review process.
- F** • Gerry Fischer's compensation is not covered by the Levy escrow. Payment for his services will need to be drawn from the General Fund.

Recommended Action

Approve all three items as presented to formally implement the Supervisor-initiated, legally reviewed framework governing the Township's evaluation of the Burroughs Gravel Mine application.

Scope of Work (SOW)

B Independent C Review – **Burroughs Gravel Mine Application**

Location: Springfield Township, Michigan

Prepared by: Ric Davis, Springfield Township Supervisor

Purpose and Guiding Principle

E
B Springfield Township will commission an independent, science-based review of the studies submitted by **Burroughs Mining**, particularly focusing on environmental studies, as part of their **gravel mine Special Land Use** request.

This review is a proactive measure to ensure decisions are informed by verified facts, expert analysis, and community interests, not assumptions or outside pressure. The purpose is not to oppose or endorse the application prematurely, but to create the conditions for sound, lawful, and community-conscious governance.

Directive from the Supervisor to all consultants: materials prepared for Township are to be directed to Township General Counsel.

This review shall be entirely fact-driven and impartial.

Independent experts must approach their task without predisposition toward approval or denial of the application.

M **All work products, draft or final, are to be held by the Township General Counsel, who shall review them and secure approval by the Springfield Township Supervisor prior to any public release or distribution.**

Public communication of findings must align with the Township's commitment to transparency, clarity, and due process.

All professional services rendered under this Scope of Work shall be conducted in accordance with the prevailing standards of care, skill, and diligence practiced by qualified professionals in the field of environmental and land-use review.

Strategic Objectives

D **Determine the scientific validity of all environmental studies submitted**

Protect Springfield Township's natural resources, public health, and infrastructure

Provide a clear, neutral, and trustworthy assessment for Township officials and residents

Ensure public decisions are guided by truth, not influence

Identify any cultural, historic, or tribal resources that may be affected and ensure compliance with state and federal expectations

Evaluate both individual and cumulative environmental impacts to ensure a complete understanding of community risk

Environmental Review Focus Areas

Groundwater and Hydrogeology

Evaluate aquifer integrity, flow modeling, residential well impact, and contamination risk
Include analysis of off-site impacts to connected hydrologic systems

Stormwater and Surface Water Runoff

Evaluate the applicant's stormwater management plan
Assess erosion, sedimentation, flood potential, and downstream impacts on wetlands, prairie fens, and streams

Air Quality and Dust Control

Analyze particulate and silica dust projections and alignment with state and federal health standards
Assess the probability of dust migration beyond the proposed mining site

Noise and Vibration Impact

Review operational sound levels and vibration effects on nearby homes, schools, wildlife, and infrastructure

Ecological and Wildlife Assessment

Assess impacts on sensitive ecosystems, including prairie fens and other wetlands
Evaluate risk to rare or endangered insect, animal, and plant life within and beyond the project area
Determine whether proposed activities could disrupt ecological corridors or habitat continuity

Traffic and Infrastructure Stress

Examine projected truck volumes, road wear, pedestrian safety, and emergency access implications. Impact on uses and property adjacent to haul routes PER ACT 113

Reclamation and Post-Mining Land Use

Assess: ordinance compliance and feasibility of the reclamation plan, timeline, and long-term land use compatibility with the Township Master Plan

Regulatory Compliance

Confirm alignment with Michigan EGLE standards, Springfield Township Zoning and Regulatory Ordinances, and applicable federal environmental policies GAF ADD

Proximity to Existing Contamination

Evaluate cumulative or compounding environmental risks associated with the nearby Superfund site
Assess whether mining activities could alter hydrological or airborne pathways that increase contaminant spread

Property Valuation Impact

Assess potential impacts on residential and commercial property values surrounding the proposed mining site and along the haul route

Include comparisons to similar mining operations in other municipalities
Consider both short-term and long-term market effects, including development limitations

Cultural, Historic, or Tribal Resources

Identify any known historic, archaeological, or tribal resources in or near the site
Determine whether any federal or state cultural resource reviews are applicable

Cumulative Environmental Impact

Assess combined effects when considering nearby industrial uses, natural resource vulnerabilities, and community exposure levels

Emergency Preparedness and Response

Evaluate the applicant's emergency response and mitigation plans
Assess readiness for environmental accidents, contamination events, or hazardous material situations
Consider coordination capabilities with local first responders and Township emergency personnel

Deliverables and Approval Protocol

Initial Document Review

Memo identifying completeness, deficiencies, or missing elements in the applicant's submission

Technical Evaluation

Full scientific assessment by discipline-specific experts
The expert team must identify any deficiencies, inconsistencies, or unsupported assumptions in the applicant's materials and discuss with Review team (Supervisor and Counsel).

Consultation on Additional Needs

If additional data, analysis, testing, or third-party review is required for a complete perspective, the expert team must promptly consult with the Township Supervisor and legal counsel to recommend next steps

All deliverables must present a complete and logically supported evaluation, leaving no relevant issue unaddressed

Comparative Risk Matrix

Side-by-side comparison of applicant data with scientific and industry standards

Risk Summary

Identification of potential environmental, health, safety, or economic risks, including the likelihood and scale of off-site impacts

Public Summary Report REQUIRE TECHNICAL REPORT

A plain-language version of findings designed for public meetings and engagement

Must be reviewed and approved by the Supervisor prior to FORMAL release

All deliverables must be easy to read and understandable by the general public

Visuals, charts, graphs, and maps should be used to communicate key findings

Presentation materials must be suitable for use at public meetings and on the Township website

Public Input Integration

Where appropriate, deliverables should acknowledge relevant themes or concerns raised by residents during public comment periods or hearings

Expert Testimony

Availability for presentations at Township PC and Board meetings or public hearings when requested

Community Q and A Session

The expert team may participate in a virtual or in-person Q and A session at the Township's discretion following Supervisor-approved report release

Ongoing Monitoring Recommendations

Experts must provide recommendations for ongoing environmental monitoring, compliance checks, and post-approval oversight if the project is granted approval

Personnel Documentation Requirement

All participating professionals must submit

CVs or resumes

Areas of expertise

List of subcontractors

G Statement confirming independence from the applicant or related parties

A signed declaration affirming no financial interest, current contract, or pending agreement with the applicant or affiliated parties

Deadline for submission: [Insert Date]

All documents must be provided in PDF format

Confidentiality and Oversight

All findings, reports, and supporting documents are the property of Springfield Township Township General Counsel to hold all materials intended for Township, and no information may be publicly released, published, or distributed without written approval by the Springfield Township All communications must comply with Michigan FOIA requirements and Township

transparency policies

All participating consultants and contractors shall treat all data, draft reports, communications, and internal documents as confidential unless expressly authorized in writing by the Township Supervisor. Township General Council shall hold all materials intended for Township, and unauthorized disclosure will be considered a breach of contract and may result in legal or professional consequences

Use of Findings

All final reports and supporting documentation may be used by the Township in public meetings, zoning decisions, regulatory agency communications, or legal proceedings.

Any use or representation of these findings outside of official Township actions must receive prior written approval from the Township Supervisor

Disclaimer

The findings and conclusions presented by the expert team are those of the independent consultants and do not necessarily reflect the official position of Springfield Township. The Township shall not be held liable for any errors, omissions, or conclusions made by contracted parties involved in the review

Governing Law

This Scope of Work shall be governed and interpreted under the laws of the State of Michigan. Any disputes arising from the execution or interpretation of this document shall be subject to the jurisdiction of Oakland County Circuit Court

Approved by

Ric Davis

Springfield Township Supervisor

Date: _____

Acknowledged and Agreed by *(if applicable)*

[Consulting Firm Name]

Authorized Representative Name and Title

Date: _____

Appendices (To Be Attached as Needed)

Appendix A: Public Comment Summary

Appendix B: Site Maps and Zoning Data

Appendix C: Reporting Format Templates

Appendix D: Consultant Contract Agreement (if applicable)

B **EXHIBIT C – Independent Environmental Review Report**

B *Burroughs Mine Application*

Prepared by: [Environmental Expert / Firm Name]

Date: [Insert Date]

H Prepared for: **Springfield Township Board of Supervisors**

OPPORTUNITY FOR APPLICANT TO RESPONSE TO PC FINDINGS & RECOMMENDATION

1. Executive Summary

- Brief overview of the findings
- Summary of key environmental risks and benefits
- Final recommendation (Support / Do Not Support / Support with Conditions)

2. Reviewer Information

- Name of Firm / Reviewer(s)
- Credentials and Certifications
- Date(s) of Site Visit(s)
- Other Reports or Studies Reviewed
- **PURPOSE OF REVIEW (SUBJECT MATTER)**

3. Project Description

- B**
- Name: **Burroughs Mine**
 - Applicant: [Applicant Name]
 - Location: [Parcel ID, GPS Coordinates, etc.]
 - Proposed Activity Overview
 - Type of mining operation
 - Estimated scale and timeline
 - Infrastructure and access plans

4. Scope of Environmental Review

- Environmental elements reviewed
 - Air Quality
 - Surface and Groundwater Impact
 - Soil and Erosion Control
 - Vegetation and Wildlife
 - Noise Pollution
 - Reclamation and Land Use
 - Hazardous Materials (if applicable)
 - Cultural or Historical Resource Impacts
 - **OTHER AS APPROPRIATE**

- Regulatory frameworks referenced
 - State DEQ / EGLE guidelines
 - OTHER STATE LAW
 - EPA standards
 - Township Ordinances

5. Methodology

- Description of field studies or site evaluations conducted
- Data sources used (maps, aerial imagery, test wells, etc.)
- Stakeholder input considered (if applicable)
- FINDINGS AND CONCLUSIONS

6. Key Environmental Findings

6.1 Air Quality

- Summary of baseline conditions
- Predicted emissions
- Mitigation measures proposed

6.2 Water Resources

- GEOGRAPHIC AREA OR AREAS REPORTED
- Groundwater table status
- Surface water proximity and flow data
- Impact projections
- Containment and runoff management plans
- CONTAMINATION RISKS
- WATER LEVEL IMPACT
- IMPACT ON FENN

6.3 Soil and Erosion

- Soil composition and stability, INCLUDING OFFSITE IMPACT ON FENN
- Erosion risks and grading plans
- ONSITE AND OFFSITE STORMWATER IMPACTS
- OPERATIONAL IMPACTS

6.4 Wildlife and Vegetation

DIRECT AND INDIRECT IMPACTS

- Sensitive species or habitats noted

- K**
 - **IMPACT MIGRATION**
 - Impact mitigation
 - Recommendations for preservation

6.5 Noise and Light Pollution

- Modeling results (if available)
- Impact to neighboring residents, **TRAFFIC**, and wildlife

7. Regulatory Compliance Summary

- Does the application meet all local, state, and federal environmental standards?
- Any identified non-compliance issues?
- Additional permits or studies required?
- **ADDITIONAL ISSUES RELATING TO EFFECT ON SERIOUS CONSEQUENCES IN THE TOWNSHIP**

L 8. **Community and Stakeholder Concerns**

- Summary of **RELEVANT** community feedback related to environmental concerns
- Steps taken to address those concerns

9. Risk Assessment and Mitigation Summary

- Summary of high-risk areas
- Mitigation plans in place or recommended
- Contingency planning

FOR INTERNAL USE

Recommendations

- Final recommendation (choose one):
 - Support
 - Do Not Support
 - Support with Conditions
- Conditions or required actions before approval
 - [Example: Submission of stormwater management plan]
 - [Example: Quarterly water testing during operation]

. Appendices

A. Maps and Site Diagrams

- B. Test Results and Data Tables
- C. Photos from Site Visit
- D. Community Feedback Summary (if applicable)
- E. Legal or Regulatory References