

Waterloo Recreation Area Conversion
Public Meeting: September 27, 2010
Overview of Public Comments

1. The money at stake for the mining, what is in it for the people?
2. Property value of private owners- no one will purchase a house near a gravel pit.
3. Right to Ride
4. Length of Lease
5. Lack of Advertising
6. Environmental Assessment- how many days to comment?
7. Waterloo Recreation Area perpetuity deed
8. Closing of Green Road and rerouting
9. Aggregate Industries restoration agreement
10. Lake Level study, lost of water depth
11. Will the environmental assessment address air quality studies
12. Low tax base
13. Hydrology study concerns
14. Price
15. State has let the people down
16. Has Aggregate Industries had prior legal issues
17. Noise levels
18. Is there a Plan B?
19. Invasive Species is a greater impact to the local community than the mining
20. Black Locust
21. How many years before restoration?
22. Where will the money go once it is generated from the lease?
23. Why would the state initiate this mineral lease?
24. State needs to find advantages for the citizens. State needs to work with the community.
25. Planning Process for Trails
26. If studies are done, what is the plan for Clear Lake if it dries up? (Augusta Township)
27. Lost of Recreation
28. Is there a gravel pit on the East Side of Loveland Road?
29. Is there a possibility that this conversion may not occur?

Date: September 20,2010

To: Paul Yauk
Land Programs Manager
DNRE Recreational Division

Re: Gravel Mining in the Waterloo Recreational Area

I want this letter to be placed in the public record to note that I OPPOSE the gravel pit expansion into State recreation land.

My reasons for this are:

1. The property value of my land will be greatly reduced.
2. Health concerns from dust and pollution.
3. The loss of 72 heavily used natural and mature woods.
4. The closing of Green road at the East end leaving only one exit out to Clear Lake road, thereby creating a fire hazard to all residents living off of Green road.
5. Noise level

How can a gravel pit ever enhance an already beautiful recreation area? Why is the DNRE even considering such an operation, as mining, in this scenic woodsy area? Obviously, the answer is money and greed and not the consideration of the people that live in and enjoy this natural beauty that God created.

I repeat, I definitely oppose the mining of a gravel pit in the Waterloo Recreation area of which I live.

Ruth Lidgard



September 25, 2010

Paul Yauk
Land Programs Manager
DNRE Recreational Division

Re. Gravel Mining Proposal in the Waterloo Recreational Area off Green Road

Mr. Yauk,

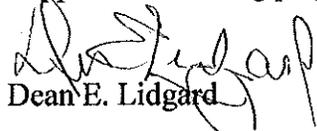
I am writing to voice my opposition to the gravel mining proposal in the Waterloo Recreational Area.

As a long time resident of Clear Lake and this recreational area my family has enjoyed the beauty and serenity of the area. The proposed mining area in such close proximity of the homes on the lake will severely compact this serenity that the noise and dust that such mining will surely generate. We have had to endure the noise coming from the location of the present mining operation and surely moving the operation closer will increase noise level and could impact air quality from dust generated by the mining.

There is concern of the impact on property values of area homes. We already have been hit by the economy down turn and this proposed mining operation will not help us at all.

This area attracts people from all over state and many out of state They come because of the beauty of the area. These visitors help the economy of the area. This destruction of the forest will not only be felt by us, but by businesses in the area.

I oppose this mining project and urge reconsideration of your plans


Dean E. Lidgard

September 20, 2010

Paul Yauk, Land Programs Manager
DNRE Recreational Division
PO Box 30257
Lansing Michigan 48909

Mr. Yauk:

I am the property owner of _____ and am writing to convey my adamant opposition to mining in the Waterloo Recreation Area. Below is a list of some of my concerns:

- a) Health concerns from dust and pollution
- b) Increased noise levels
- c) Water level/aquifer disruption
- d) Reduced property values
- e) Threat to general environment
- f) Loss of 72 acres of heavily used natural and mature woods.
- g) The 324 acres to be traded for the opportunity to mine in the Waterloo Rec Area is not of equivalent recreational value to the 72 acres that will be destroyed. The 324 acres will be isolated from the rest of the Waterloo Area by the current and proposed expanded operations. It does not have the mature woods of the 72 acre parcel and is not an integral part of local hiking and horse trails.
- h) Why did the DNRE call the meeting on such an important subject for 4PM on a Monday when many people are at work?
- i) In the headline announcing this public meeting, the DNRE never mentioned gravel mining. They said only "DNRE to Host Public Meeting Sept. 27 to Review Plans for Increased Acreage at Waterloo Recreation Area". By leaving out any mention of gravel mining, this headline is deceptive.

Respectfully,

Suresh K Gehani, M.D.

Questions for the NPS:

We would like the NPS to require the DNRE to initiate informing the Clear Lake Property Owners where they are in the 9 step process - along the way. We are very concerned about the possibility that we will not have time to properly respond to the environmental assessment.

Please work with us in open manner..

Thank you

Cindy Kleinsmith

Cindy Kleinsmith

President, Clear Lake Property
Owners

cindykle@umich.edu

To The Department of Natural Resources and Environment:

I am writing this to voice my opposition to the proposed increase of 324 acres of land to Waterloo Recreation Area in exchange for the mining of sand and gravel on 72.44 acres of land in the recreation area in Jackson County. The mining may create potential health concerns to area residents from dust and pollution created during the mining process. The noise from the site will take away the peace and tranquility of the area around Clear Lake. The mining may also have adverse effects on the area fowl and wildlife by removing the natural environment and woodlands they inhabit. The site is very close to Clear Lake and may disrupt the ecosystem of the lake and water table which may affect resident's wells.

I would like this letter of opposition to the proposed mining to be place in the public record of the September 27th public meeting at the Eddy Discovery Center.

I will not be able to attend since the 4pm meeting time will not work with my work schedule. I would also like to mention that the meeting should have been held in the evening hours so more people could attend. This seems intentional to benefit of those wanting this to put this proposal through.

Concerned Resident

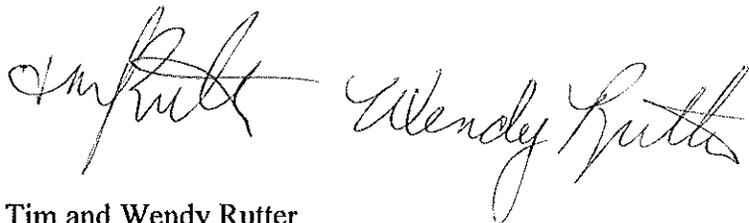
Jan Kindy


September 26, 2010

We are writing to protest the expansion of excavation in the Waterloo recreation area being considered between the DNRE and the Aggregate Gravel Pit. We moved to the East side of Clear Lake for the quiet and beauty the recreation area had to offer. We would hate to see this change with continued digging at the aggregate gravel pit. The noise from the excavation equipment already carries into our garden. Further expansion would bring the noise even closer. Another concern is the cleanliness and level of our lake and well. The drainage flows from the gravel pit toward our lake, currently one of the cleanest around. The effects of further digging may encourage plant and species growth kept in check by our current levels. Furthermore, the deplorable housing market in the area would not be helped by the knowledge that the pristine area surrounding our homes would be in further jeopardy. We cannot understand how the area around green road can be designated as a natural scenic beauty road and then allow further digging along or around its borders.

We respectfully request that the DNRE and NPS maintain this area for the benefit of its natural beauty for the homeowners around clear lake and the citizens of Southeast Michigan.

Sincerely,

A handwritten signature in cursive script, appearing to read "Wendy Rutter". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Tim and Wendy Rutter

To: Paul Yauk, DNRE

From: Several Clear Lake Property Owners

We are writing urging you to desist with the proposed agreement between the Department of Natural Resources Environmental and Aggregate Industries for the expansion of the gravel pit to include 72 acres near Clear Lake. This expansion will have only negative effects on the residents of Clear Lake. We now hear noise from the mining operations, moving those operations closer to the lake will increase the amount of noise we hear. Moving mining closer to the lake will also increase the amount of pollution put into our air. We are also concerned about possible polluting or lowering of the water in Clear Lake. Moving mining operations closer to the Clear Lake will reduce our property values.

We chose to live at Clear Lake because of its beautiful and peaceful environment. Please respect our wishes and do not allow this environment to be destroyed.

Donald J. H. Blain
William S. Kendall
Cora Lemay
Lance Lemay
Beverly & Norman N. Niska
Joan Shoaf
H. Ruth
Mindy Ruth
Al Yper

Henna M. Darby
Don Darby
Cheryl Dyer
Delphine Richard
Kenneth & Ethel
Margaret Morgan

Waterloo Recreation Area (FAB) Conversion: Public ReviewCOMMENTS

This "project" is a violation of the deed restriction, from the NPS to the State of Michigan. Legally, the restrictions can not be changed.

September 24, 2010

To Whom It May Concern,

This letter is being written in opposition to the expansion of the sand and gravel mine on Green Rd and Loveland Rd in Jackson County in the Waterloo Recreation Area.

I had visited Clear Lake as a child with my family every summer since the early 1960's.

I brought my children to Clear Lake and now that my husband and I own a property on Clear Lake my children are bringing their children and I hope someday my great-grandchildren will be coming to experience this beautiful and peaceful natural wonder.

I am concerned about the loss of the natural beauty of the 72 acres the sand and gravel mine will destroy and the wildlife that will be displaced because of it.

The concerns of constant noise and the air pollution from the dust that will be created are very real.

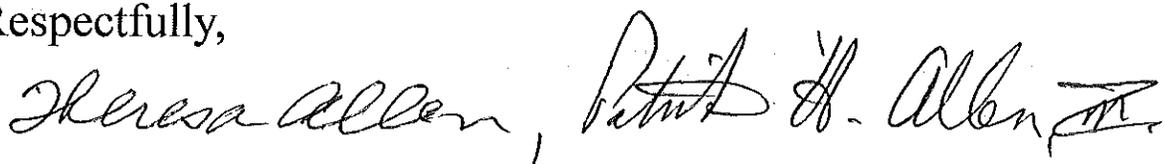
There are unknown concerns regarding the water level of Clear Lake and the quality of the water if the aquifer is disturbed by the mining.

Property values, which have already been reduced by our economic condition will most certainly take yet another hit if the mine is allowed to expand.

Who would want to buy a lake front property here when they could buy one on one of the other 15 lakes in the Waterloo Recreation Area without the noise, the dust and unknown water issues that Clear Lake will have?

Please deny the expansion of the mine.

Respectfully,



Theresa and Patrick Allen
Homeowners

September 27, 2010

To: Paul Yauk
Land Programs Manager
DNRE Recreation Division
PO Box 39257
Lansing, MI 48909

Ref: DNRE Land Transaction Case No. 20050400
Proposed Expansion of Gravel Mining into the Waterloo Recreation Area

Note: To Be Entered in the Public Record

Dear Mr. Yauk;

I am a homeowner and resident on Clear Lake in Waterloo Township, which is the largest concentration of homes in Waterloo Township and is just to the north of the current Aggregate Industries gravel pit mining operations that the DNRE is proposing to expand. I strongly object to this proposed expansion of operations to even closer to my home and our lake and this community than they already are. The proposed expansion would materially and adversely affect or threaten my health, family and home, including but not limited to the following issues:

- Increased Noise Pollution
- Increased Airborne Dust Concentrations and Associated Health Threats
- Potential Damage to the Local Aquifer Levels or Flows
- Potential Threat to Local Drinking Water Wells
- Potential Impact on Clear Lake Water Levels and Quality
- Decreased Property Values
- Decreased Recreational Value of Remaining Adjacent Waterloo Recreation Area Lands
- Destruction of 72 Acres of Well-Developed Woodlands
- Disruption of Hiking, Biking and Horse Riding Trails
- Destruction of Green Road, an Important Local Access Road and a Designated "Beauty Road".
- Increased Fire and Health Threat Due to Reduced Access of Police and Safety Vehicles with the Closing of Green Road

I also object, again in the strongest possible terms, to the pattern of deception the DNRE has been engaged in during its conduct of the entire affair. This deception includes, but is not limited to:

- Attempting to circumvent the required National Park Service Section 6 (f)(3) conversion and RDA land exchange processes, as indicated in the US Dept. of Interior letter. (See attached letter from the NPS Department of Natural Resources and Environment to Mr. C. E. Meadows of the DNRE, dated 13 July 2010)
- Falsely indicating to the National Park Service that "only about 15 people" object to the proposed expansion of gravel pit operations.
- Scheduling the required public meeting for 4 PM on a weekday (27 Sep 2010), when most people would normally need to be at work, and immediately after most seasonal residents have departed for the year, thereby limiting citizens' awareness and thus opposition, and thereby deceptively supporting the false claim the DNRE made above. (See attached copy of the DNRE announcement.)
- Officially announcing that the meeting purpose is to discuss a "gift of land" while minimizing the fact that it also involves the destruction of 72 acres of the Waterloo Recreation Area, another conscious act intended to limit public involvement and input and, ultimately, objection.

- Cooperating to place an article in the local Sun Times News (14 Sep 2010, see attached copy) that again emphasized only the supposed gift of land, thereby constituting yet another deliberate attempt to minimize public knowledge of and involvement with this proposal.
- Releasing a deliberately misleading expanded summary of public questions and DNRE responses just a few hours before the meeting begins, which does not leave adequate time to allow review before the meeting, another attempt to stifle opposition. Furthermore, on that document many important questions were just side-stepped or ignored or gained a response such as “The wash/silting ponds will remain in the existing location, unless moved closer to the active mining area....” and many others. (See attached copy of DNRE “Questions Submitted by the General Public”.)
- Failure to adequately disclose to the public that a significant portion of the 324 acres supposedly “gifted” for recreational use will not actually be available for that use until at least the end of the base 10 year lease agreement with Aggregate Industries, and possibly for 19 years, but instead will remain an active gravel mining pit for that time frame.
- Failure to adequately disclose to the public that the reclaimed portions of the 324 acres and the Waterloo Recreation Area will be functionally separated by active gravel pit mining operations for 10 to 19 years, significantly reducing its supposed “recreational value”.
- Failure to adequately disclose in public announcements or during public meetings that, if this proposal proceeds, the DNRE will receive a minimum of \$7 million in royalties under the terms of the parallel DNRE lease and operating agreement with Aggregate Industries.
- Failure to adequately disclose in public announcements or during public meetings that the lease agreement with Aggregate Industries also allows for (3) 3-year extensions for continued mining operations beyond the ten-year period of the base agreement, which would also significantly increase the royalties the DNRE would receive under the base lease by some millions of dollars.

The DNRE actions above indicate a clear and continuing pattern of intent to deceive in its interactions with the local residents and homeowners. As a US citizen and local resident/taxpayer, I demand that the MI DNRE cease engaging in deceptive practices in order to push through a proposal that will be significantly harmful to the health and property interests of myself, my family, my neighbors and my community, but would be very beneficial to the DNRE and Aggregate Industries. The inherent conflict of interest created by this situation is clear, and the DNRE is apparently opting to go for the money over protecting the interests of the affected residents. This is not acceptable.

I restate my complete opposition to the proposed expansion and demand that the proposal to expand gravel pit mining operations into the Waterloo Recreation Area be withdrawn.

Please note that copies of this letter and all supporting documents are being delivered to the Township of Waterloo, the appropriate Federal Lands to Parks offices at the National Park Service, and to the offices of local state and federal elected officials as appropriate.

Again, I am formally requesting that this letter and all supporting documents supplied with it be entered into the official public record for your DNRE Land Transaction Case No. 20050400.

Regards.

Gregg Matschke



United States Department of the Interior

NATIONAL PARK SERVICE
NORTHEAST REGION
15 State Street
Boston, Massachusetts 02109-3572

IN REPLY REFER TO:

July 13, 2010

C. Edwin Meadows, Section Chief
Real Estate Services
Office of Land and Facilities
Department of Natural Resources and Environment
PO Box 30473
Lansing, MI 48909-7973

Dear Mr. Meadows:

Reference: Mineral lease on a portion of Waterloo State Recreation Area

I apologize for not responding to your April 27, 2010 letter sooner. As you know, I sought additional guidance from our solicitor about your proposal. While your proposal to add a large inholding to the park in return for a temporary lease for the purpose of gravel mining is potentially attractive for the reasons you cite in your letter, it is not in accordance with the federal Recreation Demonstration Area (RDA) deed restriction for the property which states the property must be used exclusively for public park, recreational and conservation purposes. It puzzles me that your letter states that Michigan Department of Natural Resources and Environment (DNRE) does not require approval by the Department of Interior, and yet your staff has been conferring with me, on and off, about gravel mining at Waterloo State Recreation Area (WSRA) since February 2003.

I have also contacted my colleagues who manage the Land and Water Conservation Fund (LWCF) and found that the state has received 10 LWCF grants to assist in acquiring additional park land and to improve recreational amenities at the WSRA site and, accordingly, the entire recreation area is encumbered by LWCF regulations which would also preclude the gravel mining operation. It appears that the United States, via the RDA program, only deeded 35 acres of the 72.44 acres you wish to lease, however the entire 72.44 acres is encumbered by LWCF regulations.

The only option available to the DNRE, should they want to pursue this mineral lease, is to concurrently process a LWCF section 6(f)(3) conversion and an RDA land exchange. In effect, if approved this would enable releasing National Park Service (NPS) restrictions on the 72 acre parcel in return for placing identical restrictions on replacement property approved by the NPS. The authority to create and transfer RDAs has not been used in over sixty years. Accordingly, when necessary, we administer them in accordance with Federal Lands to Parks (FLP) Guidelines. The criteria for RDA land exchanges are:

1. Properly authenticated documents from the grantee evidencing desire to substitute land of equivalent fair market and recreation value.
2. Appraisal reports from an accredited appraiser showing the fair market value of the parcel or parcels proposed for substitution and of the land to be released from use restrictions.
3. A Level I Environmental Assessment of the property to be acquired, prepared by an independent analyst.
4. An analysis of the public park and recreation potentials of the proposed alternative site or sites by State, city or county planning officials.
5. A copy of a State, city or county recreation map or plan showing the present park land in relationship to the proposed substitute land.
6. A copy of a legal description, the Program of Utilization, and a development schedule for each property proposed for substitution.
7. An official acknowledgement of willingness to apply, in perpetuity, to the new property, all restrictions contained in the deed of conveyance of the surplus property.
8. Title information on the replacement property.
9. An environmental analysis and potentially an environmental assessment, including a public comment period, prepared in accordance with the National Environmental Policy Act.

The LWCF section 6(f)(3) procedures are essentially the same and are regularly administered by DNRE staff Deborah Apostol and Christie Bayus, so both programs can be satisfied through one process saving the state time and money.

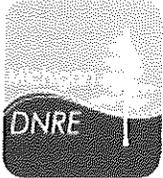
If DNRE wants to proceed, your office should consult directly with DNRE LWCF coordinators Apostol and Bayus to begin the process. NPS LWCF staff and I will coordinate our reviews so only one set of documentation will be required.

For further LWCF guidance, please contact Jim Krejci of our Omaha Office at (402) 661-1560.

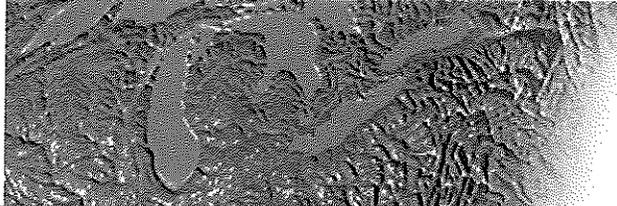
Sincerely,



Elyse R. LaForest
Program Manager
Federal Lands to Parks Program



Department of NATURAL RESOURCES and ENVIRONMENT



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DNRE to Host Public Meeting Sept. 27 to Review Plans for Increased Acreage at Waterloo Recreation Area

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Contact: Paul Yauk 517-335-4824
Agency: Natural Resources and Environment

September 8, 2010

The Department of Natural Resources and Environment will host a public meeting to provide information on a proposal to accept a gift of 324 acres of land to Waterloo Recreation Area, and enter into a 10-year lease agreement to allow mining of sand and gravel on 72.44 acres in the recreation area in Jackson County.

Recreation Division and DNRE staff will present an overview of the plan to lease 72.44 acres of Waterloo Recreation Area to Aggregate Industries in exchange for 324 acres of land. This meeting will allow the public to discuss the following:

- * Vision for this area
- * Site restoration and stewardship plan for the 324 acres, which is a former gravel pit
- * Required federal 6(f)3 conversion process
- * Project time frame
- * Next steps in this review process

The meeting will be held on Monday, Sept. 27, from 4 to 7 p.m. at the Gerald E. Eddy Discovery Center, 17030 Bush Road, near Chelsea. Those unable to attend the meeting may send comments to Paul Yauk, Land Programs Manager, DNRE Recreation Division, P.O. Box 30257, Lansing, Michigan 48909 or by e-mail to yaukp@michigan.gov.

Waterloo State Recreation Area provides approximately 21,000 acres of public recreational property between the cities of Ann Arbor and Jackson. The area contains 16 lakes, two major campgrounds, a day use area at Big Portage Lake, and an extensive trail system for foot, bicycle and equestrian use. The recreation area contains significant natural and cultural resources and is also open to fishing, hunting, trapping and bird watching.

For more information about the meeting, the proposed process, or accommodations needed to attend the meeting, contact Paul Yauk at 517-335-4824 (TTY/TDD711 Michigan Relay Center for the hearing impaired) at least five business days before the meeting.

Beginning Oct. 1, the \$10 Recreation Passport replaces the state park sticker for access into all state parks, recreation areas and boat launches. To get the

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- Sixth Annual MiCorps Conference Slated for Oct. 18-19 at Higgins Lake
- DNRE Encourages Homeowners to Embrace a New Family Tradition
- Goose Lake Boating Access Site in Marquette County Reopened
- Don't Miss 'Ask the DNRE' Sept. 30 on WNMU Public Television
- Volunteers Needed for Stewardship Workdays in October in Southern Michigan State Parks and Recreation Areas
- Kayaking Class Offered for Women Sept. 25 in Portage
- Phantoms, Fun, and Fall Food Await You at October 8-9 Fort Fright Event
- Kent County Man Found Guilty of Violating Michigan's Wetlands and Inland Lakes Protection Laws

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The Department of Natural Resources and Environment is committed to the conservation, protection, management, and accessible use and enjoyment of the state's environment, natural resources, and related economic interests for current and future generations. Learn more at www.michigan.gov/dnre.

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- DNRE Lists Local Vendors Where Salmon is Available for Purchase
- Western Upper Peninsula Citizen Advisory Council to Meet Sept. 28 in Copper Harbor
- Bay City State Recreation Area Halloween Event Takes the Scare Out of Scary Creatures
- Portion of Hancock-Calumet ORV Route Temporarily Rerouted for Bridge Repair and Reconstruction
- DNRE Completes Significant Improvements to Sturgeon River Sloughs Wildlife Area
- DNRE Settles Lawsuit Involving Salem Township Wetlands Mitigation Site
- Special Deer Hunts on Tap for Youths, Disabled Veterans
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Gravel Pit Offers Gift of Land

By Monica English

The Department of Natural Resources and Environment will host a public meeting to provide information on a proposal to accept a gift of 324 acres of land to Waterloo recreation Area, and to enter into a 10-year lease agreement to allow mining of sand and gravel on 72.44 acres in the recreation area in Jackson County.

The recreation Division and the DNRE staff will present an overview of the plan to lease 72.44 acres to Aggregate Industries in exchange for the 324 acre gift. This meeting will provide a public forum to discuss a vision for the area, site restoration and stewardship for the 324 acre site, required federal 6(f)3 conversion process, a project time frame, and the next

steps in this process.

The meeting will take place Monday, September 27, from 4 to 7 pm at the Gerald E. Eddy Discovery Center, 17030 Bush Road, near Chelsea. Those unable to attend the meeting may send their comments to Paul Yauk, Land Programs Manager, DNRE Recreation Division, P.O. Box 30257, Lansing, Michigan 48909, or by e-mail yaukp@michigan.gov

SUN TIMES NEWS 14 SEP '10

Michigan Department of Natural Resources & Environment
Recreation Division
Waterloo Recreation Area
Aggregate Industries Inc.
Case #20050400
September 27, 2010

**Questions Submitted by the General Public -
(DNRE responses are shown in Italic)**

1. **What will happen to Green Road during the mining?** *The mining in the lease area will be phased allowing us to consider all options regarding the future of the road.*
2. **What about the "Beauty Road" status of this portion of Green Road?** *The Department of Natural Resources and Environment (DNRE) expects that the status of this designation will remain from a point west of the mining operation.*
3. **Has the Jackson County Road Commission, which holds a right-of-way across the middle of this parcel, signed off on the proposed extraction plan?** *No, one of our next steps is to contact the road commission; this will be done later this year.*
4. **What will be the mechanism for addressing real time concerns from residents about operations?** *The DNRE will have a contact person who will assist in operational issues, and township regulations will apply. A DNRE contact person will be in place by the time the lease is signed.*
5. **What is the status of the restoration bond?** *The DNRE will hold a performance bond. The bond will be returned upon proper closure of the project and the reclamation plan being satisfied.*
6. **What happens if Aggregate Industries (AI) decides to terminate before 10 years?** *The operation will be closed in accordance with the lease and reclamation plan. The DNRE will use the funds provided in the performance bond to complete reclamation if AI fails to properly close and reclaim the site.*
7. **How is the Dault portion going to be handled?** *The Dault parcel is not part of the agreement.*
8. **What happens to the expenses incurred by the township since the last renewal (these would normally be applied to the fees for the reapplication for Operating Permit, but they will not come back to us)?** *This is an issue that will be resolved between the township and AI.*
9. **What provisions of the township's ordinance will be considered appropriate by the DNRE once they take jurisdiction?** *Township sand and gravel regulations will be followed as defined in the lease agreement.*

10. **What will be the operational administration of AI's operations under the DNRE? Who, What, When, How?** *The Recreation Division (RD) will manage land issues while mineral issues will be handled in partnership with staff from Forest Management Division (FMD).*
11. **What will happen to the trees along Green Road?** *The trees within the lease area will be removed as needed; trees outside of the boundary will not be impacted. Please keep in mind that during reclamation, extensive vegetation will be replanted.*
12. **Where will ponding/silting occur once they start the extensive mining on the 72 acres?** *The wash/silting ponds will remain in the existing location, unless moved closer to the active mining operation, as outlined in the reclamation plan.*
13. **Will there be fencing?** *Fencing will be installed as required for public safety.*
14. **What safety provisions will be in place for people, vehicles, and the environment on the parcel during operations phases?** *No change in current site safety provisions will take place unless needed.*
15. **Who and how will they monitor the extent of mining?** *Recreation and Forest Management Divisions will monitor components. There will be an annual mining and reclamation meeting with all parties regarding this lease.*
16. **Who is going to enforce our day to day ordinance requirements including, operating hours, gate and fencing issues, noise, dust control, tree removal we know is coming on the 72 acre site? Who is the contact for citizen complaints for these and any other issues?** *A DNRE contact person will be in place by the time the lease is signed; this will be in early 2011.*
17. **Is the DNRE going to enforce our ordinance, or do they have their own?** *The DNRE is not an agent of the township but will follow the operational language outlined in the lease and township regulations.*
18. **What plans does the DNRE have for the "reclaimed" areas already in the pit and how can these plans be used to address the visual screening issue on the south end of the parcel (just north of Mr. Stockton's parcel). This area is included in the 1st phase of reclamation. The lease calls for this area to be restored into an extensive native grass land habitat.**
19. **What is the exit strategy for the Dault parcel?** *The Dault parcel is not part of this transaction.*
20. **When do we get a copy of their restoration plan for the entire 342-acre parcel?** *This will be provided at the township meeting.*
21. **When will the transaction be official?** *The DNRE expects this to be complete in mid to late 2010. The lease will go to the Transportation and Natural Resources Board on January 27, 2010, and they will take it to the State Administrative Board on February 2nd. The lease date begins 30 days later. Please keep in mind that mining can not begin until the terms of the gift parcel is approved.*

22. I need to know the portions of Sections 1 and Sections 12 of State-owned land that is in the proposal. Specifically I need to know the boundary dimensions on the area north of Green Road and south of Green Road. *This is depicted in the Natural Resources Commission memo and lease, and will be provided at the meeting.*

23. Well monitoring to insure no adverse impacts on the resident's wells in the neighborhood? *Current monitoring will remain.*

24. Environmental Impact Study on Clear Lake, Pond Lily Lake and a large number of wetlands (adjacent to this parcel). A number of inputs to the lakes originate from this parcel. *High clay content in the area allows for perched water bodies and wetland complexes, these systems will be maintained and monitored, the restoration plan also identifies additional wetlands, which will be planted with native vegetation.*

25. Who will be responsible for insuring that gates are locked? *Aggregate Industries.*

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27. Will industrial operations beyond the actual washing, sorting, stockpiling be allowed on this parcel prior to reclamation? *Only on site operations will be allowed.*

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compliance is not met, funds from this bond will cover the State completing this restoration.

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36. How will Aggregate Industries deeding the land to the State affect the tax revenues of Jackson County, Waterloo Township, the schools and other units of local government? Will Aggregate Industries pay taxes on the 72 acres it leases from the state. In short, what are the effects in terms of reduced tax revenue of the plan? A project presentation was given to the Waterloo Township board on January 19, 2010. This question was raised at that time and it is my understanding that the county receives around \$2,000 in taxes on this site, and a small portion is sent to the Township. If the property is sold to the state, the DNRE will still pay a PILT tax. (Payment in Lieu of Tax). (estimated at \$650). The state would continue paying the PILT tax on the 72 acres. Aggregate Industries will continue to pay all other personal taxes.

37. Will mining of the State land impact the water level in Clear Lake or impact local wells?

Mining operations will not affect the level of Clear Lake.

The surface elevation of Clear Lake is approximately 12 feet lower than the groundwater table beneath the state land to be mined. Exploratory borings on the State land to be mined have determined that the groundwater table is between 979 feet and 981 feet above sea level. This correlates with groundwater data from the Michigan Groundwater Mapping Project. The surface of Clear Lake is 968 feet above sea level. If there is a hydrologic connection between the groundwater beneath the state land to be mined and Clear Lake, groundwater would tend to move towards the Lake.

Mining on state land will stop at the groundwater level, except for the creation of several shallow ponds, (0.5- 1.5 acre in size and less than 4 ft deep) which will be created at the

request of the State. These ponds will approximate naturally occurring glacial "kettle" ponds.

Aggregate Industries' existing lagoon system will be used to process the material from the state land. This system has been used for many years without impact to local hydrology, wells or water quality. Water drawn from a created pond is used to wash gravel. The water then flows through a series of ponds, where the fine materials (clay particles and stone fines) settle out. The wash water eventually re-enters the original pond where it is used again. No chemicals are used in the process.

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Sand and gravel mining has some potential to increase the vulnerability of an aquifer to be contaminated, because it decreases the distance between the groundwater table and land surface. Without a source of contaminants this change is negligible. Further, the State land to be mined will be restored with native vegetation and will return to recreational use and the closest water well is approximately 2000 feet from the site.

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Possible contaminants include lubricants and fuels. Fuel for on-site vehicles and mining equipment will not be stored on the State land to be mined. Fuel will be stored in above-ground storage tanks equipped with secondary containment to prevent leakage or spillage at Aggregate Industries existing processing plant. Necessary lubricants for mining and processing equipment will be brought to the property in small containers on service vehicles. Handling and storage of petroleum products will be conducted in accordance with all applicable local, state, and federal regulations and should have no adverse impacts on water quality. The threat of contamination is considered less than that for farm land.

The most significant regional factors affecting groundwater are from agricultural and residential activities. These include agricultural and residential fertilizers, herbicides, pesticides, and septic tank discharge that may find their way into the groundwater. Aggregate Industries' operation will not add to, or change, any potential sources of water quality degradation.

39. The 72.44 acres of land that Aggregate Industries will acquire is pristine land,

The State land to be leased is not "pristine." Historical aerial photography and other records document that the lease area was farmed and grazed. A photograph from 1957 shows the lease area to be virtually treeless. Perhaps there is confusion about the location of the area to be mined. The forest is young and dominated by non-native trees. There is considerable invasion by the invasive Asiatic bittersweet vine. Only a few older trees grow in what were once fence rows between fields.

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The State land to be mined will be restored to a much higher natural condition than the invasive dominated forest that currently exists. Native oak hickory forest will be established using seed of local provenance. White oak, black oak, and pignut hickory will be the canopy dominantes. All are well adapted to growing on dry gravelly soils.

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This statement reflects a fundamental misunderstanding of the nature of the site to be leased and our proven ability to do restoration.

1. *The reclaimed land will not provide the same experience for hikers and other recreational users. This will negatively impact the users experience.*

Only one equestrian trail crossed the area to be leased. This trail has already been re-routed with input from the Waterloo Horseman's Association. No hiking trails pass through the lease area. The lease area is approximately one third on one percent of the Waterloo Recreation Area. It is difficult to argue that this is a significant decrease in recreational experience or opportunity. The experience will be different until the trees have time to grow.

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43. Why would the DNRE want to give up what is still in a relatively natural state? You may acquire four times the land area, but the land will not be quality land by any stretch.

If the State does not acquire Aggregate Industries' 324 acres there is great likelihood that the area will be developed as residential subdivision. This most certainly will alter the recreational experience of a large portion of the surrounding recreation area. There are many, many examples of this in state parks and recreation areas in southeast Michigan. This will impact the quality of life for residents of Clear Lake as well.

Given time and restoration the Aggregate Industries property will be of high natural resource and recreational value. The Aggregate Industries gift includes 13 acres of un-mined oak hickory forest and 20 acres of extant wetland adjacent to Lilly Pond Lake. A quality ecological restoration plan has been developed and will be implemented for the remainder of the site.

44. The 72.44 acres will allow AI to mine closer to Clear Lake. This will have significant negative impacts on Clear Lake residents and wildlife. There will be increased noise, truck traffic, air pollution, and dust. The latter will contain dangerous silicate dusts which are known respiratory toxicants and carcinogens.

The existing processing plant will be used; truck traffic and routes will remain similar to current levels. The majority of roads in the Waterloo Recreation Area are gravel, built from similar aggregate materials. Aggregate Industries will comply with all air quality and other environmental regulations.

45. The location of the new mining operations will have a negative effect on Clear Lake property values.

Property values are not expected to change and the Aggregate Industries Mine has been in operation for many years.

46. The mine may impact the aquifer that supplies Clear Lake. Despite assurances from the geologists, one can never be sure what will happen when one impacts groundwater sources.

Mining operations will not affect the level of Clear Lake or the groundwater table.

47. This land swap is a bad deal.

This is not a land swap. It is a gift of land from Aggregate Industries and the issuance of a mineral lease. The State acquires 324 acres by gift and leases 72 acres for a set period of time.

Michigan Department of Natural Resources & Environment
Recreation Division
Waterloo Recreation Area
Aggregate Industries Inc.
Case #20050400
September 27, 2010

**Questions Submitted by the General Public -
(DNRE responses are shown in Italic)**

- 1. What will happen to Green Road during the mining?** *The mining in the lease area will be phased allowing us to consider all options regarding the future of the road. WHO DECIDES?*
- 2. What about the "Beauty Road" status of this portion of Green Road?** *The Department of Natural Resources and Environment (DNRE) expects that the status of this designation will remain from a point west of the mining operation. DNRE+AI*
- 3. Has the Jackson County Road Commission, which holds a right-of-way across the middle of this parcel, signed off on the proposed extraction plan?** *No, one of our next steps is to contact the road commission; this will be done later this year. ~~MOST OF THE BEAUTY RD DESIGNATION~~ IN OTHER WORDS: GONE*
- 4. What will be the mechanism for addressing real time concerns from residents about operations?** *The DNRE will have a contact person who will assist in operational issues, and township regulations will apply. A DNRE contact person will be in place by the time the lease is signed.*
- 5. What is the status of the restoration bond?** *The DNRE will hold a performance bond. The bond will be returned upon proper closure of the project and the reclamation plan being satisfied.*
- 6. What happens if Aggregate Industries (AI) decides to terminate before 10 years?** *The operation will be closed in accordance with the lease and reclamation plan. The DNRE will use the funds provided in the performance bond to complete reclamation if AI fails to properly close and reclaim the site.*
- 7. How is the Dault portion going to be handled?** *The Dault parcel is not part of the agreement.*
- 8. What happens to the expenses incurred by the township since the last renewal (these would normally be applied to the fees for the reapplication for Operating Permit, but they will not come back to us)?** *This is an issue that will be resolved between the township and AI.*
- 9. What provisions of the township's ordinance will be considered appropriate by the DNRE once they take jurisdiction?** *Township sand and gravel regulations will be followed as defined in the lease agreement.*

HOW BOND DEFINED IN AGREEMENT

10. What will be the operational administration of AI's operations under the DNRE? Who, What, When, How? The Recreation Division (RD) will manage land issues while mineral issues will be handled in partnership with staff from Forest Management Division (FMD).

11. What will happen to the trees along Green Road? The trees within the lease area will be removed as needed; trees outside of the boundary will not be impacted. Please keep in mind that during reclamation, extensive vegetation will be replanted.

→ 12. Where will ponding/silting occur once they start the extensive mining on the 72 acres? The wash/silting ponds will remain in the existing location, unless moved closer to the active mining operation, as outlined in the reclamation plan. ?

13 Will there be fencing? Fencing will be installed as required for public safety.

14. What safety provisions will be in place for people, vehicles, and the environment on the parcel during operations phases? No change in current site safety provisions will take place unless needed.

15. Who and how will they monitor the extent of mining? Recreation and Forest Management Divisions will monitor components. There will be an annual mining and reclamation meeting with all parties regarding this lease.

16. Who is going to enforce our day to day ordinance requirements including, operating hours, gate and fencing issues, noise, dust control, tree removal we know is coming on the 72 acre site? Who is the contact for citizen complaints for these and any other issues? A DNRE contact person will be in place by the time the lease is signed; this will be in early 2011.

17. Is the DNRE going to enforce our ordinance, or do they have their own? The DNRE is not an agent of the township but will follow the operational language outlined in the lease and township regulations.

18. What plans does the DNRE have for the "reclaimed" areas already in the pit and how can these plans be used to address the visual screening issue on the south end of the parcel (just north of Mr. Stockton's parcel). This area is included in the 1st phase of reclamation. The lease calls for this area to be restored into an extensive native grass land habitat.

19. What is the exit strategy for the Dault parcel? The Dault parcel is not part of this transaction.

→ 20. When do we get a copy of their restoration plan for the entire 342-acre parcel? This will be provided at the township meeting. NO TIME FOR PUBLIC REVIEW!

21. When will the transaction be official? The DNRE expects this to be complete in mid to late 2010. The lease will go to the Transportation and Natural Resources Board on January 27, 2010, and they will take it to the State Administrative Board on February 2nd. The lease date begins 30 days later. Please keep in mind that mining can not begin until the terms of the gift parcel is approved.

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DOWNSTREAM BETWEEN EXPANDED AREA LAKE
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ABSOLUTE NONSENSE

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← NOT THIS CLOSE!

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United States Department of the Interior

NATIONAL PARK SERVICE
NORTHEAST REGION
15 State Street
Boston, Massachusetts 02109-3572

IN REPLY REFER TO:

July 13, 2010

C. Edwin Meadows, Section Chief
Real Estate Services
Office of Land and Facilities
Department of Natural Resources and Environment
PO Box 30473
Lansing, MI 48909-7973

Dear Mr. Meadows:

Reference: Mineral lease on a portion of Waterloo State Recreation Area

I apologize for not responding to your April 27, 2010 letter sooner. As you know, I sought additional guidance from our solicitor about your proposal. While your proposal to add a large inholding to the park in return for a temporary lease for the purpose of gravel mining is potentially attractive for the reasons you cite in your letter, it is not in accordance with the federal Recreation Demonstration Area (RDA) deed restriction for the property which states the property must be used exclusively for public park, recreational and conservation purposes. It puzzles me that your letter states that Michigan Department of Natural Resources and Environment (DNRE) does not require approval by the Department of Interior, and yet your staff has been conferring with me, on and off, about gravel mining at Waterloo State Recreation Area (WSRA) since February 2003.

I have also contacted my colleagues who manage the Land and Water Conservation Fund (LWCF) and found that the state has received 10 LWCF grants to assist in acquiring additional park land and to improve recreational amenities at the WSRA site and, accordingly, the entire recreation area is encumbered by LWCF regulations which would also preclude the gravel mining operation. It appears that the United States, via the RDA program, only deeded 35 acres of the 72.44 acres you wish to lease, however the entire 72.44 acres is encumbered by LWCF regulations.

The only option available to the DNRE, should they want to pursue this mineral lease, is to concurrently process a LWCF section 6(f)(3) conversion and an RDA land exchange. In effect, if approved this would enable releasing National Park Service (NPS) restrictions on the 72 acre parcel in return for placing identical restrictions on replacement property approved by the NPS. The authority to create and transfer RDAs has not been used in over sixty years. Accordingly, when necessary, we administer them in accordance with Federal Lands to Parks (FLP) Guidelines. The criteria for RDA land exchanges are:

1. Properly authenticated documents from the grantee evidencing desire to substitute land of equivalent fair market and recreation value.
2. Appraisal reports from an accredited appraiser showing the fair market value of the parcel or parcels proposed for substitution and of the land to be released from use restrictions. *WHO IS APPRAISED? DNRE EMPLOYEE?*
3. A Level I Environmental Assessment of the property to be acquired, prepared by an independent analyst. *WHEN, BY WHOM, WHEN ARE RESULTS RELEASED TO PUBLIC? WHO CHOOSES ANALYST?*
4. An analysis of the public park and recreation potentials of the proposed alternative site or sites by State, city or county planning officials. *DNRE INTENT HERE: WHO? SHOULDN'T IT BE BY THE TOWNSHIP! WHAT ARE THE CRITERIA?*
5. A copy of a State, city or county recreation map or plan showing the present park land in relationship to the proposed substitute land.
6. A copy of a legal description, the Program of Utilization, and a development schedule for each property proposed for substitution.
7. An official acknowledgement of willingness to apply, in perpetuity, to the new property, all restrictions contained in the deed of conveyance of the surplus property.
8. Title information on the replacement property.
9. An environmental analysis and potentially an environmental assessment, including a public comment period, prepared in accordance with the National Environmental Policy Act. *WHEN? BY WHOM? WHEN PUBLIC?*

The LWCF section 6(f)(3) procedures are essentially the same and are regularly administered by DNRE staff Deborah Apostol and Christie Bayus, so both programs can be satisfied through one process saving the state time and money.

If DNRE wants to proceed, your office should consult directly with DNRE LWCF coordinators Apostol and Bayus to begin the process. NPS LWCF staff and I will coordinate our reviews so only one set of documentation will be required.

For further LWCF guidance, please contact Jim Krejci of our Omaha Office at (402) 661-1560.

Sincerely,

Elyse R. LaForest
 Elyse R. LaForest
 Program Manager
 Federal Lands to Parks Program

OBJECT TO MTG. SCHEDULE

*AWARE OF TOWNSHIP LETTER
 ASKING FOR 2ND MTG?
 AND?*

15 PEOPLE OBJECT??

To DNRE- September, 27 2010

1. The beauty of the Waterloo area. AAA Magazine one year named the loop of Clear Lake Rd. Loveland Rd. to Green Road (which has been designated a beauty road) and back to Clear Lake Rd. as one of the Top 10 Fall color tours In the entire State of Michigan. Our family, neighbors and friends have enjoyed Green Rd. thru the years hunting, hiking, mountain biking, cross country skiing and a great place for sliding down its slopes in the winter. The DNRE should develop the area with its many hills for winter sports, sledding hills etc... Isn't this what the DNRE should be doing rather than furthering the desecration of this area for the profit of a huge foreign corporation? We've seen too much of the likes of BP, Enbridge and other foreign corporations and we do not trust them.
2. The area is beginning to look like a barren moonscape. We are ringed by gravel mines and the resultant constant din and clatter of mining equipment.
3. Gravel train traffic; If you've ever been run off the road the way my wife and I have by one of these monsters it's an experience you will not soon forget. I followed the truck into the yard and the little man behind the wheel of his huge truck wasn't man enough to climb down from the cab to confront someone who had called him the vilest names in the world. These truckers must be getting paid by the load and turnaround time takes precedent over safety. The impact of the constant stream of these huge gravel trains alone on our health, safety and property values is huge.
4. When the operation was run by the previous owners (Klumpp) there was a good relationship with them and the residents of the area. If a problem occurred you could walk into their office and it would be resolved as soon as possible. They were locally owned and good neighbors. Then when multinational giant Aggregate Industries took over things changed immediately. Everything was controlled by their corporate offices. Their excuse was corporate would not allow it or it was corporate policy. The good neighbor attitude was gone replaced by their legal department.
5. Loveland Rd. south of Green Rd. had a problem with rain water collecting at the low point in Loveland Rd. after a heavy rain. Our previous good neighbor (Klumpp) saw the problem and at their expense created a catch basin on their property to alleviate the problem. When the foreign corporate giant took over they not only filled the catch basin but built a berm that trapped the water and flooded Loveland Rd. with water over a foot deep at times. When I questioned them about it, their position was it was their property and could do whatever they wanted on their property and declared it a problem for the county to resolve.
6. Loveland Rd. north of Green at the top of the hill. There was a wide area that was used by many people because of the view and many photographs were taken from this scenic overlook. Very often there were 3-4 cars parked there. Living on the north side of the hills my cell phone reception was nonexistent and this was the nearest safe spot people living on our side of the lake to get cell phone reception. When our sons visited on weekends they would get up early in

Galaska

Page 1

To DNRE- September, 27 2010

the morning and drive there to check their business calls and email. Then this foreign corporate giant saw fit to dump huge dead trees and rubble **outside of their fence** on public land and posted it as though it was their property. I guess when you are a huge foreign corporate giant and have that kind of power you can do anything you care too.

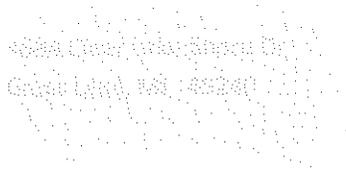
7. Someone should have been held responsible for the deaths of those two young men on Green Rd. When I called and told them of the danger of that cable across Green Rd. their response was they had approval for the closing and it was done legally. My mistake was not putting it in writing and pursuing it further.

This is just a toe hold by this corporation strip mining the Waterloo Recreation Area ... these hills hold a fortune of gravel and its very naïve to imagine these 74 acres are the end of it. Over the years they will chip away for more adjoining land more to desecrate. We do not trust them one bit.

The DNRE should be protecting the natural beauty of the Waterloo Recreation Area and not the interests of a huge foreign corporation. The credibility of the DNRE is suspect by many. Not a single nonresident of Clear Lake I have talked to from the Detroit Metro area to Jackson who love and use the area support this expansion and the closing of Green Rd. . . . Where is the 'great deal of support "you claim to have for this project coming from? It doesn't seem to be coming from the general public.

Norman Galaska

Beverly Galaska



Galaska

Page 2

Paul Yauk
Land Programs Manager
DNRE Recreational Division

September 18, 2010

Dear Mr. Yauk:

As property owners on Clear Lake Road, we were surprised to learn of the proposed expansion of gravel mining operations into a beautiful wilderness area. We are concerned because of the likely impact on the water quality of Clear Lake and the drinking water of area residents, because it is unclear how those impacts will be monitored and what recourse will be available when those impacts are felt, and because the expanded gravel pit mining will destroy a valuable and irreplaceable natural resource. In addition to this destruction, we are concerned about the impacts of the dust and pollution on our health, not to mention our property values. We are, therefore, strongly opposed to the proposed expansion of gravel mining operations.

One of the great appeals of the State of Michigan is the opportunity for recreation in our woods and lakes. Attracting visitors from nearby states, the woods and lakes within Waterloo Recreation Area provide a needed boost to our state and local economy as well as to the quality of life of those who live and play there. And once destroyed (and how else can you truthfully describe what a gravel pit mining operation would do to the woods?) for short-term economic gain, this resource will be lost forever. The 324 acres to be traded in exchange for the 72 acres of mature woods with hiking and horse trails in no way compensates for the loss of recreation opportunities and wildlife habitat, nor the decline in property value for those who live near the proposed gravel mining site.

Again: We are strongly opposed to the pending lease agreement between the State of Michigan and Aggregate Industries.

Sincerely,

Kim and David Stringer

September 26, 2010

Paul Yauk
Land Programs Manager
DNRE Recreational Division

Re: Proposal to permit gravel mining in Waterloo State Recreation Area

Dear Mr. Yauk,

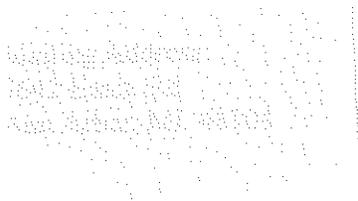
I would like to inform you of my strong opposition to the proposed expansion of gravel mining into the Waterloo State Recreation Area based on my concerns about the physical and financial risks it poses to me as a Clear Lake property owner. I have just read your most recent answers to "Questions Submitted by the General Public" and am not reassured. Although you claim in that document that no such risks exist, you provide little evidence or documentation to support your assertions. It seems like the DNRE's goal is simply to sell a project to which you are already committed and to dismiss any citizen and property owner concerns.

The 6(f)(3) conversion process requires an environmental analysis that will presumably contain the actual evidence upon which your claims of no risk are based. The July 13 letter sent to the DNRE from the US Department of Interior described this requirement for "an environmental analysis and potentially an environmental assessment, including a public comment period, prepared in accordance with the National Environmental Policy Act". I am respectfully requesting that the residents of Clear Lake be provided with a fair opportunity to analyze this environmental report so that we may have an adequate opportunity to prepare our response prior to the required public comment period.

Sincerely,



Lewis Kleinsmith
Clear Lake Property Owner



September 27, 2010

Paul Yauk
Land Programs Manager
DNRE Recreational Division

Mr. Yauk,

At the annual meeting of the Clear Lake Property Owners Association held on June 27, 2010, a motion opposing the expansion of gravel mining into the Waterloo State Recreation Area passed by a unanimous vote, and the Executive Officers of the Association were instructed to represent these views of our membership to public officials. Therefore as President of the Clear Lake Property Owners Association, I would like to express our grave concerns about the DNRE's proposed plans and the way in which they have been pursued.

1) First, I would like to point out that the Press Release announcing today's meeting was deceptive and misleading. The Headline "DNRE to Host Public Meeting Sept. 27 to Review Plans for Increased Acreage at Waterloo Recreation Area" made no mention whatsoever of the DNRE plans to permit commercial gravel mining in a State Recreation Area. If the headline had stated your intention to permit industrial gravel mining in a State Recreation Area, more people might have come to express their concerns. By headlining increased acreage rather than gravel mining in a recreation area next to one of the highest concentrations of homes in Waterloo Township, this headline seems to be a clear attempt to distort the news and minimize the chances that the general public will know, or be concerned about, what is actually happening.

2) The residential community at Clear Lake was established and substantial financial investments were made by its residents in reliance upon the recreational character of the surrounding woods. Turning the control of this public recreation land over to a commercial gravel mining company for its own private use is a betrayal of the public trust.

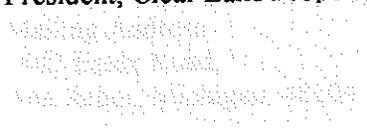
3) A significant portion of the property to be mined was a gift to the people of the State of Michigan from the US Federal Government under the expressly stated condition that it be used solely for park, recreational, and conservation purposes. You should not be trying to subvert the purpose of that gift by turning it into a gravel mine.

On behalf of the more than 100 families represented by the Clear Lake Property Owners Association, who will incur the risk of physical and financial harm from this ill-conceived project, we are asking you to stop.

Please include these comments as part of the public record for this meeting.

Cindy Kleinsmith

Cindy Kleinsmith
President, Clear Lake Property Owners Association



September 27, 2010

Members of DNRE

Re: proposed expansion of mining in Waterloo Recreation Area

Dear DNRE:

We have owned property on Clear Lake since 1975. Our first lakefront property was a small summer cottage. We sold it and bought the lot next to it to build what we hope is our retirement home.

The property values in Michigan have depreciated a great deal in the past four years. If the sand and gravel mine is allowed to expand we believe the property values on Clear Lake will surely depreciate further.

The noises we hear on Clear Lake now are boats and people enjoying the lake. What will we hear if the mine expansion is granted? Large machinery, loud trucks and maybe even blasting; we are concerned about the dirt and dust the mine will create and what health effects that will have on us.

One of the biggest concerns we have is the change that might take place to the water here – could the lake's water supply be affected? Could the lake level become too low and the quality of the lake and well water be compromised?

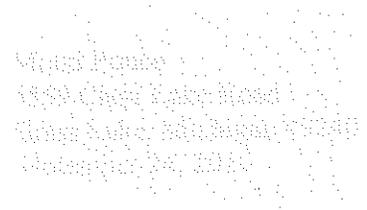
It would be a tragedy if the quiet, peaceful, natural surroundings, at Clear Lake, are disturbed by the additional lands the sand and gravel mine intends to destroy.

We do not want the mine expansion to be granted.

Sincerely,



Norman Gasiewski



Paul Yauk
Land Programs Manager
DNRE Recreational Division
PO Box 30257
Lansing, Michigan 48909

Dear Mr. Yauk:

I am a resident of Clear Lake in Waterloo Township, and I am writing to express my concern about recent discussion concerning the NPS approval to mine land in the Waterloo Recreation Area.

I am opposed to the gravel pit expansion into State recreation land and I would like this opposition documented for public record in the meeting of September 27.

I do not consider myself a "nimby" (not in my backyard) advocate, however, in evaluating all the issues in this situation, I do not feel it is in the best interests of the residents in this area as well as visitors to the region.

Basically, my concerns are:

1. Closing a natural beauty road (Green Road); changing the natural mature vegetation-restoration is never the same
2. Additional noise and dirt in the general area; we all ready notice dust in the air as well as road debris
3. Potential risk to bikers, horseback riders and hikers, both on the trails as well as on the roads; there is little to no shoulder area on the roads; the increased noise is a considerable detriment to enjoying these areas (and dangerous with horses)
4. The increased exposure closer to the lake and potential harm to the lake water level and aquifer for local wells
5. Lack of, misleading, and inconsistent information being made available to those who have concerns and have the right to be informed; for example, the perceived 'value' of an exchange of 324 acres for 72 acres on the surface sounds generous, but the parcels are vastly different

Ponce Page 1

[Recipient Name]
September 24, 2010
Page 2

Obviously, it is a financial benefit to the company to expand in an existing location, but in light of the consequences to the residents and users of this land, other options should be pursued. Are these tradeoffs that we really want to make?

Sincerely,

Monti L. Ponce

Ponce Page 2

September 27, 2010

Members of DNRE

Re: proposed expansion of mining in Waterloo Recreation Area

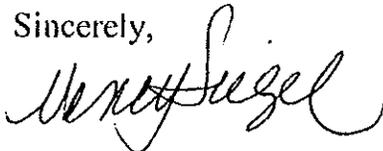
Dear DNRE:

We bought a home on Clear Lake five years ago. What drew us to the area was the abundance of pristine state land and wildlife in the Waterloo recreation area. We are very concerned with the destruction of this land and environment with the proposed expansion of the Aggregate Industries gravel pit and mining operation.

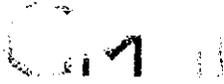
They are currently mining several other areas and continue closer and closer to homeowner's property. If they expand; we will have dust and air quality issues and significantly increased noise from their semi-truck traffic. We are also told that our road will be closed and this presents several safety issues for residents with getting essential fire, emergency and rescue services to the lake. Please note many Clear Lake residents are elderly and doubling the time it takes to save someone could be deadly.

We have never been properly notified of these expansion plans and been given the run around with getting straight answers to any questions. Aggregate promises to reclaim and restore land they have stopped mining and to date we have seen very little of this. The corner property on Clear Lake Road and Harvey Road was partially reclaimed early this year and it is already washing away. Do you want to live next to it? We don't either. Please stop the initiative to expand the gravel pit!

Sincerely,

A handwritten signature in cursive script that reads "Nancy Siegel". The signature is written in black ink and is positioned below the word "Sincerely,".

Nancy Siegel



Gravel Mining on Waterloo Recreation Land

Thomas Gavorek <tgavorek1@yahoo.com>

Mon, Sep 27, 2010 at 1:45 PM

To: yaukp@michigan.gov

Cc: cindykle@umich.edu

Dear Mr. Paul Yauk, Land Programs Manager, Michigan DNRE

This letter is in regards to the (Increased Acreage at Waterloo Recreation Area) Plan to reviewed in the October 27 Public Meeting, at the Gerald E. Eddy Discovery Center.

Please accept this statement of condemnation in regards to this DNRE Plan allowing new Gravel Mining operations on 72 Acres of Waterloo Recreation Area owned land.

We: Thomas E. Gavorek and Amanda L. Gavorek 100% disapprove of this Plan!

We feel there is positively no good reasons for the permanant modification of this land that was set aside for public use. The DNRE needs to re-evaluate their mission statement!

Regards

Thomas E. Gavorek & Amanda L. Gavorek

1000 Chippewa Rd

Oshtemo Twp, MI 48867

Phone: 517-781-1111

Fax: 517-781-1111

Email: tgavorek1@yahoo.com

<http://www.gavorek.com>

DNRE

Sept. 26, 2010

Our family has lived on Clear Lake since 1986, partime until our retirement in 1996. We moved here so we could enjoy the peace and quiet & all the wonderful outdoor activities.

It was disrupted when the Gravel Pit grew larger and we could hear the machines pounding rock at 5:00 A.M. at that time the birds seem to disappear.

The gravel pit was supposed to reforest what they had destroyed. That has not happened. Now they want to destroy more land even closer than the old pit to our beautiful lake.

They have got to be stopped!! There are so few natural recreation areas left. We want to keep it as it is so everyone can come and enjoy it.

Sincerely,

Morgan + Phil Morgan

September 24, 2010

DNRE

This letter is to officially notify the State of Michigan that we oppose the expansion of Aggregate Industries in the Waterloo Recreation area. This expansion will greatly reduce our already low property values, not to mention the noise and destruction of valuable woods and hiking trails. This expansion will also affect the traffic on Green road which we DO NOT want closed.

Edward and Christine Vock





The Waterloo Hunt, Inc.

September 05, 2006

Mr. Paul Yauk, Lands Program Manager
DNR Parks and Recreation Division
PO Box 30028
Lansing, MI 48909

*Dear Mr. Yauk
Here is again a letter
we sent back in 2006. We
wish to restate our
support for your current
plan to increase the
acreage of the
WRA.
Sally Stommen*

Dear Mr. Paul Yauk;

We wish to express the whole hearted support of the Waterloo Hunt Club for your creative plan to acquire and preserve the land now occupied by the gravel pit in the Waterloo Recreation Area (WRA) in Waterloo Township.

We view a short term (7 year) grant of the soil, sand and gravel rights to a small (30 acre) portion of State owned land in exchange for the long term acquisition of the existing gravel pit land (300+ acre) as a fantastic opportunity for the people of the State of Michigan. Waterloo Hunt Club is a stakeholder who has used the WRA for the past sixty years (continuously since 1947) for a leisure pursuit (horseback riding) that requires large areas of open space. We view this as a winning plan that will in the long term benefit us and all those who use the WRA.

72.44

We wish to commend you and your team for coming up with this unique idea and want to support the finalization of this plan in any way that we can be of service. Please notify us of any future meetings so that we may voice our support and please pass this letter on to those who will make the final decision on this land acquisition.

Very Sincerely,
Waterloo Hunt Club
Board of Directors

Contact Directors: Sally Stommen, D.D.S.	Ms. Patricia Harris	Ms. Arlene Taylor
11745 E. Michigan Ave.	1881 Willis Rd.	11571 Glenn Rd.
Grass Lake, MI 49240	Grass Lake, MI 49240	Grass Lake, MI 49240
(517) 522-5018	(517) 522-4224	(517) 522-3409



Waterloo Recreation Area Conversion
Public Comments

1. Danny M.'s comment (9/9/2010)

Hi Paul, My name is Danny M. I have previously signed a petition at the gas station to halt the acquisition of/and closing of Green Rd. I had not heard that they were prepared to donate the three hundred + acres to us (DNRE). I feel like I'm part of it because I do volunteer steward work. So where is this 300 acres? And is it true that they will close down Green Rd? And if we get the 300 acres clear and the lease is for 10 years, do they--at the end of the 10 years, rebuild Green Road and the 70 acres revert back to us? I would really appreciate it if you have a rough map that details the areas involved, and I can download it by computer.

Paul Yauk's response (9/9/2010)

Thank you for your e-mail, I will attached a copy of the NRC memo on this issue, it will provide the details of the proposal and show you where the 324 acres is located. (sounds like the petition at the gas station lacked some very critical information).

In regards to your question on Green Road, since the lease area is divided by Green Road, we are currently looking at a few options, one a short term closure and the second a closure that includes an overlook of the restored grassland site. We can discuss more at the meeting.

I am glad that you enjoy working with Laurel Malvitz as one of our volunteers at the Waterloo Recreation Area. We believe this transaction will be a great improvement to the Recreation Area. Our Stewardship Program Manager, Ray Fahlsing will be present on the 27th. I hope you can make the meeting, I look forward to meeting you at that time. Paul

2. Mike E.'s comment (9/19/10)

I hope to attend the September 27 meeting about plans for increasing the acreage of the Waterloo Recreation Area. Because I will be attending to get information rather than to ambush you or others, I'd like to inform you of two sets of questions I plan to ask at the meeting if the information is provided in DNRE's presentation.

The first set of questions has to do with the lease by the Federal government to the State of Michigan for the Waterloo Recreation Area. Is the acreage that will be leased to Aggregate Industries located within the original 12,000 or so acres leased to the state? If it is, does the lease permit the State to lease the property for the proposed purposes? *Yes, 35 acres of the lease area was part of the 12,000 acres that was gifted from the National Park Services for public recreation in 1943, the federal gift does not have a process for converting former*

federal lands, but because there were 13 Land and Water Conservation Fund projects at the Recreation Area, the NPS asked the DNRE (in July) to follow the federal LWCF land conversion process. This lease is considered a conversion and we will outline our request to the Department of the Interior.

The second question is how will Aggregate Industries deeding the land to the State affect the tax revenues of Jackson County, Waterloo Township, the schools and other units of local government? Will Aggregate Industries pay taxes on the 72 acres it leases from the state. In short, what are the effects in terms of reduced tax revenue of the plan? *A project presentation was given to the Waterloo Township board on January 19, 2010. This question was raised at that time and it is my understanding that the county receives around \$2,000 in taxes on the Aggregate Industries site, and a small portion is sent to the Township. If the property is sold to the state, the DNRE will still pay a PILT tax. (Payment in-Lieu of Tax). (estimated at \$650). The state would also continue paying this PILT tax on the existing 72 acres. Aggregate Industries will continue to pay all other taxes.*

I'll look forward to the meeting and to getting my questions answered.

Thank you,
Mike E.

Paul Yauk's response (9/20/10)

Thanks for taking the time to write, two good questions, I will add both to our Question and Answer document that we will give to the public. I have responded below in *italic*.

Mike E.'s follow-up (9/20/10)

I didn't expect answers prior to the meeting, but I do appreciate them. I am astounded that Waterloo Township receives so little tax revenue for the Aggregate Industries site.

Thank you for the quick and complete response.

Paul's response to DNRE staff (9/23/10)

More on issue.

3. William H.'s comment (9/20/10)

Paul Y,

This is a good example of the down grade and neglect of our natural resources and infrastructure.

The gravel company builds up the banks around the pit to conceal the mining depth and maybe tries to restrict run off.

We as property owners on Clear Lake have grave concerns for the use of 72 more acres for gravel mining on the south side of the lake. The area is heavily wooded and there are many wet lands with wild life. The 324 acres is considered strip mined and likely contaminated with herbicides, insecticides, fertilizer from run off and effluent from septic tanks. There are many farms adjacent on both sites with wells and livestock lots. There is no control of run off at any of these sites including road ditches and wet lands. This year has been wet with precipitation 5 inches above normal causing even more concern. Clear Lake Road has continued to break up even more rapidly from the heavy truck traffic from the gravel mines. There are other gravel sites available and soon the Aggregate Industries will want to mine other areas in the Waterloo State Recreation Area. Clear Lake is 35-40 ft in depth and well above the deeper depths of the gravel pits causing concern about drying up the lake. There are many areas where the depth is less than 2-3 feet. In a number of dry years the lake may shrink by 20% and possibly more with the deep gravel pits. I was not particularly impressed with what had been done to preserve the 324 acres. There was no testing to determine contamination. We have observed and experienced first hand the irreversible damage of abandon gravel pits. The Federal Recreation Demonstration Area(RDA) states property must be used exclusively for public parks, recreational and conservation purposes, and the State can not allow this to happen without approval from the Department of the Interior.

William H., PE FASCE

Paul Yauk's response (9/23/10)

Thank you for taking the time to e-mail me on your concerns and issues on this proposal, I have included two attachments that provide additional information on this subject. Your e-mail will be included in the minutes. I hope you will be able to attend Monday's meeting. Paul

4. Suresh G.'s comment

September 20, 2010

Paul Yauk, Land Programs Manager
DNRE Recreational Division
PO Box 30257
Lansing Michigan 48909

Mr. Yauk:

I am writing to convey my adamant opposition to mining in the Waterloo Recreation Area. Below is a list of some of my concerns:

- a) Health concerns from dust and pollution
- b) Increased noise levels
- c) Water level/aquifer disruption
- d) Reduced property values
- e) Threat to general environment
- f) Loss of 72 acres of heavily used natural and mature woods.
- g) The 324 acres to be traded for the opportunity to mine in the Waterloo Rec Area is not of equivalent recreational value to the 72 acres that will be destroyed. The 324 acres will be isolated from the rest of the Waterloo Area by the current and proposed expanded operations. It does not have the mature woods of the 72 acre parcel and is not an integral part of local hiking and horse trails.
- h) Why did the DNRE call the meeting on such an important subject for 4PM on a Monday when many people are at work?
- i) In the headline announcing this public meeting, the DNRE never mentioned gravel mining. They said only "DNRE to Host Public Meeting Sept. 27 to Review Plans for Increased Acreage at Waterloo Recreation Area". By leaving out any mention of gravel mining, this headline is deceptive.

Respectfully,

Suresh G., M.D.

[Paul Yauk's response \(9/23/10\)](#)

I would like to thank you for taking the time to respond to me on this issue. I am attaching 3 documents that will provide answers to the questions that you have raised in your e-mail, I hope you can attend Monday's meeting. Paul

5. Kim and David's comment (9/19/10)

Dear Mr. Yauk:

A few days ago I mistakenly sent you an early draft of a letter voicing my opposition to the proposed Gravel Mining in the Waterloo Recreation Area. Could you please substitute the attached letter and read it into the public record?

Thank you.

Kim and David S.

Paul Yauk's response (9/21/10)

I will make a copy of your letter and include it in the public record. I have attached a response to your questions from our Stewardship Program Manager. Paul

6. David S.'s comment (9/22/10)

Mr. Yauk,

Thanks for the thoughtful response. There is a lot I don't know, and I want to keep an open mind. It appears that a major factor is whether or not we can trust people to do a quality job of restoration - keeping out the invasives. Time for me to do more research.

David S.

Paul Yauk's response to DNRE Staff (9/23/10)

More on this

7. Joy C.'s comment (9/21/10)

Mr. Yauk,

I write this letter to express my concern over the proposed use of 72 acres of DNRE property to Aggregate Industries, and ask that it be placed on public record of the September 27 public meeting at the Eddy Discovery Center.

For over 36 years, I have spent summers at the cottage built by my grandfather on Clear Lake. While I am not a current year-round resident, that home is my address of domicile and I am the heir apparent. I have enjoyed the many miles of trails on the DNRE property for many years and it is one of the largest reasons that Clear Lake will be my retirement residence in the near future.

As a Park Ranger, I am maybe more aware than most of the population about how park resources are used, protected, and restored. I know that the budget constraints placed on parks leave barely enough to keep vaults pumped, dumpsters emptied, and campgrounds patrolled. You and I both know that the

recent drop in park fees was not because of a surplus in operating capital. The money required to return the 324-acre eyesore into useable park property simply isn't there, and won't be there when AI is done creating another 72-acre eyesore.

The lease clearly states that the applicant will restore both properties to DNRE specifications at their cost as part of the agreement, there will be yearly update meetings to make sure that compliance is met. If the applicant fails to comply, township and DNRE performance bonds will cover this cost.

I'm sure you have heard many complaints about the disruption to noise, air, and water quality so I won't harp on that. I ask that my voice of concern over the mature woods be heard loud and clear. The trade-off of mature woods to a project which would create a gaping hole in the wilderness is not an equal one. I propose there are at least a few other locations that AI could use for its purposes that would leave less of an impact on the area. We don't want their old pit in exchange for a new one. *The 72.44 acres is an area of invasive plants and is no way a mature wood lot. Great effort has taken place to locate this site in an area that will protect native species and when finished re-plant to native trees to the north and grasslands to the south.*

Respectfully,
Joy C.
Park Ranger

Paul Yauk's response (9/22/10)

Thank you for taking time to respond to this upcoming meeting, I will include your comments in the public record. I have responded to some of your particular questions below and have included attachments on this issue. I hope you can attend the open house next Monday. Paul

8. Danny M.'s comment (9/9/10)

Mr Yauk--or Paul, if I might. Thanks for the immediate response, both by phone plus the info you sent me. Going over the lease, I do have one question at the moment: According to the lease, AI can renew the lease 3 times for 3 years at a time, without any objections. (Item B2) So there's a good possibility that this could be a 19-year lease? Am I reading it correctly? Or are there ammendments to the lease I haven't seen? Also, who is Alan Radka? Is he the same "AI" that runs the Marathon station? Again, TIA... Danny M.

Paul Yauk's response (9/13/10)

The document was drafted a few years ago, no one could predict the future of mineral need at that time, with approved extensions, It could be up to a 19 year lease, but now with I-94, US-23 and I-75 under major construction, I do not expect the lease to last even 10 years. The NRC

memo has the key points of the lease, I can bring a full copy to the meeting. I am not sure who Alan Radka is.

Danny's follow-up comment (9/16/10)

Paul--got to be quick here (dental appt.). As far as all the construction on the major roads, I assume you think that would curtail the travel of the trucks, correct? Another view might be that any time you're restructuring roads, you need base underneath, so it could actually add to the need for gravel. I could be wrong--don't know if this is the same gravel that's used for that purpose. I think it is... Cya Danny

9. John L.'s comment (9/15/10)

Mr. Yau, I read the article in the Sun Times News about the Waterloo land for lease trade. Could you give me some information about the location and history of the gifted land in Waterloo area, as well as the location and history of the land to be leased for mining? Thank you very much.

John L.

Paul Yauk's response (9/16/10)

Thank you for asking for additional information. I have included an NRC memo on the case that provides more details and a map of both sites, I have also included a copy of frequent questions asked.

In response to your question on history of the 72.44 acres, about 35 acres was gifted to the state from the federal government in the 1940's the balance was purchased as the Green Farm using state funds.. Because of federal funds being used at Waterloo, we need to follow a lands conversion process to gain their approval. The upcoming meeting on the 27th. will outline what steps we need to follow. Hope you can make the meeting. Paul

10. Joan S.'s comment
9/20/2010

I am writing this letter to the DNRE to voice my opposition to the expansion of gravel mining into the Waterloo State Recreation Area. I have several concerns relating to this expansion: 1) Increased noise. 2) Effects on water levels and aquifer disruption. 3) Decreased property values. 4) Threat to this beautiful and frequently used environment. 5) Loss of 72 acres of mature woods.

The 72 acres that would be mined are spectacularly beautiful and special in that they are mature woods. Disrupting mature woods is a pretty serious thing to do, and should not be taken lightly.

The 324 acres offered to increase the acreage of Waterloo Recreation Area, are not in any way equal to the 72 acres we would lose to gravel mining. The 324 offered acres are not mature woods. Nor are they contiguous to the current Rec Area.

I am uncomfortable with the date and time of the public meeting. Many people (including myself) are still at work on Mondays at 4 pm. I feel the time selected for this meeting (Monday Sept 27, 2010 at 4 pm) intentionally excludes many of my working/employed, concerned neighbors who deeply oppose the gravel mining expansion.

I am also uncomfortable with the announcement/headline in the paper: "...Review Plans to Increase Acreage at Waterloo Recreation Area". No mention of "Gravel Mining" in the headline??? This phraseology doesn't seem forthcoming. Frankly, this headline seems dishonest and deceptive.

Again, I wish to clearly state that I strongly oppose the expansion of gravel mining in the Waterloo Recreation Area.

I am requesting that this letter be placed in the public record of the Sept 27th Public Meeting at the Eddy Discovery Center.

Joan S.

Paul's response (9/23/10)

Thank you for taking the time to comment on this proposal. Your comments will be placed in the public record. I have also included a copy of frequently asked questions on this issue and the Director's memo that provides a map of the impacted area, they should address concerns that you have raised. I hope you will be able to attend Monday's open house. Paul

11. Mary P.'s comment
9/22/2010

To Whom It May Concern:

I am very opposed to gravel mining in the Waterloo Recreation Area for several reasons, the most important of which is dust and pollution. I have COPD Chronic Obstruction Pulmonary Disease- Emphysema and Chronic Bronchitis. It is important that I live in an area of clean air. In addition, the 72 acres that will be destroyed is not nearly the equivalent of the 324 acres given as an incentive. The latter is not connected to the established local hiking and horse trails. The DNRE was deceptive in saying the public meeting was to review plans of increased acreage at the Waterloo Recreation Area- it did not mention gravel mining.

The meeting was scheduled for Monday, 9/27 2010 at 4 PM when people were still at work and the summer people have left the area to return home. These things reduce the objecting numbers considerably. Should this mining take place, our property values could be seriously affected.

Please give these reasons your utmost consideration. Thank you.

Mary P.

Paul Yauk's response (9/24/10)

Thank you for taking the time to comment on this issue, the open house on Monday will start at 4 PM and extend to 7 PM to allow for people to attend who work during the day. I have attached a copy of the DNRE memo on this case and frequently asked questions. I will include your comments into the record. I hope you can attend Monday's meeting, Paul

12. Randy and Anne's comment (9/24/10)

Dear Mr. Yauk,

We are writing to express our strong opposition to the trade of land between the DNRE and Aggregate Industries that will allow the latter to expand their gravel pit mining operation northward towards Clear Lake. There are several reasons why this is a bad deal for the DNRE, recreational users of the lands in question, and residents at Clear Lake:

1. The 72.44 acres of land that Aggregate Industries will acquire is pristine land, yet the DNRE will only receive surface-mined, sub-prime land that cannot be

2. The reclaimed land will not provide the same experience for hikers and other recreational users. This will negatively impact the users experience. The Waterloo-Pinckney trail already passes through several reclaimed areas that detract from the hiking experience. Yet the 72.44 acres to be deeded to AI is a beautiful natural area. Why would the DNRE want to give up what is still in a relatively natural state? You may acquire four times the land area, but the land will not be quality land by any stretch.
3. The 72.44 acres will allow AI to mine closer to Clear Lake. This will have significant negative impacts on Clear Lake residents and wildlife. There will be increased noise, truck traffic, air pollution, and dust. The latter will contain dangerous silicate dusts which are known respiratory toxicants and carcinogens. The location of the new mining operations will have a negative effect on Clear Lake property values. The mine may impact the aquifer that supplies Clear Lake. Despite assurances from the geologists, one can never be sure what will happen when one impacts groundwater sources.

These are just some of the reasons why this land swap is a bad deal. I hope you understand that there is strong opposition to it and I hope you will do the right thing and put a stop to it.

Regards,
Randy and Anne R.

Paul Yauk's response (9/24/10)

Thank you for taking the time to comment on the upcoming Public Open House. Our Stewardship Program Manager has responded to your questions, I have also included a copy of the NRC memo on this issue that includes maps. Hope you can make Monday's meeting. Paul

13. Michelle D.'s comment (9/27/10)

I am hoping to make the meeting today- but If I am unable I am sending my letter in opposition to the expansion of the mining in the wtaerloo rec area. I am a resident of Clear Lake. I would like my letter to become part of the public record for the meeting.. If you have any questions I can be reached at 734-320-7424 or the email address above..

Thanks
Hope to meet you both this afternoon

Attachment to the email:
To Whom it May Concern at the DNRE,

My name is Michelle D. and I am writing this letter in complete opposition to the expansion of the Aggregate Industries gravel pit mining operation.

It is my understanding that Aggregate has offered a generous gift of 324 acres of land in exchange for the 72 acres they are wishing to mine. The land they are wishing to mine is much closer to our homes and has a greater value to me as a homeowner and someone who uses the Waterloo recreation area on a daily basis for its hiking and biking opportunities. The loss of this 72 acres in such a beautiful area would be, among other things, heartbreaking.

I believe that the even the existing operation has devalued the homes surrounding it, and expansion will only increase the volume of homes losing value. With real estate at a low, we should not be allowing further declines so that one business can flourish.

Other concerns would be noise, health concerns from the dust and pollution this type of operation will bring. This business has already had a negative effect on the environment, and is a thorn in the Waterloo recreation area. People come from miles around to enjoy the natural beauty here, and it would be a shame to let one more acre of land be destroyed unnecessarily.

I appreciate your time in reading my concerns. Please place this letter in the public record of the September 27 2010 meeting at the Eddy Discovery Center..

Sincerely,
Michelle D.

Paul Yauk's comment (9/27/10)

Thank you for taking the time to comment on this proposal. I will include your e-mail in the public record. I have also attached a copy of frequently asked questions on this issue and the NRC memo on this case. Paul

14. Rita H.'s comment (9/27/10)

As a life long resident of Waterloo, I say no to the expansion of the gravel pit! The effects on wildlife would be too much! Also the local economy relies on the campers and sportsmen for alot of their business. And the gravel trucks are driven by a bunch of unsafe drivers. I do not feel that the pit needs to be expanded! Look at the one on Clear Lake Rd., that property is a big gaping hole in the ground that the owner cannot sell! And nothing has been done to improve the property. The residents of Waterloo do not want this! we like our community the way it is!
Sincerely, Rita H.

Paul Yauk's response (9/27/10)

Thank you for taking the time to comment, I will record your e-mail in the public record. Paul

15. Wesley and Henrietta's comment (9/26/10)

To Paul Yauk,

As long time property owners on Clear Lake, we strongly oppose the expansion of gravel pit mining in the Waterloo Recreation area.

At our south shore location, we would be subject to noise and air pollution from the new mining site. The site would of course lose its hiking and horse trails.

Again, we strongly oppose this planned expansion.

Wesley and Henrietta J.

Paul Yauk's response (9/27/10)

Thank you for taking the time to comment on this issue. I have your comments included in the record and have attached a copy of frequently asked questions. Paul

16. Robert & Louise's comment (9/26/10)

Dear Sir:

We are OPPOSED to the 10 year lease agreement / exchange of properties between the DNRE and Aggregate Industries in the Waterloo Recreation Area. It will result in dust, noise, adversely affect the aquifer and lake water levels, result in the loss of over 70 acres of mature wooded areas and result in lower property values. We consider the DNRE disingenuous in scheduling a meeting when most people are working and even more misleading in the wording of the DNRE Press Release. There are many more than the so-called "15 people" in the area OPPOSED to this "Exchange Agreement". We are also OPPOSED to any potential closure or rerouting of Green Rd. as it will necessitate extra time and distance to access the east side of Clear Lake and portions of the Waterloo Rec. Area to our east.

We will attend the meeting of Sept. 27, 2010 to express our views.

Sincerely,
Robert R. & Louise R.

Paul Yauk's response (9/27/10)

Thank you for taking the time to comment on this issue. I will include your e-mail into the public record. The meeting format tonight is a 3 hour public open house starting at 4 PM and extending to 7 PM. It was scheduled to reach working and non-working people. I have attached a copy of frequently asked questions on this issue. Paul

17. Mary M.'s comment (9/27/10)

Dear Mr. Yauk,

Please place the attached letter in the public record per the meeting at the Eddy Discovery Center September 27, 2010 as evidence of my opposition to the expansion of the gravel pit in Waterloo. Unfortunately, as I do not get home from work until 6:30pm I will do my best to attend the last part of the meeting. I must add that 4pm is an odd time to hold a public hearing type meeting as most people are at work.

Mary M.
Health Management Research Center
University of Michigan

Attachment to email:

September 25, 2010

Dear Mr. Yauk or interested parties,

I am writing to oppose the expansion of the mineral rights lease in Waterloo, Michigan that will remove at least 72 acres of integral trail system from use. Please place my opposition in the public record.

The area to be expanded and mined as a gravel pit contains hiking and horseback riding trails that are an exclusive resource of this area. People come from all over to use them. The Waterloo Horseman's Association hosts events that are a big draw and maintains the trails. The trails affected by the proposed expansion of the gravel pit are the ones most used by riders because that is the area connected with the horseman's campground. If you want to go out for an hour or two those are the only trails to use. Often people don't want to be out on the trails for several hours and put the soundness of their horses at risk. The trails in the areas that will not be affected by the gravel pit expansion rocky, steep and not conducive to riding for the majority of the people and horses. Also, by closing those trails and Green Rd. there is great danger with horses and riders having to go down Clear Lake Rd to access trails. Clear Lake Rd. is paved, has no shoulder, and cars travel at 45 mph or more causing a serious danger to motorist, horses and riders.

Several years ago the DNR abandoned care of the horseback trails. Citizens in the area formed the Waterloo Horseman's Association and have worked splendidly to maintain the trails for all over the years. This has included new bridges, new footing, widening and clearing the trails and more. It is one-of-a-kind for riding and well-used. This level of action and resource commitment on the part of residents in the area and others shows how important the trails are to us.

Further, the additional activity of the gravel mining will basically destroy the wildlife, and peace and quiet of nature that so many come to enjoy. Property values in the area will be affected in an already dismal housing market. Hence, tax revenue will also decline. The noise and dust will basically ruin quality of life for the residents of the area.

Paul Yauk's response (9/27/10)

I will include your e-mail in the public comments on this issue, I have also attached an updated copy of frequently asked questions on this issue. Paul

18. Gregg M.'s question (9/28/10)

Ms. Askew-Storay;

The residents of the area submitted many letters of protest to DNRE hands during the 27 Sep meeting, plus a petition signed by 350+ people. What will happen to those now? Will they all be included in the application you will be making to the NPS? Or does the DNRE produce some sort of "summary" which is passed on? Or do they just stay at the DNRE? Please advise.

Gregg M.

Shamika's response (9/28/10)

Good morning Mr. M.:

The following information was collected from yesterday's public meeting:

1. Letter from Ms. K., President of Clear Lake Property Owners;
2. Letter from Gregg M., homeowner and resident of Clear Lake (copy of the same letter with attachments);
3. Letter from Jan K., a concerned resident;
4. Letter from several Clear Lake Property Owners with signatures;
5. Letter from Tim and Wendy R.;
6. (2) Handwritten notes;
7. Attendance cards with contact information; and
8. A 30 page petition with email attachments

All of these items will be placed in the conversion proposal, which will be submitted to the National Park Service. The DNRE will not make a summary of the letters. The list above doesn't include emails that have been submitted to Paul Yauk prior to the public meeting on September 27. In addition, I anticipate more letters of concern. Once those letters are received, they will be placed in the conversion proposal. Please be aware that the conversion proposal will have a tab labeled "Public Comment/Public Review."

If you have any further questions regarding the conversion process, please contact me.

Thanks.

19. Gregg M.'s question (9/28/10)

Ms. Askew-Storay;

Please provide the name and contact information for the person or office at the NPS with whom you will be coordinating this land conversion process for the 72 acres of Waterloo Recreation Area.

Thank you in advance.

Gregg M.

Shamika's response (9/28/10)

Good morning Mr. M.:

Per your request, the contact information can be found below.

Mr. Bob Anderson
US Department of Interior
National Park Service
601 Riverfront Drive
Omaha, NE 68102-2571

Mr. Jim Krejci
US Department of Interior
National Park Service
601 Riverfront Drive
Omaha, NE 68102-2571

Thanks.

20. Gregg M.'s comment (9/28/10)

Good Morning, Shamika: (May I?)

Thank you for the quick response.

I do not agree with the letter quantity summary below. I myself turned in three letters (1 from me, 2 from different neighbors) directly to Mr. Hauk. I do not see them all recorded below. Plus, it is my understanding that Cindy Kleinsmith herself turned in some 20-30 letters from local residents. What happened to those? Have you collected letters from Mr. Yauk on this issue? The numbers are not adding up, in the DNRE's favor.

Another question, please: The Attendance Record cards: How are they used? I did not fill one out early last evening because everything was getting so busy. I filled one out at the end, but you were gone by then. I am certain that numerous others have done the same. I am concerned that the DNRE will use those cards to report attendance, and thereby residents' interest in this affair. If this is the case, how do we record our presence to prevent the DNRE from reporting (as they have in the past) that "only a few" residents objected. As you have seen, the DNRE has no credibility left amongst us, and we are properly expecting continued subterfuge in the pursuit of its own interests..

Regards,
Gregg M.
Waterloo

BTW: I like your tagline at the bottom.

Shamika's response (9/28/10)

Mr. M.:

The (3) letters that you turned in directly to Mr. Yauk were given to me and are referenced in this email. Ms. K. gave me a handwritten note on a yellow sheet of paper with her signature. She didn't hand me 20-30 letters from residents. You may want to speak directly with Ms. K. on this issue.

The attendance cards will be typed on a word document and submitted to the National Park Service. The purpose of the cards was to personally contact residents who had questions, but was unable to express their concerns at the meeting.

I was available the entire evening/night. In fact, I helped close down the center.

Thanks.

21. Gregg M.'s question (9/28/10)

Thank you, again, for the quick response.

Can you please also supply telephone and email contact info for the gentlemen named below?

Regards
Gregg M.
Waterloo

Shamika's response (9/28/10)

Mr. M.:

Per your request, please find the information below:

Mr. Bob Anderson, (402)661-1560 Bob_L_Anderson@nps.gov

Mr. Jim Krejci, (402) 661-1540 Jim_Krejci@nps.gov

Thanks.

22. Cindy K.'s comment (9/28/10)

Gregg and Shamika,

To clarify the situation re the 20-30 number of letters that Gregg referred to. The total number of letters that Mr. Yauk should have from us should be close to 30. At least 23 were sent directly to him by email. And I know of 6 that were turned in to him last night. So that's gets us to around 30.

Shamika, please contact Mr. Yauk to get copies of the 23+ email letters sent from Clear Lake folks and please also ask for the letters turned in last night.

Thank You,
Cindy K.
President, Clear Lake Property Owners Assn.

Gregg's follow-up (9/28/10)

Thank you, Cindy. It seems that I did not properly understand the numbers and delivery method, etc. I stand corrected on this issue.

I still want to know about how the cards are being used, etc.

Gregg M.

Shamika's responses to Ms. K and Mr. M (9/28/10)

Good morning Ms. K.:

As I stated in my first response to Mr. M., "the list above doesn't include emails that have been submitted to Paul Yauk prior to the public meeting on September 27." Mr. Yauk has been forwarding me emails that he has received on this issue. My email specifically states that the information collected was from yesterday's public meeting.

Thanks.

Mr. M.:

I've answered your question regarding the use of the attendance cards. Again, "The attendance cards will be typed on a word document and submitted to the National Park Service. The purpose of the cards was to personally contact residents who had questions, but was unable to express their concerns at the meeting. "

Thanks.

Gregg. M's follow-up (9/28/10)

Shamika;

Thank you for your patience in explaining this to me (one more time). It was not always possible to hear what was being said last night, and I am just trying to clear up missing details in my own mind. And, you did encourage questions... :)

Regards
Gregg M.
Waterloo

23. Gregg M.'s comment (9/28/10)

Mr. Hauk;

The meeting last night was helpful, but many residents with very real concerns and questions could not be present because of the DNRE's scheduling of the meeting. Mr. Sadler, Supervisor of Waterloo Township, has sent a letter to you noting this fact and requesting that the DNRE either reschedule (obviously no longer possible) or schedule a second meeting at a time more appropriate for reasonable public involvement. Will the DNRE schedule a second meeting such as last evening so that full public participation is assured?

Please advise.

Regards,
Gregg M.
Waterloo

Paul Yauk's response (9/28/10)

Mr. M., we are in the process of addressing the comments that were collected last night and will include in the record. Additional public comments are always welcome and will also be included.

We are not planning to repeat this meeting, but will update the public of our findings and ask for comments when they are completed. I have also attached the letter that was sent to Mr. Sadler.
Paul

Gregg M.'s follow-up (9/28/10)

Mr. Yauk (with apologies for the earlier typo)

Thank you for your response.

Gregg M.
Waterloo

24. Cindy K.'s comment (9/28/10)

Thank you, for the clarification, Shamika. Would it be possible for you to let me know the total of how many emails/letters from our group you will be sending to the NPS?

Shamika's response (9/28/10)

Ms. M.; **(should have said Ms. Cindy)**

Once the conversion proposal is complete, I will personally email you the total number of emails/letters sent to the National Park Service.

Thanks.

Gregg M.'s follow-up (9/28/10)

Some confusion there, Shamika. There is no Ms. M. (except my daughter). That was Cindy K.

But we both thank you for the response.

Regards,
Gregg M.
Waterloo

Shamika's response to Gregg's follow-up (9/29/10)

I apologize. I intended to send this email to Ms. Cindy K.

Gregg's response (9/30/10)

Not a problem. I'm sure we rather bombarded you with emails yesterday. :)

Ms. Cindy K.'s response (10/6/10)

Hi Shamika,

No problem with confusing my name as Gregg indicated.

Thank you for offering to send me the total number of emails/letters. I appreciate that. And I also appreciate your diligence in communicating with us about this complicated process. I am grateful.

I like your law student quote: "Law students must not forget they are fitting themselves to be ministers of justice."

In this case I can see your commitment to "procedural justice". :)

Cindy K.

Shamika's response (10/6/10)

Ms. K.:

No problem, you don't have to thank me.

In my four years in working with state government, this is by far the most rewarding email I've read. Thank you for noticing!

As a full time law student, I take that quote to heart!

Hope you are having a fabulous day!

Cindy's response (10/6/10)

I think you will make a great attorney!!! Your sincerity and commitment is evident. :)

Cindy

Shamika's response (10/6/10)

Thank you Ms. K! ☐

25. Louise R.'s comment (9/28/10)

Paul Yauk, Planning Section, Recreation Division
Rob Corbett, Real Estate Services, Administration Division

Re: Waterloo Recreation Area Conversion

I was present at the meeting held on September 27, 2010 at the Eddy Geology Center.

The following statements represent my concerns regarding the Waterloo Recreation Area Conversion.

- The mining does not attempt to benefit the area residents - \$\$ goes to AI and State of MI (for residents: land conservation, use of area, etc is 10-19 years away before there appears to be any direct or indirect benefit to the recreational users of the area.
- The effects from the mining to property water wells or to the aquifer puts the area homeowners' property at risk. (water table, purity, and property value)
- The proposed changes ignores the Right to Ride (trails) legislation - originally adapted. Individuals begin changing the rules instead of putting the proposal to a vote to the area residents.
- The conversion changes and/or ignores the original use of the designated deeded area.
- The proposed lease of the sand and gravel mine for 10 years of use could really be stretched out to 19 years.
- Keeping the public informed is presently at an unacceptable level: Lack of information to residents, shortened time for residents to respond, lack of information regarding the process or steps (from the DNRE to the tax payers / area residents) Also the start of the 9/27/2010 meeting was inappropriately handled; especially from the professional level or leadership role retain.
- There appears to be a Lack of Environmental Analysis Information
- Perpetuatory deed restrictions need to be addressed and adhered to.
- Temporary closure of Green Rd. should not even be an option. This is a hindrance to property owners.
- Aggregate Industries - promises future restoration and the bond is currently set at \$900,000 - but 10 or 19 years from now, this may not even be enough money.

As this endeavor proceeds through all the fact finding stages and reviews, I would like to have access to this information. Please keep my name on your list of contacts. Please send me any related information as it becomes available.

Regards,
Louise R.

Louise R., gcdf

Shamika's response (9/28/10)

Thank you for your email addressing your concerns. This will be included in the conversion proposal.

Again, I apologize for the typo. It was an accident and not done intentionally.

26. Gregg M.'s question (9/29/10)

Good Morning;

I have a couple of questions, and I apologize if they have already been asked: Can you estimate when you will be sending the package with residents' comments to the NPS? If we have additional comments after that date, how do we get them included in the file at the NPS?

Thank you.

Regards,
Gregg M.
Waterloo

Shamika's response (9/29/10)

Good morning Mr. M.:

The conversion proposal will be sent to the NPS once every prerequisite has been met under the Land and Water Conservation Fund (LWCF) Program. According to Chapter 8 of the LWCF Manual, several prerequisites must be met before the NPS will consider a conversion request.

The conversion proposal is not completed yet, and I don't have a concrete date to give you on when the proposal will be completed. The DNRE will keep the public informed on the status of the conversion proposal. Please keep in mind that the public review/public comment is only one prerequisite. There are several others which includes, but is not limited to: 1) Description of the conversion, 2) Public Review, 3) Alternative Analysis, 4) Site Plans for the conversion, 5) Site Plans for the mitigation, 6) Recreation Usefulness Analysis, 7) Local Recreation Plan Reference, 8) Appraisals, 9) Environmental Screening Form, 10) Environmental Assessment, and 11) State Historic Preservation Office letter.

If comments are made after the conversion proposal has been submitted, I suppose those comments can be sent to the NPS. However, they will not be contained in the already sent proposal. I would be willing to forward those comments to the NPS.

If you have any further questions regarding the conversion process, please contact me.

Thanks

Shamika T. Askew-Storay

27. Gregg M.'s comment (9/29/10)

Dear Ms. Askew-Storay;

Please email to me copies of:

- Overhead photographs, including those with the existing and proposed boundary lines superimposed, as displayed at the 27 Sep public meeting.
- DNRE photos displayed at the 27 Sep public meeting showing the reclaimed area at the south end of the 324 acres (had the red barn in it).
- DNRE photos that showed the "invasive species" on the 72 acres, as displayed at the 27 Sep public meeting.
- Topographical map for the area, as used in your presentations and shown at the 27 Sep public meeting.

- Reclamation plan drawing that showed the various stages of the reclamation through the years, as displayed at the 27 Sep public meeting.
- All other graphs, photographs and drawing shown at the 27 Sep public meeting.

Thank you.

Regards,
Gregg M.
Waterloo

Shamika's response (9/29/10)

Mr. M.:

This request needs to be sent to Paul Yauk of the Recreation Division. I currently don't have copies of any of these items.

Thanks

Paul Yauk's response (9/29/10)

Give me a week or so and I can provide these items. Some will be very large files, so I will need to divide... Paul

Gregg M.'s follow-up (9/29/10)

Thank you. I will do so.

Gregg M.
Waterloo

28. Cindy K's comment (10/1/10)

Mr Yauk,

I am writing in regard to the attached letter you sent to Gregg M. In the last sentence you state that "It is our intention to keep Waterloo Township staff and citizens updated to new information as it is available to us."

I am the President of the Clear Lake Property Owners Association. Since our members are the citizens who are among the most affected by the possible mining in Waterloo Recreation Area, I am requesting that "new information" about the mining expansion be sent to me in an ongoing, timely fashion so I can distribute it to our members.

Paul Yauk's response (10/1/10)

Thanks for your message. I am in the process of setting up a Waterloo project web-page on this issue that will provide the information that you are asking for. The web-page will include the

proposal, Power Point, maps and "new information" as it comes in. This web-page will assist me in assembling the needed materials for the federal review.

I am collecting the data and hope to have this done by next week.

Anyone will be able to access this web site... As president of the Lake Property Owners Association, I want to make sure that your group has access along with Waterloo Township, the Waterloo Horsemen's group and any other interested parties. Let me know if you have any other questions... Paul

Cindy's follow-up question (10/2/10)

Thank you. The website sounds like an excellent idea for everyone. Will you be letting us know when the website ready for prime time?

Paul Yauk's response to Cindy's question (10/4/10)

I talked to our web-master this morning and we will collect information to be placed on the DNRE, Recreation Division web page. Some of the data is quite large and I am told that it needs to be reformatted. Does not sound like it will be a concern and I am shooting for having it on line by October 18th. Paul

29. Gregg M.'s question (10/5/10)

Thank you for the information. How does 18 Oct. compare to the expected date when the DNRE makes its Section 6(f)(3) conversion application to the NPS? Will there be some weeks between the two so that we, the Public, will have a chance to include our responses to the info released? Can you estimate the time between the two?

Gregg M.
Waterloo

Shamika's response (10/5/10)

Good morning Mr. M.:

The web page is a method to keep the affected public informed of the status of the conversion proposal. The proposal is not completed and at this time, we cannot provide the public with a concrete date for completion. Please keep in mind that the preparation of environmental assessments and appraisals are time consuming.

As you are aware, the conversion process has many steps. As the DNRE completes each step of the process, the public will be notified of this via the web page, which is expected to launch on October 18th. The public will have time to make comment on the proposal. All comments will be included in the conversion proposal. The web page will be operating prior to the submittal of the conversion proposal. The LWCF requires that the interested and affected public has an opportunity to review and provide written comments on completed environmental assessments. (LWCF, Chapter 4)

The LWCF manual requires that every prerequisite is met prior to submitting a formal conversion request to the NPS. The DNRE will send the formal conversion proposal to the NPS once every

prerequisite is met. At this time, the DNRE is working diligently to complete each step of the conversion process.

If you have any questions pertaining to the federal conversion process, please contact me.

Thanks.

Shamika T. Askew-Storay

30. Keri P.'s comment (10/1/10)

Dear Mr. Yauk,

I am writing to you on behalf of myself and the future generations of my family and neighbors. I grew up enjoying the Waterloo Recreation Area for its natural beauty, horseback riding and hiking trails and clean lakes and streams. I am proud to be the 5th generation of my family to own property on Clear Lake in Grass Lake, Michigan. Our property is accessed by Green Road and is in extremely close proximity to the proposed expansion. We are deeply saddened that the land we love could be at risk of being changed forever. I would like to make it clear that I am in firm opposition to gravel pit expansion into the Waterloo Recreation Area.

When I was a young girl a farmer who lived on Clear Lake Road sold the mining rights to one of his fields. We all tried to understand that he felt this was the best choice for him and his family. Unfortunately, the gravel mining brought many negative changes to the area. I was no longer allowed to ride my bike to my grandmother's house because of the huge gravel trucks that began to tear down Clear Lake Road at dangerous speeds. We had our front windshields cracked by rocks that flew out of the trucks on what seemed like a monthly bases. The once beautiful hay field is now left a huge ugly hole.

I worry that the current gravel pit expansion proposal in the Green/Loveland Road area will also bring negative changes. My family and I love to hike, bike and run on the trails behind our house. I worry that the proposed expansion will make this dangerous or even impossible for us. I don't want more truck traffic, noise, or dust behind my house for the next 10-19 years. Already we can hear the mining that takes place at the Green/Loveland Road intersection. We specifically bought our property because of the fact that it basically backs up to the Waterloo Recreation Area. I don't want to be afraid to let my children explore this area because of speeding gravel trucks and gigantic holes that will be created by the mining.

I worry that my property's value will decrease if the 72 acres of hardwood land behind it is turned into a gravel pit. How sad would it be to see all the beautiful, amazing oaks and maples fall and be cleared to be replaced by mining equipment? I worry that Clear Lake's water table could be compromised if mining is expanded so close to the lake itself. I also worry that the pros and cons of the proposal have not been adequately researched or represented by the DNRE. I know that most property owners have serious doubts that the DNRE has been honest in their push to pass this proposal. Please know that it is not greed or maliciousness that is driving property owners to challenge and oppose the proposed mining. It is simply their desire to preserve the land and lake that we all love. I urge you to reconsider and drop the proposed gravel pit expansion.

Please add this letter to the public record of the September 27, 2010 public meeting at the Eddy Discovery Center.

Thank you for your time and attention,
Keri P.

Also included in this email:

>Dear Neighbors,

> This is a follow-up to my earlier email regarding the DNRE Public
> Meeting to be held on Monday, September 27. This meeting appears to be
> a response to the National Park Service (NPS) letter informing the
> DNRE of the steps they must take to obtain NPS approval to mine land
> in the Waterloo Recreation Area (see attached).

>

> As I said in my earlier message, the DNRE has been telling the NPS
> that only 15 people oppose mining in the Waterloo Recreation Area, and
> they have used that lack of opposition to try to convince the NPS to
> grant permission. Several people have written to me suggesting that we
> therefore write letters to the DNRE to publicly document the fact that
> many more than 15 people are opposed.

>

> So I am writing today to ask that you write such a letter to the DNRE
> and bring it to the September 27 meeting to give to them. The main
> point you want to document for the public record is that you oppose
> gravel pit expansion into State recreation land. Beyond that, feel
> free to say as much or as little as you want about your reactions to
> allowing mining in the Waterloo Recreation Area and the ways in which
> it will affect you individually. I encourage you to be personal and
> creative in what you write, but if you want some ideas about what to
> focus on, I have listed some possible issues below (thanks to Gregg
> M. for creating most of this list):

>

> a) Health concerns from dust and pollution
> b) Noise
> c) Water level/aquifer disruption
> d) Reduced property values
> e) Threat to general environment
> f) Loss of 72 heavily used natural and mature woods
> g) The 324 acres to be traded for the opportunity to mine in the
> Waterloo Rec Area is not of equivalent recreational value to the 72
> acres that will be destroyed. The 324 acres will be isolated from the
> rest of the Waterloo Area by the current and proposed expanded
> operations. It does not have the mature woods of the 72 acre parcel
> and is not an integral part of local hiking and horse trails.
> h) Why did the DNRE call the meeting on such an important subject for
> 4PM on a Monday when many people are at work?
> i) In the headline announcing this public meeting, the DNRE never
> mentioned gravel mining. They said only "DNRE to Host Public Meeting
> Sept. 27 to Review Plans for Increased Acreage at Waterloo Recreation
> Area". By leaving out any mention of gravel mining, this headline is
> deceptive.

>

> Here's what we would like you to do once you have written your letter:

>

> 1. If you are going to the meeting, bring 2 copies (one to give to the
> DNRE and one for me). If you wish, you can read the letter and then
> ask that it be placed in the public record of this meeting. Otherwise,
> just give it to a DNRE representative and ask that it be placed in the
> public record of this meeting.

>
> 2. If you want to email the letter, send one to Paul Yauk at
> yaukp@michigan.gov and one to me at cindykle@umich.edu Please request
> that it be placed in the public record of the September 27 public
> meeting at the Eddy Discovery Center.
>
> 3. If you want to send the letter via regular mail, send it to: Paul
> Yauk, Land Programs Manager, DNRE Recreational Division, P.O. Box
> 30257, Lansing, MI 48909. Please request that it be placed in the
> public record of the September 27 public meeting at the Eddy Discovery
> Center. Also, please send me a copy at Cindy K.
> If we can get 50 or more such letters, we can convince the NPS that
> the DNRE is not telling them the truth. Thanks for your help.
>
> Cindy
> President, Clear Lake Property Owners

Paul's response (10/1/10)

Mr. Poulter, Thank you for taking the time to comment, I will add you letter to the public record on this issue. Paul

31. Lewis K.'s comment (10/6/10)

At the DNRE meeting held in the Waterloo Recreation Area on Sept 27, you and I briefly spoke prior to the formal meeting. One of the questions I asked was whether this was the first time the DNRE was submitting a 6(f)(3) conversion proposal specifically for the purpose of converting State Recreation Land for usage in Gravel Mining. You said you didn't know the answer but could look it up and then get back to me. I wrote my name on your sheet of paper with this question, but am not sure whether I included my email address.

Anyway, I thought I would send this follow-up message to see if you have been able to find an answer to my question. I do understand that you have probably been very busy with follow-up communications after the meeting, and that it might take awhile for you to find the answer.

I also wanted to let you know that I appreciated the positive and constructive way in which you responded to people's concerns at the meeting and the commitment you expressed to keep residents informed about the 6(f)(3) conversion process as it moves along.

-Lewis K.
-Clear Lake property owner

Shamika's response (10/6/10)

Mr. K.:

Thank you for the follow-up. I am still researching this issue and I plan to meet with our Real Estate Division soon to determine if we have entered into leases for gravel mining.

As soon as information on this issue becomes available to me, I'll inform you.

Thank you for that feedback! That was very generous of you to say!

Also, I'm not certain if you were made aware, but the Recreation Division plans to launch a web page specifically for the Waterloo Recreation Area conversion. The web page is a way to keep the citizens in this area informed of the federal process and other important issues. It is expected to launch on October 18. Please take advantage of this opportunity.

Hope you are having a great day. Thanks again!

Mr. K's follow-up question (10/6/10)

Thanks for the information about the website. How will I be able to obtain the URL for accessing the website?

Shamika's response to Mr. K's question (10/6/10)

No problem. Ask Mr. Paul Yauk about accessing the URL for the web page. He may not have an answer just yet because the web page will not launch until Oct. 18. I know that he is working diligently to provide this information as soon as possible.

His email address is yaukp@michigan.gov.

Thanks

Shamika's follow-up (11/12/10)

You asked me "Whether this was the first time the DNRE was submitting a 6(f)(3) conversion proposal specifically for the purpose of converting State Recreation Land for usage in Gravel Mining?" Yes, I searched our internal database to see if there were any conversion issues pertaining to gravel mining and there were none. After conducting further research, I was informed by our Forest Management Division, that the State of Michigan had entered into two lease agreements for the purpose of gravel and sand mining on state land. One lease was at Seven Lakes State Park, Oakland County and the other lease was at Ortonville State Recreation Area.

Mr. K's response (11/12/10)

Thanks for the information, Shamika. Since you indicated that you couldn't find "any conversion issues" pertaining to gravel mining, am I correct in concluding that the two lease agreements you mentioned (at Seven Lakes and Ortonville) did not involve conversion proposals to the National Park Service?

Shamika's follow-up (11/12/10)

Hello Mr. K:

Yes, after reviewing the files for both projects, it appears that a conversion proposal was not submitted to the National Park Service for approval.

Unfortunately, I cannot answer why the lease agreements did not require approval from the National Park Service. When Paul Yauk returns to the office, I will inquire about these prior leases.

Thanks,

Mr. K's response (11/15/10)

Thanks for the update. While we are waiting for Paul Yauk's answer, can you tell me the time period during which the gravel mining leases were in effect for the Seven Lakes State Park and Ortonville State Recreation Area projects, the number of acres involved in each of these projects, and the name of the gravel mining company involved in each case?

Thanks,

Shamika's follow-up (11/15/10)

I'll schedule another meeting with our Forest Management Division to answer your questions and get back with you.

Thanks.

Shamika's follow-up (11/15/10)

As a follow-up, the Forest Management Division provided me with the following information:

1. Seven Lakes State Park Lease # Z109
 - a. Lessee: Thompson-McCully Company
 - b. Acres: 83.99
 - c. Term of Lease: November 8, 2000- December 31, 2004
2. Ortonville Recreation Area Lease # 103
 - a. Lessee: Board of County Road Commissioners of the County of Lapeer
 - b. Ratification Lease: In other words, the property contained a lease when the State of Michigan acquired the property. This would explain why a conversion proposal was not submitted to the National Park Service.
 - c. Acres: Based on the description of the lease, approximately 40 acres more or less.
 - d. Term of the Lease: 25 Years
 - i. The lease began on August 15, 1975
 - ii. The State of Michigan purchased the property with the lease on August 23, 1993
 - iii. Lease expired on August 15, 2000

Thanks,

32. Shamika's response to Gregg M.'s request (10/8/10)

Good morning Mr. M.:

Per your request, attached is the PowerPoint presentation of Waterloo Recreation Area.

Thanks

Gregg's response (10/9/10)

Good Saturday Morning to You, Ms. Askew;

Thank you for the PP preso. However, it still does not contain the DNRE displayed photo of the reclaimed acres at the south end of the 324 acres. The photo was displayed at the 27 Sep meeting and had a red barn in the distance. Mr Yauk has told me that he can send it Tuesday. That would be OK... unless you happened to have it now and can zip it over to me.

Thanks again for your help.

Gregg M.
Waterloo

Paul's response to Gregg's comment (10/12/10)

Mr. M., The photos and printed materials displayed on the 27th. are in this Power Point, check out the following slides:

The red barn is in slide #4, left of the word November and left the haul road.
#5 under the yellow arrow.

#44 has the red bard in the distance, behind and left of the processing operation.
Also slides #31,32, and 33 outlining the reclaimed acres show the barn on the right side of the photo.

Gregg M.'s follow-up comment (10/13/10)

Mr. Yauk;

The photo I seek is not in your PP presentation. It was displayed during the 27 Sep meeting on an easel in a large format (perhaps 18x24 inches). It had a title something like "Area Already Reclaimed". It was taken at ground level. The view is across the reclaimed acreage straight to the west. The red barn figured prominently in it, on the other side of the reclaimed acreage It looked as if it had been blown up to show a particular view. Perhaps it was an AI photo? In any case it was presented to the public under the aegis of an official DNRE "public meeting" and is therefore a public document... and I am requesting it, again.

Please provide that photo soon.

I also request that this email of request for public information be entered into the official file that will be sent to the NPS as part of the Section 6(f)(3) conversion application, with all the other public comment received.

Thank you.

Gregg M.
Waterloo

Paul Yauk's response (10/14/10)

Mr. M., I believe I have the photo that your are requesting, it was titled "Area Already Reclaimed" it faces south, not west and includes the red storage building in the distance that was formally owned by Mr. Dault. The Dault parcel and this storage building is not part of this transaction. The grassland in foreground would be part of the transaction. Paul

Gregg M.'s follow-up comment (10/14/10)

Thank you, Mr. Yauk. However, the attachment you sent can't be opened. Can you pls send in a more common picture format (I can open almost anything, but not what you sent) or as a PDF file?

Thank again. I appreciate your help in tracking that photo down.

Gregg M.
Waterloo

Paul Yauk's response (10/14/10)

Lets try this again, I will include all three views, South, West and North.... Paul

Gregg M.'s follow-up to Paul Yauk's response (10/14/10)

That's it! Thank you, sir.

Gregg M.
Waterloo

33. Shamika's response to receipt of letter (10/8/10)

Good afternoon Ms. K.:

I wanted to inform you that I received the letter you sent dated September 24, 2010 from Theresa and Patrick A..

Have a great weekend.

Cindy's response (10/8/10)

Hi Shamika,

Please call me Cindy. :) Thank you for letting me know you received the letter I sent.

Have a great weekend too. And don't study too hard!!!

Go Blue! :)

Cindy

34. Louise's comment (10/12/10)

DNRE Officials:

After taking the time to fully review the documentation provided in the PowerPoint, I find that I have several questions. Would you please supply me with any information that will help me understand the following questions?

How does the successful "Grand Mere' and "Seven Lakes" project apply to this "Waterloo Land Conversion project?" What year did those projects begin, what was the initial situation, and what was the finish date?

I am concerned like many surrounding area residents to these issues: Air quality during the mining, ground water, wells, and aquifer element. In the PowerPoint, several statements are bulleted: ground water elevation is approximately 12 feet higher than Clear Lake Road, ground water data, and MDRE water well records, but no real information or correlation is evident to help me understand how this project will or won't effect my well and/or water needs. Could you please educate me by providing a shortened crash course on "good or standard" or "acceptable levels" we want to maintain for the air, ground water, wells, and aquifer issues?

Lastly, should the conversion process be accepted, to me, there is a net loss. While the DNRE is able to see future benefits 10-19 year from now, I live here now. I don't think it has been made clear enough to convince me that I should abandoned my short sighted view. Any more information in lay terms you could provide would be helpful.

It is this kind of information that I was hoping to attain at the last public meeting held at the Eddy Center.

Regards,

Louise

--

Louise R., gcdf

Paul's response (10/12/10)

Ms. R., I will forward your questions to our Stewardship Program manager, Ray Fahlsing, Ray is out of the office this week, but will be able to answer your questions when he returns. Paul

35. Gregg M.'s comment (10/13/10)

Mr. Yauk;

Please refer to the DNRE Powerpoint presentation regarding the proposed Section 6(f)(3) conversion, Slide Number 17. The DNRE states that it is mapping out the proposed expanded gravel pit mining operations so as to avoid the apparently highly valued "Exemplary Forest", as identified by the DNRE and depicted on the slide (green shaded area). The DNRE is further stating that the area to be mined is of lesser recreational value than the remaining "Exemplary Forest" because it contains invasive species and is thus of apparently lesser value.

Please answer the following:

1) The slide clearly shows that scores of acres of "Exemplary Forest" once stood where now is just the northern end of the gravel pit. Please explain why the DNRE allowed so many acres of apparently highly valued "Exemplary Forest" to be destroyed for the sake of gravel mining and its ensuing royalties. Have the regulations changed in between? If so, please provide the statutory info that will permit verification of any such changes. If not, why was the destruction of so much highly-valued "Exemplary Forest" permitted by the DNRE?

2) If even "Exemplary Forest" areas are subject to mining anyway, as is quite evident here, then please explain why the DNRE feels it is necessary to portray the differences between "Exemplary Forest" and the areas of "invasive species", and to use that distinction as a justification to allow gravel mining in your proposed expansion. What is the recreational value to the public of one area over the other if the DNRE itself assigns so little value to each that they are both subject to mining destruction? Please explain the apparent paradox.

3) If, as certainly appears to be the case, the DNRE is using the concept of "Exemplary Forest" as a tool of convenience to justify its current designs, then please explain how the consequent loss of credibility should not be applied to the remaining claimed DNRE justifications for this proposal.

Looking forward to your considered response....

Regards,
Gregg M.
Waterloo

Follow-up to Gregg's question (10/29/10)

Mr. Matschke, I have attached a response from our Stewardship Program Manager (in red) to the questions that were asked on October 13. Paul

Please refer to the DNRE Powerpoint presentation regarding the proposed Section 6(f)(3) conversion, Slide Number 17. The DNRE states that it is mapping out the proposed expanded gravel pit mining operations so as to avoid the apparently highly valued "Exemplary Forest", as identified by the DNRE and depicted on the slide (green shaded area). The DNRE is further stating that the area to be mined is of lesser recreational value than the remaining "Exemplary Forest" because it contains invasive species and is thus of apparently lesser value.

The area to be leased has a much lower "natural resource" value being dominated by non-native invasive species. It contributes less to meeting Recreation Division's mission to preserve Michigan's unique natural resources. The area is a source of invasive plants that threatens nearby native forests. This is an excellent time of year to view the devastation being caused by the Asiatic bittersweet vine in the area to be leased.

Please answer the following:

1) The slide clearly shows that scores of acres of "Exemplary Forest" once stood where now is just the northern end of the gravel pit. Please explain why the DNRE allowed so many acres of apparently highly valued "Exemplary Forest" to be destroyed for the sake of gravel mining and its ensuing royalties.

The area you reference was never under state ownership. The Department of Natural Resources and Environment (DNRE) was not involved, and the state received no royalties.

Have the regulations changed in between?

Again, this area was and is privately owned. Waterloo Township has an ordinance that regulates mining in the Township. This is a relatively new ordinance. May I suggest that you review the ordinance for its applicability to forest removal.

If so, please provide the statutory info that will permit verification of any such changes. If not, why was the destruction of so much highly-valued "Exemplary Forest" permitted by the DNRE?

The land was and is privately owned. The DNRE had no statutory authority.

2) If even "Exemplary Forest" areas are subject to mining anyway, as is quite evident here, then please explain why the DNRE feels it is necessary to portray the differences between "Exemplary Forest" and the areas of "invasive species", and to use that distinction as a justification to allow gravel mining in your proposed expansion.

The DNRE had no statutory authority over the private forest that was mined. The DNRE has stated on multiple occasions that the long term natural resource and recreational benefits of the acquisition of 324 acres of land **more** than compensates for the mining of the 72-acre parcel. The low quality of the extant natural resources was one important factor in deciding the boundaries of the state land to be leased.

What is the recreational value to the public of one area over the other if the DNRE itself assigns so little value to each that they are both subject to mining destruction? Please explain the apparent paradox.

This question is predicated on the erroneous assumption that the state had authority over the private exemplary forest areas that were mined in the past by Aggregate Industries and/or their predecessors.

Once restored, the recreational value of the 72 acres to be leased for mining will be similar to the recreational value that exists now. The restored native forest will be of much greater ecological value than the tangle of invasive species that currently exist on the site. The 324-acre restored Aggregate Industry property will provide significant recreational opportunity, and protect the recreational experience of the surrounding Waterloo Recreation Area property. The exemplary forest complex will be restored and reconnected as part of the restoration at the cost of the applicant.

3) If, as certainly appears to be the case, the DNRE is using the concept of "Exemplary Forest" as a tool of convenience to justify its current designs, then please explain how the consequent loss of credibility should not be applied to the remaining claimed DNRE justifications for this proposal.

Again, the state had no authority over the private exemplary forest areas that were mined in the past by Aggregate Industries and/or their predecessors.

Most discussions about "exemplary forest" have occurred to address the numerous erroneous contentions that the property to be leased is "high quality" "old growth" forest. This simply is not the case.

The area to be leased was determined by its proximity to the existing Aggregate Industries mine, topography, a desire to maintain the ridge locally known as "Murder Mountain," volume and quality of the extant aggregate, viability for Aggregate Industries, and the quality of the existing vegetation.

The DNRE believes it has negotiated with Aggregate Industries the most suitable transaction possible to acquire the 324-acre inholding, and has been designed to have the least amount of impact to the natural resources of Waterloo Recreation Area. The transaction includes a gift of 324 acres, \$7 to \$8 million to the Michigan Natural Resources Trust Fund (MNRTF), and a robust ecologically based reclamation and restoration. The MNRTF provides financial assistance to local governments and the DNRE to purchase land, or rights in land, for public recreation or protection of land because of its environmental importance or its scenic beauty. It also assists in the appropriate development of land for public outdoor recreation. The future recreation provided by this \$7 to \$8 million contribution to the MNRTF will be significant, and cannot be overlooked.

Looking forward to your considered response....

36. Louise's question (10/14/10)

Could you please send me your postal address?

P. O. Box ?
Lansing, MI zip?

Regards,
Louise

Shamika's response (10/14/10)

Good morning Ms. R.:

Department of Natural Resources and Environment
Grants Management
P.O. Box 30425
Lansing, MI 48909-7925

Thanks,

Shamika T. Askew-Storay

37. Mr. Norman G.'s request (10/15/10)

Good morning Mr. G.:

At the September 27, 2010 Public Meeting, you requested a copy of the conversion procedures. Per your request, attached are the procedures. Also, attached is Chapter 8 of the Land and Water Conservation Fund Manual that outlines the conversion process.

Thanks,

38. Mr. Danny M.'s request (10/15/10)

Good morning to the M.:

At the September 27, 2010 Public Meeting, you requested a copy of the conversion procedures. Per your request, attached are the procedures. Also, attached is Chapter 8 of the Land and Water Conservation Fund Manual that outlines the conversion process.

Thanks,

Danny's follow-up (10/16/10)

Shamika, thank you for the info. And just for future correspondence, plz take note of my last name. (my printing was probably horrible on the list). TIA, Danny

Shamika's response (10/18/10)

Ok, I apologize.

Have a great Monday!

39. Shamika's email to several public citizens and Paul Yauk (10/15/10)

Mr. Yauk:

I apologize for sending my personal copy of the LWCF manual, Chapter 8 (references conversions of use). Attached is a clean copy of both- the LWCF Manual and the Conversion Procedures. I decided to include the entire LWCF manual.

Thanks,

Gregg M.'s response (10/16/10)

Thank you, Ms. Askew.

Gregg M.
Waterloo

Shamika's response (10/18/10)

Not a problem.

Have a great Monday!

40. Gregg M.'s question (10/17/10)

Mr. Yauk;

Regarding the 324 acres, please provide reasonably accurate acreages for the area already reclaimed and each of the five proposed stages of reclamation as indicated in your Exhibit C, Phasing Plan, as in your PowerPoint presentation.

Thank you.

Gregg M.
Waterloo=

Paul Yauk's response (10/18/10)

Greg, use these as approximate figures:

Reclaimed lands	79 acres
Phase I	30 acres
Phase II	40.44 acres
Phase III	32 acres
Phase IV	100 acres
Phase V	115 acres

Phase II and III will add up to 72.44 acres and the Reclaimed lands, Phase I,IV, and V will add up to 324 acres... Paul

Gregg M.'s follow-up comment (10/18/10)

Thank you, Mr. Yauk.

41. Louise's comments

October 11, 2010

Michigan Department of Natural Resources and Environment
Grants Management Division - Director
530 W. Allegan
P.O. Box 30425
Lansing, MI 48909-7925
Telephone: (517) 241-3128
Fax: (517) 335-6813

To Whom It May Concern:

Part I
Re: Waterloo Recreation Area Conversion

I am still unable to get an answer to my immediate question that concerns the Waterloo Recreation Conversion Proposal. That question is:

Why would the DNRE initiate such a proposal?

I have read much of the related information, attended the September 27 meeting at the Eddy Center, and sent emails to the DNRE representatives in attendance. It appears to be common knowledge that one man, a DNRE employee, has proposed this conversion. Does this employee represent the view of the area residents, other area DNRE Land Preservation employees, and Environmental or real estate appraisals?

If not, how then does such a proposal gain momentum within the DNRE?

Again, I'll attempt to make my concerns recognized.

- The mining does not attempt to benefit the area residents - \$\$ goes to AI and State of MI (for residents: land conservation, use of area, etc is 10-19 years away before there appears to be any direct or indirect benefit to the recreational users of the area.
- The effects from the mining to property water wells or to the aquifer put the area homeowners' property at risk. (Water table, purity, and property value)
- The proposed changes ignore the Right to Ride (trails) legislation - originally adapted. Individuals begin changing the rules instead of putting the proposal to a vote to the area residents.
- The conversion changes and/or ignores the original use of the designated deeded area.
- The proposed lease of the sand and gravel mine for 10 years of use could really be stretched out to 19 years.
- Keeping the public informed is presently at an unacceptable level: Lack of information to residents, shortened time for residents to respond, lack of information regarding the process or steps (from the DNRE to the tax payers / area residents) Also, the start of the 9/27/2010 meeting was inappropriately handled; especially from the professional level or leadership role retain.
- There is a lack of environmental analysis Information.
- Peperuatory deed restrictions have been ignored.
- Any individual exchange with the Waterloo Riding or Hunt Club members regarding the horsemen's trails does not represent the entire group of users. Any type of an agreement without all parties being notified should not even be considered as acceptable.
- Temporary closure of Green Rd. should not even be an option. This is a hindrance to property owners and recreational users. How can you close a "natural beauty road?"
- Aggregate Industries - promises future restoration and the bond is currently set at \$900,000 - but 10 or 19 years from now, this may not even be enough money; nor do I think the state may not have the revenue to force restoration should AI default on the bond.

Part II

Re: PowerPoint Slides – presented at the 9/27 meeting at the Eddy Center – Chelsea

DNRE Officials:

After taking the time to fully review the documentation provided in the PowerPoint, I find that I have questions. Would you please supply me with any information that will help me understand the following questions?

How does the successful "Grand Mere" and "Seven Lakes" project apply to this "Waterloo Land Conversion project?" What year did those projects begin, what was the initial situation, and what was the finish date?

I am concerned like many surrounding area residents to these issues: Air quality during the mining, ground water, wells, and aquifer element. In the PowerPoint, several statements are bulleted: ground water elevation is approximately 12 feet higher than Clear Lake Road, ground water data, and MDRE water well records, but no real information or correlation is evident to help me understand how this project will or won't effect my well and/or water needs.

Could you please educate me by providing a shortened crash course on "good or standard" or "acceptable levels" we want to maintain for the air, ground water, wells, and aquifer issues?

Lastly, should the conversion process be accepted, to me, there is a net loss. While the DNRE is able to see future benefits 10-19 year from now, I live here now. I don't think it has been made clear enough to convince me that I should abandoned my short sighted view. Any more information in lay terms you could provide would be helpful.

Part III

Summary Concerns

As this endeavor proceeds through all the fact-finding stages and reviews, I had originally asked to have access to any exchange of information. Now, I don't think this request is adequate. I would like to ask that another meeting be held at the Eddy center prior to the proposal being sent to the NPS. I would like your office to consider this request. I would like all seven-proposal steps to be explained along with the fore mentioned questions that are repeated below:

- Why would the DNRE initiate such a proposal?
Does the DNRE employee, who initiated this conversion, represent the view of the area residents, other area DNRE Land Preservation employees, and Environmental or real estate appraisals? If not, how then

does such a proposal gain momentum within the DNRE?

- How does the successful "Grand Mere' and "Seven Lakes" project apply to this "Waterloo Land Conversion project?" What year did those projects begin, what was the initial situation, and what was the finish date?
- Could you please educate me by providing a shortened crash course on "good or standard" or "acceptable levels" we want to maintain for the air, ground water, wells, and aquifer issues?

I would indeed expect a response from your office as soon as possible. It is this kind of information that I was hoping to attain at the last public meeting held at the Eddy Center.

Regards,

Louise R.

Cc:

Planning Section, Recreation Division Director + Robert Corbett
Real Estate Services, Administration Division + Paul Yauk
Grants Management, Administration Division + Samika T. Askew-Storay
Cindy K. – Clear Lake Association President

Shamika's response (10/18/10)

Good morning Ms. R.:

I read your DNRE request letter, and I will answer your questions pertaining to the procedural process for the federal 6(f)(3) Conversion of Use.

In your letter, you stated that keeping the public informed is presently at an unacceptable level because there is lack of information to residents, shortened time for residents to respond, lack of information regarding the process or steps (from the DNRE to the tax payers/area residents). *The DNRE plans to launch a web page today, specifically for the Waterloo Recreation Area Conversion. This web page will serve many purposes such as keeping the affected public updated on the federal conversion process and provide completed documentation to the public such as maps, conversion steps, public meeting agendas, etc. The public will be given an opportunity to review the documentation and make comments. The Land and Water Conservation Fund manual requires that a 30 day comment period is required for completed environmental assessments. (You can find this information in the LWCF Manual, Chapter 4-9 that I sent you.) In addition, I sent you a copy of the conversion steps to be completed by the DNRE. I believe this webpage will provide ample information and addresses your concern completely.*

You also mentioned in your letter that the DNRE ignored the perpetuity deed restriction. *The DNRE is cognizant of the deed restriction. Because there will be a violation of this restriction, the National Park Service has required that the State of Michigan remedy the violation by going through the federal conversion process. This solves your concern regarding the deed restriction.*

Unfortunately, I am not capable of answering your substantive questions. As I mentioned at the September 27, 2010 public meeting, I serve as the liaison between the State of Michigan and the National Park Service. I ensure that the State of Michigan complies with the federal conversion process.

Thank you for your letter. I will be sure to include it in the public comment section of the conversion proposal.

Shamika T. Askew-Storay

Paul Yauk's response (10/19/10)

Ms. R., I have responded to your questions in RED. Please note, we now have a web page set up on this issue. You can access a number of documents at www.michigan.gov/waterloo Paul

Attachment to email:
October 11, 2010

Michigan Department of Natural Resources and Environment
Grants Management Division - Director
530 W. Allegan
P.O. Box 30425
Lansing, MI 48909-7925
Telephone: (517) 241-3128
Fax: (517) 335-6813

To Whom It May Concern:

Part I **Re: Waterloo Recreation Area Conversion**

I am still unable to get an answer to my immediate question that concerns the Waterloo Recreation Conversion Proposal. That question is:

Why would the DNRE initiate such a proposal? *This acquisition will contribute to one of the Department of Natural Resources and Environments (DNRE's) goals for land consolidation by adding to state-owned land in the area, and eliminating nearly three miles of public/private boundary interface in the Waterloo Recreation Area. The offered private land will also enhance access, protect habitat, and increase recreational opportunities at the recreation area. Aggregate Industries will convey ownership of its 324-acre parcel to the State of Michigan with a corresponding non-metallic mineral lease of 72.44 acres of adjacent state-owned land. Complete site restoration of both gifted and leased lands is insured through bonding. The mineral lease establishes a ten year term, with the possibility of extensions based on market demand for the material. The company will pay a market rate royalty for the materials with all royalties accruing to the Michigan Natural Resources Trust Fund (MNRTF) as required by statute. Depending on market demand, an estimated 8 to 9 million tons of non-metallic*

minerals could be mined from the state land during the term of the lease, bringing \$7 to \$8 million in new revenues to the MNRTF. The 72.44 acres of the state-owned land to be leased is a very small fraction of the land originally conveyed to the State of Michigan, and is 1/3 of 1% of the total acreage of the Recreation Area.

I have read much of the related information, attended the September 27 meeting at the Eddy Center, and sent emails to the DNRE representatives in attendance. It appears to be common knowledge that one man, a DNRE employee, has proposed this conversion. Does this employee represent the view of the area residents, other area DNRE Land Preservation employees, and Environmental or real estate appraisals? *This proposal has the support of the Director of the DNRE and staff as outlined in the January 2010 NRC memo.*

If not, how then does such a proposal gain momentum within the DNRE?

Again, I'll attempt to make my concerns recognized.

- The mining does not attempt to benefit the area residents - \$\$ goes to AI and State of MI (for residents: land conservation, use of area, etc is 10-19 years away before there appears to be any direct or indirect benefit to the recreational users of the area.

Recreation Division believes that the acquisition of 324 additional acres, coupled with the restoration plan, will enhance the conservation purposes of the area, and become an outstanding benefit to the state and local recreation users, and achieve the following objectives:

- *Provide a 4.5:1 gain in public land near major Michigan population centers.*
- *Secure additional resource and habitat protection through appropriate ecological restoration.*
- *Increase the public use opportunities of land conveyed to the State by the Department of the Interior (DOI).*
- *Support the objectives of the 1943 transfer from the DOI.*
- *Prevent incompatible use of the Aggregate Industry parcel.*
- The effects from the mining to property water wells or to the aquifer put the area homeowners' property at risk. (Water table, purity, and property value)

The most significant regional factors affecting groundwater are from agricultural and residential activities. These include agricultural and residential fertilizers, herbicides, pesticides, and septic tank discharge that may find their way into the groundwater. Aggregate Industries' operation will not add to, or change, any potential sources of water quality degradation.

- *Gravel extraction has taken place at the Aggregate Industries location for over 60 years. Sand and gravel mining has some potential to increase the vulnerability of an aquifer to be contaminated, because it decreases the distance between the groundwater table and land surface. Without a source of contaminants, this*

- *The primary effluent discharged at a sand and gravel mine operation is rinse water. Aggregate Industries' existing lagoon system will be used to process the material from the state land. This system has been in use for many years without impact to local hydrology, wells or water quality. Water drawn from a created pond is used to wash gravel. The water then flows through a series of ponds, where the fine materials (clay particles and stone fines) settle out. The wash water eventually re-enters the original pond where it is used again. No chemicals are used in the process. Suspended solids in the wash water do not pose a groundwater or surface water threat, since sediment is unable to migrate beyond the lagoons.*
- *Chemicals are not used to mine or process the gravel. Only water is used to process (wash) gravel. Only naturally occurring glacial materials, sand and gravel will be mined from the State land.*
- *Possible contaminants include lubricants and fuels. Fuel for on-site vehicles and mining equipment will not be stored on the State land to be mined. Fuel will be stored in above-ground storage tanks equipped with secondary containment to prevent leakage or spillage at Aggregate Industries' existing processing plant. Necessary lubricants for mining and processing equipment will be brought to the property in small containers on service vehicles. Handling and storage of petroleum products will be conducted in accordance with all applicable local, state, and federal regulations and should have no adverse impacts on water quality. The threat of contamination is considered less than that for farm land.*
- The proposed changes ignore the Right to Ride (trails) legislation - originally adapted. Individuals begin changing the rules instead of putting the proposal to a vote to the area residents.
- *The local equestrian club has been involved with relocating a segment of a trail to an area outside of the lease area. Equestrian trail experience will be retained.*
- The conversion changes and/or ignores the original use of the designated deeded area.
- *See above response.*
- The proposed lease of the sand and gravel mine for 10 years of use could really be stretched out to 19 years.
- *The mineral lease establishes a ten year term, with the possibility of extensions based on market demand for the material.*
- Keeping the public informed is presently at an unacceptable level: Lack of information to residents, shortened time for residents to respond, lack of information regarding the process or steps (from the DNRE to the tax payers / area residents) Also, the start of the 9/27/2010 meeting was

•
Four public meetings have been held since January of 2010. The DNRE now has a Web Page that provides ongoing information on this transaction at, www.michigan.gov/waterloo

- *The most significant regional factors affecting groundwater are from agricultural and residential activities. These include agricultural and residential fertilizers, herbicides, pesticides, and septic tank discharge that may find their way into the groundwater. Aggregate Industries' operation will not add to, or change, any potential sources of water quality degradation.*
- There is a lack of environmental analysis Information.
- *An environmental analysis will be part of the information outlined in the DNRE Web Page.*
- Easement deed restrictions have been ignored.
- *The DNRE will follow established federal conversion requirements on this proposal and will outline the status on the DNRE Web Page.*
- Any individual exchange with the Waterloo Riding or Hunt Club members regarding the horsemen's trails does not represent the entire group of users. Any type of an agreement without all parties being notified should not even be considered as acceptable.
- *Comments from all interested parties will be recorded.*
- Temporary closure of Green Rd. should not even be an option. This is a hindrance to property owners and recreational users. How can you close a "natural beauty road?"
- *Temporary or permanent closure of a segment of Green Road at the mine location is still under consideration. If this option is pursued, the County Road Commission will be notified and their process followed. The natural beauty road designation would still apply to the area outside of the mine area or could continue thru the finished grassland habitat when the phased segment is finished.*
- Aggregate Industries - promises future restoration and the bond is currently set at \$900,000 - but 10 or 19 years from now, this may not even be enough money; nor do I think the state may not have the revenue to force restoration should AI default on the bond.
- *It is our opinion that the performance bond is adequate to cover site restoration, please keep in mind that annual reviews will track progress on all activity including site restoration.*

Part II

Re: PowerPoint Slides – presented at the 9/27 meeting at the Eddy Center – Chelsea

DNRE Officials:

After taking the time to fully review the documentation provided in the PowerPoint, I find that I have questions. Would you please supply me with any information that will help me understand the following questions?

How does the successful "Grand Mere" and "Seven Lakes" project apply to this "Waterloo Land Conversion project?" What year did those projects begin, what was the initial situation, and what was the finish date?

Recreation Division is proud of the restoration efforts that have taken place at Grand Mere and Seven Lake State Parks. These slides show that long term efforts do pay dividends.

I am concerned like many surrounding area residents to these issues: Air quality during the mining, ground water, wells, and aquifer element. In the PowerPoint, several statements are bulleted: ground water elevation is approximately 12 feet higher than Clear Lake Road, ground water data, and MDRE water well records, but no real information or correlation is evident to help me understand how this project will or won't effect my well and/or water needs. *See answer above regarding ground water information and impacts to area wells.*

Could you please educate me by providing a shortened crash course on "good or standard" or "acceptable levels" we want to maintain for the air, ground water, wells, and aquifer issues?

The Web Page will provide an overview of this issue.

Lastly, should the conversion process be accepted, to me, there is a net loss. While the DNRE is able to see future benefits 10-19 year from now, I live here now. I don't think it has been made clear enough to convince me that I should abandoned my short sighted view. Any more information in lay terms you could provide would be helpful.

If the conversion process is accepted and the lease is signed, the public will be able to use and recreate on the 79-acre parcel that Aggregate Industries owns and has restored.

**Part III
Summary Concerns**

As this endeavor proceeds through all the fact-finding stages and reviews, I had originally asked to have access to any exchange of information. Now, I don't think this request is adequate. I would like to ask that another meeting be held at the Eddy center prior to the proposal being sent to the NPS. I would like your office to consider this request. I would like all seven-proposal steps to be

explained along with the fore mentioned questions that are repeated below:

- Why would the DNRE initiate such a proposal?
Does the DNRE employee, who initiated this conversion, represent the view of the area residents, other area DNRE Land Preservation employees, and Environmental or real estate appraisals? If not, how then does such a proposal gain momentum within the DNRE?
- How does the successful "Grand Mere' and "Seven Lakes" project apply to this "Waterloo Land Conversion project?" What year did those projects begin, what was the initial situation, and what was the finish date?
- Could you please educate me by providing a shortened crash course on "good or standard" or "acceptable levels" we want to maintain for the air, ground water, wells, and aquifer issues?

I would indeed expect a response from your office as soon as possible. It is this kind of information that I was hoping to attain at the last public meeting held at the Eddy Center.

- *Please see above. The DNRE Web Page will allow the public to review and additional information at, www.michigan.gov/waterloo*

Regards,

Louise R.

Cc:

Planning Section, Recreation Division Director + Robert Corbett
Real Estate Services, Administration Division + Paul Yauk
Grants Management, Administration Division + Samika T. Askew-Storay
Cindy Kleinsmith – Clear Lake Association President

42. Danny's comment (10/18/10)

Don't mean to keep bugging you. And I haven't nearly examined documents, but just took a look at your site that answers public questions and gives standing of proposal. GREAT SITE!! And so quick, I know it took a ton of work. Good job. Thank you!! (no reply necessary). Danny M.

Shamika's response (10/19/10)

I know you stated that a reply wasn't necessary, but a "THANK YOU" is necessary!!

Shamika T. Askew-Storay

43. Gregg M.'s question (10/19/10)

Mr. Yauk;

On your Exhibit C / Phasing Plan slide, a time estimate for completion of that phase is not given, as it is for the other phases. Please supply.

Thank you.

Gregg M.
Waterloo

Paul Yauk's response (10/20/10)

I will find out and respond. Paul

Paul Yauk's follow-up response (10/21/10)

I just talked to the company and the following is their response:

When Phase III mineral extraction has been completed, the processing functions (crushing, screening and washing) will come to a conclusion. As Phase IV will be used for the washing function, it will be reclaimed immediately following Phase III (or even simultaneously depending on the time of year).

With this information, I would assign the same time estimate on Phase IV that is on Phase III.
Paul

Gregg M.'s follow-up comment (10/21/10)

Thank you, Mr. Yauk.

44. James and Marian S.'s comments

September 20, 2010

DNRE Recreational Division
P.O. Box 30257
Lansing, MI 48909

Attn: Paul Yauk, Land Programs Manager

Dear Sir:

My wife and I wish to convey to you, and the DNRE, the strong feeling of opposition to the proposal to lease 70 plus acres of Waterloo Recreation Area land to Aggregate Industries for sand and gravel extraction.

As long time residents of Clear Lake, we have enjoyed the benefits of the beauty of the area around Clear Lake and the numerous natural attractions that are inherent with the Recreation Area. To further expand the gravel pit area will spoil the area in many ways. The proposal to grant a lease for 10 years and then additional option years will, in reality, disrupt this area and its wildlife for many more years than just the lease period indicated.

In addition, studies made in the past have shown that such an operation will most definitely lower property values and desirability greatly for a number of years. And the possibility of impacting the quality of the water in Clear Lake, and our personal wells, is a very real possibility.

If additional sand and gravel is necessary for construction in this area, and there are at least 6 other operating gravel pits in the immediate area that we are aware of, there is much private land that can be purchased to meet such a need. The glacial deposits of sand and gravel are very great in the area and not just peculiar to the Waterloo Recreation Area.

The area in question is already bordered immediately on two sides by residential development, and would be a further nuisance with the noise, heavy truck traffic, and dirt and dust that expanded operations would generate.

We are very much opposed to ANY expansion into the Waterloo Recreation Area for anything except its intended use for recreational purposes.

Please place this correspondence in the Public Record of the forthcoming meeting of September 27, 2010 at the Eddy Discovery Center.

Cc: Clear Lake Property Owners Assoc.

Sincerely,

 — 
James F. and Marian K. Sprague

45. Shamika's comment to several public citizens (10/18/10)

Hello all:

Below is the website address to the Waterloo Recreation Area's website. It will be available at 6pm.

This will be the publically accessible page (available after 6pm):

http://www.michigan.gov/dnr/0,1607,7-153-10365_31399-245300--,00.html

Have a great evening!

Shamika T. Askew-Storay

Cindy's follow-up comment/question (10/25/10)

Hi Shamika,

Thank you so much for sending the website url. I looked it over and it looks like you put a lot of work into it, especially on #25. I appreciate all of your efforts to keep us informed.

One question for you: As I looked through the documents in # 25, I checked whether the letters in that document matched the letters that I have. From my count, the document is missing 14 letters (including mine and my husband's, Lewis). I'm wondering if Mr. Yauk still has more documents to send you? I'm guessing that most of the missing ones were received right before the Sep 27 meeting? If you can check with him I would appreciate that.

Also, there were around 30 pages of petitions. Will those also be included?

Thank you,

Cindy

Shamika's response (10/25/10)

Good afternoon Ms. Cindy:

Thank you! The department put a lot of effort into establishing the website.

After reading your email, I checked my conversion folder and I didn't find a separate letter from you or your husband. The only letter that I have written and signed by you was the letter you directly gave me during the public meeting on September 27. I will contact Paul Yauk and ask him about these letters. Paul is out of the office until Wednesday, so I'll get back with you as soon as possible.

Pertaining to the petition, I will include the petition in the final packet to the National Park Service. However, I didn't think it was wise to put the petition on the internet because there are personal addresses, phone numbers, etc. on the petition.

I hope that you are having a great day.

Thanks.

Cindy's follow-up (10/25/10)

Hi Shamika,

The letters that are missing were emailed to Paul Yauk before the Sep 27 meeting. I am guessing that he has not forwarded them to you yet. So you don't have them. I'm sure most of this can be cleared up by asking Mr.Yauk when he returns.

You make a good point about the info on the petitions. I'm sure you're right about not putting that info out there on the web. I will assume you have included them in the final packet.

Thank you again for all your work on getting the documentation up on the website.

Cindy

Shamika's response (10/25/10)

Ms. Cindy:

Yes ma'am, I believe that after talking to Mr. Yauk, this issue will be resolved.

I will include the petition in the conversion proposal.

Thank you!

Shamika's follow-up (10/27/10)

Good morning Ms. Cindy:

I spoke with Paul Yauk, and unfortunately he doesn't have the 14 letters that you are referring to. Everything he had was given to me.

Please re-submit the letters you are questioning, so I can include them in the conversion proposal.

Thanks.

Shamika T. Askew-Storay

Cindy's follow-up (10/29/10)

Dear Shamika,

Please excuse my delay in replying, but I needed a few days to think about how best to respond to the unexpected information that Paul Yauk "doesn't have the 14 letters" that are missing.

For 8 of these "missing" letters, I or my husband was a direct "cc" recipient of the email message sent to Mr. Yauk and so I have attached evidence showing that these messages were in fact sent to his email address (yaukp@michigan.gov). Since I directly received "cc" copies of these "missing" messages, presumably he should have received them as well.

Although I can re-submit those letters as you requested, my concern goes beyond those particular letters that I couldn't locate on your website. If those letters are really "missing" at the DNRE, what other documents might also be missing, or will be missing, from the final conversion package? While I can identify missing letters in those cases in which residents have sent me copies, everyone does not send me copies of what they send to the DNRE and so I don't know whether other items might also be "missing".

It is my understanding that as part of the LWCF conversion process, the DNRE will be transmitting to the NPS all written comments the DNRE has received. But how can this requirement be met in the absence of a reliable system for monitoring and tracking all public input received by the DNRE?

So before sending you copies of those missing documents that I do have, I would like to request that some effort first be made to find out whether these letters sent to Mr. Yauk are really "missing", and if so, why are they "missing"? Unless we understand how this happened, steps cannot be taken to ensure that letters won't continue to go missing in the future, which would undermine the credibility of the LWCF conversion process.

Here are two possible ways I can think of that might help unravel what happened to the missing letters:

(1) The webmaster at "michigan.gov" should be able to track the 8 missing emails for which I can provide a paper trail (I have attached a file containing enough information for the webmaster to be able to identify these 8 email messages). If the webmaster confirms that these email messages were in fact received by the mail server at michigan.gov, then the DNRE's internal procedures for monitoring and tracking its email must be deficient. On the other hand, if the email server at michigan.gov has no record of receiving these messages, then there may be a defect in your email server because for at least some of these messages, I have evidence that they were never bounced back to the sender as being "undeliverable".

(2) Some of the letters that Mr. Yauk cannot locate were sent by US Mail rather than email, so I'm wondering whether you could look into the possible existence of any monitoring mechanisms used by the DNRE for tracking incoming mail. In other words, if a person mailed a letter to Mr. Yauk at the DNRE Recreational Division, would any record exist at the DNRE indicating that the letter had been received (other than the statement from Mr. Yauk that he did not receive it)?

I would be happy to hear about any other ideas you might have as to how we can determine what happened to the missing letters so that procedures can be established for preventing this from happening in the future. I appreciate how helpful and communicative you have been with us, and I'm sure we all want to make sure that procedures are in place that will ensure that everyone's input will be reliably documented and transmitted to the NPS.

Sincerely,

Cindy K.
President, Clear Lake Property Owners Association

Shamika's response (10/29/10)

Ms. Cindy:

Thanks for your email. I apologize for any confusion that has been caused. Paul Yauk is currently searching his email "inbox" and has located several of the emails listed in your attachment. Mr. Yauk must have overlooked these emails.

Please be aware that Paul and I have received several emails from affected citizens and they were mistakenly overlooked. The most efficient way to keep track of the emails is to create a separate folder within the email "inbox" and to store the emails pertaining to the Waterloo Recreation Area Conversion in this newly created folder. The mailed letters have been stored in my office in a folder and will be placed in the formal conversion proposal once all the documentation is complete.

Thanks in advance for understanding.

Paul's response (10/29/10)

I have reviewed my past e-mails and have found 4 of the 8 e-mails in question and have forwarded them on to be included in the review process.

I did not find the following 4 e-mails:

Connie Velin, dated Sep 22, 2010 at 4:24 PM Monti Ponce, dated Sep 27,2010 at 9:54 AM Lewis Kleinsmith, dated Sep 27,2010 at 11:27 AM Cindy Kleinsmith, dated Sep 27,2010 at 12:51 PM

Cindy, If you have a copy, please forward and it will be included the review process.

Thank you again for bringing this to my attention. Paul

46. Cindy's question (10/25/10)

Hi Shamika,

I would appreciate it if you could send me a blank copy of the federal environmental screening form that will need to be completed by the DNRE, which I assume is considered the "grantee agency". I understand that we will see the form upon completion, but I would like to understand the nature of the questions on this form.

This form is described in item number 9 ("Environmental Assessment" section) of the 4 page document titled: "Procedures for Receiving Approval for Converting Grant-Assisted Property, Michigan Natural Resources Trust Fund (MNRTF), Land and Water Conservation Fund (LWCF), January 4, 2010".

Thank you so much,

Cindy

Shamika's response (10/25/10)

Good afternoon:

Per your request, attached is a blank copy of the Environmental Screening Form.

Thanks.

Shamika T. Askew-Storay

Cindy's follow-up (10/26/10)

Thank you, Shamika. How did you find it so fast? I'm impressed!

I have a couple of issues I need clarification on:

1) The First Line in Step 7 says "First, consult the attached list of "Categorical Exclusions (CEs) for Which a Record is Needed." The document you sent me did not contain such an attached list – do you have a copy that you could provide to me?

2) The Yellow Highlighted sentence in Step 3B states that " Section 6(f)(3) conversions always have more than minor impacts to outdoor recreation (ESF A-15) as a result of loss of parkland requiring an EA, except for "small" conversions as defined in the LWCF Manual Chapter 8."

When I looked up "small" conversions in the LWCF Manual Chapter 8, it said that they could be no more than 5 acres. Since the proposed conversion area is roughly 72 acres, I have concluded that the proposed conversion would not qualify for a CE and thus requires an EA.

Can you confirm that my understanding is correct?

Thank You,

Cindy

Shamika's response (10/26/10)

Hello Ms. Cindy:

No problem. This form is sent to the local units of government frequently, so I have it saved on my desktop.

You are correct. This conversion cannot be excluded as a categorical exclusion; therefore, the DNRE is currently working on an environmental assessment.

You're learning this pretty fast, I'm impressed! Please don't try and take my job! ;)

Shamika T. Askew-Storay

Cindy's follow-up (10/26/10)

Thank you for the information, Shamika.

And thanks for the compliment. Your job would be too hard for me, so no worries! :)

Cindy

47. Gregg's question (10/25/10)

Dear Mr. Yauk;

This is in regards to the DNRE proposed expansion of gravel mining onto 72+ acres of the Waterloo Recreation Area. Please include in the public record.

Per the PNRE web-site presentation, the public access road to the DNRE proposed substitute land will also be the Aggregate Industries "hauling road" for the full extended life of the mining operations there. Obviously this is a potential impediment to fully enjoying the recreational value of the DNRE proposed land. In order to make an informed decision, we need more facts. Therefore, please provide average daily hauling road usage (each AI usage of the road) for all types of vehicles. Please be sure to include the numbers of:

- Gravel trucks entering and leaving per day
- Concrete delivery trucks leaving and returning per day
- Loaded cement delivery trucks entering and leaving per day. (Cement supply is necessary to operate a concrete plant)
- Employee vehicles entering and leaving per day
- Fuel trucks entering and leaving per day
- Service vehicles entering and leaving per day.

Without this information, it will be very difficult for anyone, resident or federal agency, to fairly determine the "recreational value" of the land that the DNRE proposes to substitute for the recreational value of the 72+ acres of mature woodlands in the Waterloo Recreation Area that the DNRE has decided should be mined for gravel.

I am sure that if the DNRE does not have this data, it is easily gained from Aggregate Industries. They log every trip in and out.

Looking forward to an informative reply,

Gregg M.
Waterloo

Paul's response (10/26/10)

I do not have this information but will ask AI and get back to you, Paul

Gregg's follow-up (11/3/10)

Please note the request below, and your response. Any response from AI yet? This information is critical to a well-informed public response.

Gregg M.
Waterloo

Paul's response (11/3/10)

No answers yet, I will let you know when I get an answer. Paul

Gregg M.'s follow-up (11/3/10)

Mr. Yauk;

Time is starting to run short. The requested info is necessary for an informed conclusion and public response. "How many trucks and other vehicles go in and out of that site every day?" It is a reasonable request. AI has that data. Please make every reasonable effort to deliver it to me in a timely fashion. Thank you.

Gregg M.
US Citizen
Waterloo

Paul's response (11/5/10)

Here are the figures from AI.... Paul

Email Attachment:

Paul - I will share the methodology behind our traffic estimates.

- 1.) We used five years of data (2005-2009) to reflect an average that combines both high shipment and low shipment periods.
- 2.) We interviewed the management of Doan Concrete to come up with figures for cement, limestone and ready-mix truck traffic.
- 3.) Fuel, service and employee counts were calculated based on running the stationary plant from April-October.

Gravel Trucks –
2005 - 23,892 loads
2006 - 21,382 loads
2007 - 14,437 loads
2008 - 11,952 loads
2009 - 5837 loads

Adding up the five years, there's a total of 77,500 loads or 15,500 loads per year. If you assume we are open 250 days per year, the daily average is 62 per day

Cement, Concrete and Limestone Trucks - 20 per day
Employee Vehicles - 8 per day
Fuel Trucks - 1 per week
Service Trucks - 4 per week

I hope this helps.

Randi

48. Gregg's question/comment (10/27/10)

Mr. Yauk;

In both written and verbal responses (during the 27 Sep meeting), the DNRE has repeatedly claimed that this proposal to expand gravel mining operations will have any impact on local property values, despite the obvious fact that the proposal would bring that mining significantly closer to the homes around Clear Lake. This being an informed and official government position, I imagine that it is supported by one or more studies on the subject, and is therefore not just a DNRE opinion subjective to its own desires. Considering that most or all local residents and property owners strongly disagree with the DNRE claim, it would be very helpful if the DNRE can provide any support for it in order that the public may make properly informed judgements. P

Therefore, I am asking that the DNRE please provide copies of (or links to) any *independent* studies which will verify the DNRE claim that moving gravel pit operations so much closer to residential areas, already down to just a few hundred feet, will not have a negative impact on property values.

Thank you in advance for providing this information.

Gregg M.
Waterloo

Gregg's follow-up (correction to prior statement) (10/27/10)

Please note the corrected first sentence in the message below (correction in caps), and toss out the earlier version. Sorry for the error, and thank you.

Mr. Yauk;

In both written and verbal responses (during the 27 Sep meeting), the DNRE has repeatedly claimed that this proposal to expand gravel mining operations will NOT have any impact on local property values, despite the obvious fact that the proposal would bring that mining significantly closer to the homes around Clear Lake. This being an informed and official government position, I imagine that it is supported by one or more studies on the subject, and is therefore not just a DNRE opinion subjective to its own desires. Considering that most or all local residents and property owners strongly disagree with the DNRE claim, it would be very helpful if the DNRE can provide any objective support for its claim in order that the public may make properly informed judgements.

Therefore, I am asking that the DNRE please provide copies of (or links to) any *independent* studies which will verify the DNRE claim that moving gravel pit

operations so much closer to residential areas, already down to just a few hundred feet, will not have a negative impact on property values.

Thank you in advance for providing this information.

Gregg M.
Waterloo

Paul's response (10/27/10)

Mr. M., the information that you request regarding values will be included in Step 8 as part of the ten step federal conversion process. I do not have an exact date when this will be done, but it will be included in the web-page when complete. Paul

Gregg's follow-up (10/27/10)

Mr. Yauk;

I do not quite understand your response. Do you intend to say that there are independent studies or otherwise believable evaluations of such circumstances which demonstrate and support the DNRE's contention that bringing gravel pit mining so much closer to residences has no effect on property values? If this is the case, certainly you can forward the basic info on such studies or data, such as where to find it, without the local citizens having to wait for a formal conversion process application some weeks or months down the road. If the facts are there, why can we not see them now?

Please explain.

Gregg M.
Waterloo

49. Dennis M.'s comment (9/20/10)

Hi Paul,

Here is my email, where you can send me material you have regarding the proposed gravel mine expansion.

Thanks,

Dennis M
Hope to see you next Monday

Paul's response (9/20/10)

Dennis, I am not sure what you have received in the past, I have a Q&A page that will provide some more detail and the NRC memo with a small map, look forward to meeting you next week. Paul

50. Megan's comment (9/17/10)

request for information.

Thank you!

Meagan

Paul's response (9/17/10)

Meagan, I am heading out into the field for a meeting right now and will be back on Monday to give you the information that you requested on the upcoming AI meeting on the 27th. Again this will be an open house format and we will be available up to 7 pm to answer your questions, do bring your family the exhibits at the Eddy Center will keep them busy while we talk. Paul

Megan's follow-up (9/22/10)

Hi Paul,

I was checking to see if you have sent these yet, I have not received any information.

Thanks! Meagan Westcott

Paul's response (9/23/10)

Meagan, I have attached the NRC memo which includes a map of the two areas and an updated question and answer document. Hope to see you on Monday. Paul

51. J.F.'s questions (9/14/10)

Mr Yauk,

I regret that I will be unable to attend the 27 September meeting in Chelsea, as I am out of town during September.

If I were there, I would be among those who would take the opportunity to voice my opposition to the land lease proposal (as described in your 8 September press release).

Specifically, I would like to know:

1. If Aggregate Industries is obligated to restore the existing gravel pit to some semblance of a 'natural state' suitable for recreational use, how does the State intend to enforce compliance? Who would be accountable if this were not done?

2. If A.I., as part of their offer, were able to pass the responsibility for restoration of the original 324 acre hole-in-the-landscape to the State, how would the DNRE (with shrinking budget and resources) ever hope to accomplish that?

3. Why would the State consider trading the extraction rights to 70+ acres of bucolic woodland (OK, you call it a lease, but we all know what it would end up looking like at the end of the lease period), for the 324 acre landscape scar/former gravel pit, a 'Good deal'?

Alternatively, if A.I. were to propose acquiring a similar lease to the same size parcel on the east side of Loveland Road, I think you and I both know how that incursion into Sylvan Township would set with Washtenaw County residents.

In short, I think this is an inappropriate land grab by A.I., and the State has nothing to gain by allowing the process to go forward.

regards,

J.F.
(A Clear Lake resident since 1950)

52. Sheila and Tim's comment (9/21/10)

Mr. Yauk,

The purpose of this letter is to inform you that we oppose the expansion of the gravel pit mining operation into the Waterloo Recreational Area. We believe that our property is the closest to the proposed 72 acre parcel and we are concerned about the noise, dust, the impact on the quality of our lake water and the impact on our private property drinking water. We enjoy the peace and quiet of the beautiful wooded area where we live and believe that the expansion of the gravel pit mining will negatively impact the environment for hiking , horse-back riding, and the overall quality of our lives.

In writing this letter, I ask that it be placed into the public record to register our opposition to the expansion of the gravel pit mining.

Sincerely,

Sheila C. and Tim S.

53. John H.'s comment (9/25/10)

Mr. Yauk,

Please place this in the public record of the September 27, 2010 public meeting at the Eddy Discovery Center. I attended the first information meeting at the Discovery Center. The room was filled to capacity with concerned citizens. The DNRE presentation was comprehensive and painted a picture of how the DNRE and AI had a great deal trading 324 acres for 72. There was a long Q&A period, with questions covering every aspect of the proposed project. My question concerned the potential impact to the lake level, and in my opinion, this concern trumps all others, because if there is damage to lake level it's game over. The DNRE response to me was, there has not been an impact to lake levels in previous projects, and we will do the necessary geological study on lake level impact. I was not the least bit reassured by your team's response and came away feeling that the DNRE's goal was to sell the project, and minimizes citizen and property owner concerns. I have been a property owner on Clear Lake since 1991, and watched the gravel company ownership change to AI and noted their aggressive approach restructuring roads and adding fences and "No Trespassing" signs everywhere. I know full well that project proposals and reality are always very different. I think the DNRE's responsibility should be to preserve this landscape.

Sincerely,

John H

54. Cindy's comment (11/1/10)

Good Monday Morning Shamika,

As I was looking through the Public Comments Section of the DNRE website (#25), I realized that there were no dates written on the comments you are adding that are coming from email correspondence. It would be very helpful to me if you could put the dates on each of these comments. I understand that it will be difficult to go back and add dates to the comments already in the document, so I am asking that you start doing so as you add comments after # 48.

Thank you,

Cindy

55. Cindy's question (11/1/10)

Hi Shamika,

I was looking over the "Ten Step Federal Conversion Process Status Update" page (#24). Below the table of the 10 steps is a section that describes what happens after the 10 steps are completed. In reading this, I do not see where in the process the Public Comment period comes in.

I would appreciate any help you can give me in understanding where the Public Comment period fits into this process.

Thank You,

Cindy

Shamika's response to question #54 (11/1/10)

Good afternoon Ms. Cindy:

Yes ma'am, I would be willing to add the dates to the public comments. Thanks for the suggestion; I think that's a good idea.

The formal conversion proposal will be a print out of each email. It was suggested by our webmaster that we display the content of the message and omit the email addresses. So, I decided to just include the substance of the message.

Thanks,

Cindy's follow-up comment (11/1/10)

Thank you so much for your help, and for the information about the the way the formal conversion proposal will look. ~ Cindy

Shamika's response (11/1/10)

No problem Ms. Cindy!

Shamika's response to question #55 (11/1/10)

Good afternoon again Ms. Cindy:

Public Comment has already begun. The Public Comment period began in January of this year, when the Natural Resources Commission Meeting occurred (January 7, 2010).

As you are aware, the "Ten Step Federal Conversion Process Status Update" has several items that are completed, those are: Step 1: Description of the conversion, Step 4: Before and After Plans (Conversion), Step 5: Map and Site Plan (Mitigation) and Step 10: State Historic Preservation Office letter and Archaeological Assessment. These documents have been available to the public since October 18, 2010, when the webpage launched.

Step 2: Public Review/Public Comment is updated frequently as a result of public concerns regarding the conversion. Public comments that were made prior to October 18, 2010 have been included on the webpage. In addition, as I receive letters and emails, I update this section daily. The DNRE plans to update this section once a week on the webpage.

Once the last step of the conversion is complete, the documentation will be posted on the webpage and the public will be given 30 days to review this information. By this time, the public would have reviewed the other nine steps of the conversion for at least 30 days.

A deadline will be made to stop receiving public comments to our office, and the conversion proposal will be sent to the State and Regional Planning Clearinghouses for review.

If you have any further questions, please let me know.

Cindy's follow-up question (11/15/10)

Hi Shamika,

In your email below, you mention " State and Regional Planning Clearinghouses" very near the end. Can you please explain to me what these Clearinghouses are? Are they a part of the DNRE? Or if not, which other entity?

Thank you,

Cindy

Shamika's response (11/16/10)

Good morning Ms. Cindy:

The State and Regional Planning Clearinghouses are not state agencies. They are separate organizations that review federal applications for a variety of projects and conversions.

In our case, the State and Regional Planning Clearinghouses will review the conversion proposal for comment. The proposal is not submitted to the clearinghouses for approval/denial of the conversion proposal.

To learn more about the Clearinghouses, please click on the links below:

1. Southeast Michigan Council of Governments (SEMCOG) <http://www.semco.org/About.aspx>

2. Region II Planning Commission

<http://www.region2planning.com/website/index.asp>

Thanks,

Cindy's response (11/16/10)

Thank you so much, Shamika.

56. Monti's comment (11/2/10 received as an email)

Please note the attached letter and put it in the public records.

Monti P.

Email attachment:

October 26, 2010

Paul Yauk
Land Programs Manager
DNRE Recreation Division

Shamika T. Askew-Storay
Conversion Assistant
Michigan Department of Natural Resources and Environment
Grants Management Division

cc. Cindy Kleinmsmith

To all those concerned and for the public record:

In regards to the recent public open house, 9-27-2010, regarding the Waterloo Recreation Area "gift of land and expansion of the sand and gravel pit":

There was a general consensus amongst those who attended that we expected a meeting format where the audience could ask questions and representatives from the various entities would answer. When we arrived, the set up was one of

an open house with individual tables where everyone was expected to wander from table to table to get information. No chairs were available. An armed DNR agent was present.

From my background in corporate development, this can be an intentional tactic meant to disrupt the group, intimidate and exert control. From your perspective, it may have seemed to be an efficient method; it is an unfortunate approach that has been taken all along. That is, the appearance of the 'deal' is all ready done and the pretense of soliciting input and answering questions is just that, a pretense. This was further confirmed when a representative from the DNR so much as said....."our agreement with AGI is.....". Quite a slip of the tongue.

When someone from the audience requested a meeting format, they were initially told no. This person persisted and eventually chairs were brought in for a question and answer session. The representatives were very much on the defensive, somewhat dismissive and condescending. While we appreciated the opportunity to talk one on one and peruse the information provided, the resistance to an open forum perpetuated the negative perception of this entire process. None of this approach helped those who have the most to lose, the residents of this area and those who use the land for recreation.

From the beginning, the burden of getting further information or clarification on any issue was obviously on the attendees. The repeated answer to many of the questions was: that is not yet decided, write or call to so and so, that will be determined later, etc.etc. While I understand this is a complicated issue with many parties involved and these responses may be accurate, the attitude was very dismissive. Not a good way to present yourselves as in the best interest of the residents.

I have owned 4 businesses and understand the need for a business to expand, manage the bottom line, etc. etc. Even though it has been presented that the tax and employment benefit the state and the region, this expansion is likely a good **business** decision primarily for AGI. It is not a good decision for those who live and recreate in this region. AGI has been in this area since 1999 and it is one of the "largest sand and gravel properties in the State". When I mention to people about this area where I live, they typically make comments such as 'oh, where the gravel pits are?' Not so good for home values. This expansion will allow the mining to continue for another 10 years, then a reclamation period of however long, and another 25+ years for vegetation to mature. The residents of this area have paid a price all ready and face the potential of even more risk. Regardless of the 'studies' there are no guarantees on water quality, home values, affects on aquifers, radon, etc. etc. and inconvenience (noise, dust, trucks, road closed, trails moved, etc.); all issues well documented and presented by others. Time to move on.

Many people in this area have nothing to gain and much to (potentially) lose. While it may cost AGI money to disassemble an operation and reestablish elsewhere, it may cost those in this area much more and we do not have such deep pockets. I am not one to say 'not in my backyard' or what's in it for me; on the contrary, I am typically very liberal about the benefit of preserving land for

future generations. I also understand the State benefits financially from this deal. And, I understand the need for those in the DNR to do their job in preserving the land and the opportunity to reclaim must be a compelling interest. However, the very long term benefit of this reclamation does not have the same perceived value for those who have to live through it and face risk of monetary loss to property value. We also do not see a successful reclamation as most of the land in this area is native scrub and it functions just fine the way it is. I can see little benefit and much grief in this potential expansion.

The emotions and facts on this issue are complex, but the bottom line is that the residents of this area are opposed to this expansion. Has even one person come out in favor?

We are the people and our interests should also be a part of the decision. Those in state organizations are there to represent our interests as well as those of the state. We do not see a benefit and, in fact, see many negatives.

Even though this entire process has been quite detrimental, negative, intimidating, if I bring it all back to neutral and make an unbiased review; I still do not see a compelling reason to approve this project.

Sincerely,

Monti P.

Shamika's response (11/3/10)

Good morning Mr. P:

I've received your letter and I will place it in the public comments section of the conversion proposal.

Thanks.

57. Ms. Pegg's comment (11/8/10)

Paul:

Would the DNR care to comment on the issue spoken about to the Grand River Environmental Action Team that I told you about? I could offer the DNREs position along with any other support that you have for the action to our board.

Also, following is the summary of the issue that will appear in our minutes. If you care to correct anything, please let me know:

"Jon allowed visitor, Rachell Mann, to show materials and tell the board that the State is selling sand and gravel mining rights for revenue in Waterloo Recreation

Area, north of **Pond Lily Lake**. Apparently, the State will exchange 72 acres of natural habitat in return for a used gravel-pit area of 324 acres. The lake used to be deeper and more vibrant prior to mining. New mining of the second highest hilltop (2nd to Sackrider Hill) will be allowed 200 feet from Pleasant Lake, close to Clear Lake. The State is not required to and has not completed a hydrology study to prove why the water in Pond Lily Lake has dropped. It's believed that the US Department of the Interior is the only entity able to stop these actions. Jim advised Rachell to contact her federal representatives."

Our meeting is Wednesday night, so if you have any comments, please send them to me by Wednesday afternoon.

Sincerely,
Pegg

Paul's response (11/10/10)

Pegg, our Stewardship Program Manager has provided a response to this issue. Recreation Division has also set up a web-page on this issue that has a wealth of information on this case. www.michigan.gov/waterloo

We believe this proposal is an outstanding opportunity to make significant improvements in this area of the Waterloo Recreation Area. Paul

Email attachment:

This letter is in response to comments made by Ms. Mann.

The Department of Natural Resources and Environment (DNRE)'s desire to acquire 324 acres of land owned by Aggregate Industries is the primary reason for this transaction. The Aggregate Industries' property is a significant inholding bordered by state land on three sides. If this land is developed, it would alter the character of a large portion of the Waterloo Recreation Area forever. Aggregate Industries will gift their 324 acres to the State in exchange for a mineral (aggregate) lease of 72 acres of the recreation area. The 72 acres will never leave state ownership, but mining of sand and gravel will occur. Aggregate Industries will also pay a per ton royalty (expected to total \$7 to \$8 million) to the Natural Resources Trust Fund (MNRTF), and complete a robust ecologically based reclamation and restoration of both the 72 and 324 acre parcels. The MNRTF provides financial assistance to local governments, and the DNRE, to purchase land, or rights in land, for public recreation or protection of land because of its environmental importance or its scenic beauty. It also assists in the appropriate development of land for public outdoor recreation. The MNRTF is constitutionally protected, and the future recreation provided by this \$7 to \$8 million contribution to the MNRTF will be significant.

The 72 acres to be leased to Aggregate Industries is dominated by non-native invasive species, black locust, Asiatic bittersweet, multiflora rose, etc. Historic aerial photographs document the area's relatively recent agricultural history.

Depending on how “natural” is defined, it is difficult to characterize the 72 acres in any other way than “low quality,” and boundaries were drawn to specifically preserve nearby high quality forest.

Mining by both Aggregate Industries (over 20 years) and Aggregate Resources (over 60 years), east and west of Lilly Pond Lake, has not altered water levels in this shallow lake. Lilly Pond would be more accurately described as a marsh or emergent wetland. Water levels are greatly influenced by rainfall and vary from year to year. The 72 acres to be mined is no closer to Lilly Pond Lake than current mining by Aggregate Resources and Aggregate Industries.

The hilltop locally known as “Murder Mountain” will not be mined. Ms. Mann’s statement about mining of the hilltop is incorrect, and there is no “Pleasant Lake” located anywhere close to the 72 acres to be mined.

The closest distance from the border of the 72 acres to be leased to Clear Lake is approximately 1,500 feet, and mining will be set back from the border. The water table within the 72 acres is approximately 12 feet higher than surface (water table) of Clear Lake. It is impossible for this mining to “drain” Clear Lake.

Because the federal Land and Water Conservation Fund has been used to provide recreation projects at Waterloo Recreation Area, a federal interest exists in all the lands of the recreation area, i.e., a requirement that the lands be used for recreation. To preserve this federal interest, the DNRE is seeking approval from the National Park Service to transfer the federal interest from the 72 acres to a portion of the Aggregate Industries’ parcel of equal or greater size. This would occur at the same moment as the gifting of the 324 acres to the State. There will be no net loss of recreational opportunity at the recreation area. Once mining is complete, the federal interest would be applied to the entirety of the 72 acre and the 324 acre parcels.

Both the 72 acres and the 324 acres will be restored using local genotype native vegetation. The 72 acres, and the northern third of the 324 acres, will be restored to oak hickory forest with a number of forested wetlands. The southern two-thirds will be restored to native grassland.

58. Paul Yauk’s question (11/10/10)

Cindy, I got an e-mail a few days ago from a person on Clear Lake Road that you were cc’d on.... I want to respond and add it to the file, but can not find it in my system. I believe it came from a Mary ???.....

If you still have a copy can you re-send, thank you, Paul

Ms. Cindy’s response (11/11/10)

Hi Paul,

I looked in my records and I haven't received a copy of a letter sent to you since one dated October 26. That one was from Monti Ponce and it was also sent to Shamika. Monti does live on Clear Lake Rd., but that address does not appear in the letter.

Let me know if you want me to forward that one to you.

Cindy

59. Gregg's questions (11/11/10)

Mr. Yauk;

I have questions regarding the gravel pit and concrete plant operations on the land to be supposedly "gifted" to the State by the DNRE gravel pit expansion proposal:

- 1) What is the average daily volume of process wastewater being generated by the gravel mining, crushing and washing operations?
- 2) What is the average daily volume of process wastewater being generated by the concrete manufacturing operations?
- 3) Where is this process wastewater discharged?
- 4) Is it pumped there? Does it run down an open trench, or by surface contour from the source point? Please explain.
- 5) Is the process wastewater treated in any way before discharge? Please explain.

Also:

- 6) In what year did gravel mining operations begin on that general site (regardless of ownership at the time)?
- 7) Approximately how many pieces of heavy machinery (earth movers, excavators, dozers, etc.) are in operation on site, all inclusive? Please list.
- 8) Are there gravel hauling vehicles or any other vehicles that normally operate entirely within the site? If so, please provide type and quantities.
- 9) How many gravel crushing machines are on site? How are they driven? Electric? Diesel?

Thank you in advance for providing this information, which is necessary for any valid public assessment of the true value of the land proposed to be substituted for 72 acres of mature woodlands.

Gregg M.
Waterloo

Gregg's follow-up to Shamika (11/12/10)

Good Morning, Ms. Askew;

I recently sent an email to Mr. Yauk and got the auto response that he will be out of the office until 22 Nov. Is there someone else who is stepping in for him regarding the proposed gravel mining of the WRA?

Thank you.

Regards,
Gregg M.
Waterloo

Shamika's response (11/12/10)

Good morning Mr. M.:

No, the Recreation Division has not assigned a temporary employee to answer questions pertaining to Waterloo Recreation Area. Paul Yauk will be back in the office on the November 22, and will respond upon his return.

Thanks,

Paul's response (11/22/10)

Mr. M, your questions outlined below should be directed to Waterloo Township as they have a current site operation permit with AI and can best address the issues of historic and existing extraction operations on this site.

I know that they have a Township extraction committee and an extensive Sand and Gravel Extraction Ordinance that was amended in November of 2009. Paul

Gregg's follow-up (11/28/10)

Mr. Yauk;

Data on actual water usage is not available from Waterloo Township. My basic question is very simple: How much water is being used on average, what is it being used for, and where does it go when AI is done with it? I see no reason that the DNRE/AI team cannot provide that very basic information. The other questions below I defer for now.

I look forward to an informative and timely response.

Gregg M.
Waterloo

Paul's response (12/2/10)

Greg, here are DEQ permits regarding your question on water usage, we will include this in our next update. Paul

Attachments to email will be placed on the webpage.

60. Ms. Connie's comments (9/22/10)

Dear Mr. Yauk,

This letter is to express my strong opposition to the proposed gravel mining on 72 acres of Waterloo Township recreational land and request that this letter be placed in the public record.

As a Clear Lake property owner within 1/2 mile of this proposed gravel mine, I am very concerned about the noise, dust and pollution it will create, the impact on my well and Clear Lake, and, in general, the quality of life in the area.

I am also a Realtor and am extremely concerned about the impact of this proposed gravel mine on the value of my home and those of everyone else on the lake. As you may know, lake properties are bought at a premium. Homes have already experienced a great devaluation in the past several years due to the housing crisis, lake or secondary homes even more so. If you take away 72 acres of forest with serene hiking and riding trails that abut our lake and replace it with an active gravel mine, it will only further that devaluation.

At the previous public meeting on March 13, 2010, your presentation focused on how reclaiming the existing gravel mine from Aggregate Industries as recreational land and allowing them to lease the 72 acres would be better for the area than having a developer buy Aggregate's land to build "McMansions." First of all, in this economic climate that scenario is highly unlikely. But, if new, large, executive homes were built on Aggregate's land those homes would share the beautiful, peaceful environment and would **increase** the values of the existing homes. Waterloo Township would also see an increase in their tax rolls.

I understand that the State of Michigan sees an opportunity to make money and garner more land, but it should not be at the expense of the homeowners of Clear Lake and Waterloo Township or those using Waterloo Recreational land!

Sincerely,
Connie V.

Ms. Connie's follow-up to Shamika (11/17/10)

Shamika,

I sent the below email to Paul Yauk on Sept. 22 and also brought a copy to the meeting on Sept. 27, asking that it be included in the public record. It is not on your website with all the other letters from residents. Will you please include it?

Thank you
Connie V.

Shamika's response (11/18/10)

Good morning Ms. Connie:

I will certainly include your letter in the conversion proposal. Thank you for providing us with another copy.

Have a great day!

Ms. Connie's follow-up with Paul (11/17/10)

Mr. Yauk,

I sent the below email to you on Sept. 22 and brought a copy to the Sept. 27 meeting as well, asking that it be included in the public record. I do not see it on the website. Will you please include it?

Thank you
Connie Velin

Paul's response (11/22/10)

Thank you for your e-mail, your letter will be included in the public record. Paul

61. Gregg's question (11/28/10)

Hello, Ms. Askew;

I do not see any updates to the public comment section of the DNRE web site since 28 October. Can you please tell me when the DNRE site will be brought up to date? Thank you.

Regards,
Gregg

Shamika's response (11/29/10)

Good morning Mr. Gregg:

I forwarded a copy of the updated public comment section to our webmaster last week. Hopefully, the public comment section will be updated this week.

Thanks.

Shamika's follow-up (11/29/10)

The public comment section on the webpage is updated.

Thanks

62. Gregg's question (12/6/10)

Hello, Ms. Askew;

Just to help me clear up a question: Is the LWCF State Assistance Program Manual a federal or MI state document?

Regards,
Gregg matschke
Waterloo

Paul's response (12/6/10)

Federal...

Shamika's responses (12/6/10)

Good afternoon Mr. Krejci:

As Mr. Yauk has indicated, it is a federal document. If you read the preface of the document, it provides helpful information.

Also, visit the National Park Service's website at your leisure. (www.nps.gov.)

Thanks,

12/6/10

I apologize Mr. Gregg Matschke for calling Mr. Krejci....

12/6/10

Correction: *calling you

Gregg's response (12/6/10)

Not a problem, Ms. Askew.

63. Cindy's question (12/10/10)

Good Morning Mr Yauk,

I was out of town for the March 13 meeting DNRE meeting at the Eddy Center regarding the Waterloo gravel pit expansion. I am wondering if there is a transcript of that meeting.

Also, I am assuming that there was no one writing a transcript of the September 27 meeting. Is that correct?

Thank you,

Cindy

Paul's response (12/13/10)

I do not have minutes for this meeting, but a press release is on the web page. Paul

64. Cindy's comment (12/20/10)

Hi Shamika,

Here is a pdf containing the letters that I knew about that were sent or given to Paul Yauk that he could not locate and so are not on your website. There may be others that he is missing that I'm not aware of.

Have a wonderful holiday.

Cindy

Shamika's response (12/20/10)

Thanks Ms. Cindy! I'll be sure to include these letters in the conversion proposal and on the website!

Thank you! Have a wonderful holiday as well!

65. Steeres' comments (12/27/10)

18 December 2010

Mr. and Mrs. William Steere



Dear Mr. Yauk,

At last there is an opportunity to dramatically improve the status of the largest gravel pit in the Waterloo Recreation Area, run by Aggregate Industries (AI) at the corner of Loveland and Harvey Roads. We are strongly in favor of the Michigan Department of Natural Resources (MDNRE) plan to lease 72 acres of federally-acquired, MDNRE-owned land to AI for gravel mining. This is a good deal for the people of Waterloo Township and of the State of Michigan. The plan will add 324 acres of restored lands to public ownership and eventually lead to the restoration of 72 acres of badly degraded sub-marginal farm fields owned by MDNRE. Additionally, there will at last be some recompense to the community in the form of cash royalties to the Michigan Natural Resources Trust Fund. Up to now all the profits for the loss of a non-renewable natural resource have gone to the pit operators with absolutely no benefit to the community.

We have lived in Waterloo Township, in the heart of the Waterloo Recreation Area, for over forty years. There has been a gravel pit at the corner of Harvey and Loveland Roads for all of that time and longer. During those years two other pits have been opened within a mile of our home. There are many older, abandoned pits dotting the township. All are on private property and though they are a blot on the recreation area, there is little the neighbors or local government have been able to do to mitigate the damage. The MDNRE/AI deal is a marvelous opportunity to rectify that situation to some degree.

We have no ties whatsoever to MDNRE or the gravel pits, financial or otherwise. We do have long term connections with the environmental community, including thirty year memberships with Sierra Club, Nature Conservancy and Trout Unlimited. Locally we have been active with the Legacy Land Conservancy, Jackson Audubon, MDNRE stewardship volunteer program and many others.

As Waterloo Township residents and as environmentalists, we support in the strongest terms the MDNRE plan to lease 72 acres to AI and to acquire 324 acres from that company in fee simple, with restoration to be done on all 396 acres to MDNRE standards and at AI's expense.

Sincerely,

William C. Steere
Charity W. Steere

66. Mr. Gregg's questions (1/11/11)

Good Afternoon, Shamika;

I hope you had a good Holiday Season.

Please provide an update on the status of the Section 6(f)(3) conversion application for the Waterloo Rec. Area to allow gravel mining. Is the DNRE close to applying? What steps remain to be completed? Can you give a rough estimate of the application date yet?

Thank you.

Regards,
Gregg

Shamika's response (1/12/11)

Good morning Mr. M.:

I had a great holiday season; I hope the same for you.

The department is working diligently on completing the conversion proposal. The environmental assessment, alternative analysis, recreation usefulness analysis and local recreation plan reference are steps that remain to be completed. Once these steps are completed, the conversion proposal will be sent to the regional planning clearinghouses. An estimate of completion is about a month or so.

Thanks,

67. Cindy's question (1/18/11)

Dear Mr. Yauk,

I have a couple of questions about the Reclamation Bonds that are planned for the 72 and 324 acre parcels involved in the Waterloo conversion proposal.

1. Which government agency will hold the Bond(s) and be responsible for determining whether the conditions of the Bond(s) have been met?
2. Where can we find a legal description of the Bond(s)?

Thank you,

Cindy

Paul's response (1/18/11)

Waterloo Township will hold the bond as part of the permit. The DNRE will meet on an annual basis with the Township and company to make sure conditions are met.

I have attached a copy of the letter that outlines the current bond that the Township has with AI.

We have not discussed this issue yet, but would assume that they bond and conditions would be similar. Paul

Attachment: posted to the website

68. Cindy's question (1/19/11)

Good Morning Shamika,

It's good to hear that you had a "great holiday season".

I would appreciate some clarification about the sequence of events you just described in your January 12 email (below). I don't see where you indicate when in that sequence the conversion proposal will be posted on the website for 30 day public comment period.

In an email sent to me on Nov. 1, 2010 (see attachment), you indicated that once all elements of the completed proposal are posted, the public would have 30 days to comment, then the proposal will be sent to the regional planning clearinghouses.

In the sequence you describe below, you do not indicate when the public will have 30 days to comment -- before or after the package goes to the clearinghouses. Could you please clarify this for me.

Thank you for your help,

Cindy

Shamika's response (1/19/11)

Good morning Ms. Cindy:

On Jan. 11th, I was asked "Is the DNRE close to applying? What steps remain to be completed? Can you give a rough estimate of the application date yet?" My response was "The department is working diligently on completing the conversion proposal. The environmental assessment, alternative analysis, recreation usefulness analysis and local recreation plan reference are steps that remain to be completed. Once these steps are completed, the conversion proposal will be sent to the regional planning clearinghouses. An estimate of completion is about a month or so." I assumed that I had answered his question.

For clarification purposes, the affected public has 30 days to review the completed conversion proposal. The public has thoroughly reviewed the followings steps: 1. Conversion Description; 2. Public Review; 3. Map and Site Plan for the mitigation; 4. Before and After Site Plan for the Conversion and 5. State Historic Preservation Office (SHPO) Clearance Letter. As I mentioned to Mr. Gregg on Jan. 12, there are several steps that the public has NOT reviewed. These steps will be put on the website for public review and comment period for 30 days. While the public is reviewing the final steps, the completed conversion proposal will be sent to the (2) Regional Planning Clearinghouses. (This is occurring simultaneously.)

The department has kept the affected public updated on completed tasks by posting documents to the website. The department will continue to provide updates.

I hope this answers your question.

Have a great day!

Shamika's follow-up (1/19/11)

I understand the confusion after reading the attachment. My Nov. 1 email suggested that the public comment period would end after the 30 days and then, the proposal would be sent to the Regional Planning Clearinghouses. However, the public will be given 30 days to review and make comments on the remaining 5 steps. During that 30 day public comment period for the completed conversion proposal, the conversion proposal will be sent to the Regional Planning Clearinghouses.

The department would like to submit the conversion proposal to the National Park Service as soon as possible. If the department waited until after the 30 day public comment period ended to send the proposal to the Regional Planning Clearinghouses, then the National Park Service would not receive the proposal for at least 60 days (30 days for the public comment period on the completed proposal and 30 days public review period for the Regional Planning Clearinghouses).

The important factor is that the department complies with the federal Land and Water Conservation Fund program, which requires a 30 day public comment period.

If you have any further questions, please contact me.

69. Gregg's question (1/19/11)

Dear Ms. Askew;

As I read your responses below, I interpret what you are saying to mean that as each item on the completion list is "completed and posted on the web site" then the 30 day public comment period clock for that particular item on the DNRE "To Do" list starts. If true, then you are saying that the 30 day public comment period for many of the completed items necessary for the NPS application have, in fact, already closed, because those items were individually "completed and posted" throughout the months over which this application completion process has spanned. What you are apparently saying is that the public will have 30 days to comment *only* on the very last item prepared and posted, and that the opportunity for commenting on any other completed and posted item that is part of the DNRE application package will have already or will be correspondingly shortly expiring in less than that 30 day window.

Please clarify ASAP if this is, indeed, how this application procedure will move forward.

Thank you.

Shamika's response (1/20/11)

Good morning Mr. Gregg:

As I mentioned to Ms. Cindy on November 1, 2010, the public review (step 2) began in January when the Natural Resources Commission Meeting occurred. Yes, the 30 day public comment period began on the five steps that have been completed. No, I am not saying that you can *only* comment on the remaining items to be completed and posted. The affected public is *free to comment* on **ALL STEPS UP TO THE 30 day expiration of the remaining steps. In other words, once the five remaining steps are completed and posted, the public is afforded 30 days to review and make comments. Once the 30 days expire, we will STOP answering questions and forward the conversion proposal to the National Park Service.** Please be advised that the LWCF Manual, Chapter 4, only requires a 30 day comment period. However, the department has kept several documents (completed five steps) on the website for a longer period.

The affected public has been an integral part of the conversion process. As information was completed, it was posted to the website immediately. When the remaining steps are completed, those documents will be posted on the website. Once posted on the website, the clock starts ticking.

I hope this email provides you with a better understanding. If not, please feel free to contact me.

Thanks!

70. Cindy's comments (1/24/11)

Good Afternoon Shamika,

I do understand that the DNRE would like to submit the conversion proposal to the NPS as soon as possible. However, regarding the timing for sending the proposal to the Regional Planning Clearinghouses, I don't think the DNRE proposal would be complete if our response is not included. After all, our response is also part of the conversion process. The Clear Lake Property Owners Association plans on submitting a substantive and lengthy rebuttal to the DNRE proposal, so it would only be fair for the Regional Planning Clearinghouses to see our viewpoint as well.

Also, I am wondering if the 5 remaining sections of the proposal will be posted on the website at one time, or would we be able to see each one as soon as it is completed? It would be surprising to me if they all happened to be finished on exactly the same day, and it would be very helpful if we could examine them as they are being completed rather than having to look at them all the once.

Thank you for your help with these questions,

Cindy

Shamika's response (1/24/11)

Good afternoon Ms. Cindy:

I understand your concern of submitting a conversion proposal to the Regional Planning Clearinghouses without having the new responses included. Please be aware of two things: 1) the Regional Planning Clearinghouses will also have a public comment period during their meeting and 2) the Clearinghouses do not approve or deny the conversion proposal, the National Park Service has the authority to approve or deny the conversion proposal. Sending the proposal to the Clearinghouses does not prohibit the public from sending their questions/comments/concerns. In fact, once the conversion proposal is sent to the Regional Planning Clearinghouses, they will send notification to the clerks in Jackson County and to the Planning Commission. A meeting will be held and the affected public may attend the meeting to voice their opinions.

You mentioned that the Clear Lake Owners Association plans on submitting a substantive and lengthy rebuttal to our office, this will be included in the conversion proposal that will be sent to the National Park Service.

As to the remaining five steps that will be posted to the website, this question should be directed to Paul Yauk. My role in the conversion process is to provide the Recreation Division with the procedural requirements of the federal Land and Water Conservation Fund Program.

I hope I've answered your questions/concerns. If not, please feel free to contact me.

Cindy's follow-up (1/25/11)

Good Morning Shamika,

Thank you for explaining the issues regarding the Regional Planning Clearinghouses. I understand what you are saying. Can you please give me contact information for both of these Clearinghouses?

Also, as you suggested, I have sent my website "timing" question to Paul Yauk. Thanks for the suggestion.

Have a great day,

Cindy

Shamika's response (1/25/11)

Good morning Ms. Cindy:

No problem.

Contact Information

Bill Parkus
Southeast Michigan Council of Governments (SEMCOG)
535 Griswold Street, Suite 300
Detroit, Michigan 48226-3602
(313) 961-4266
www.semco.org

Kimberly Hines
Region II Planning Commission
120 West Michigan Ave.
Jackson, Michigan 49201
(517) 788-4426
www.region2planning.com

Thanks and have a great day also!

Cindy's follow-up (1/25/11)

Thank you Shamika. ~ Cindy

Shamika's follow-up (1/25/11)

No problem Ms. Cindy!

71. Cindy's question (1/25/11)

Hello Paul,

I sent this question to Shamika yesterday and she suggested I ask you:

I am wondering if the 5 remaining sections of the conversion proposal will be posted on the website at one time, or would we be able to see each one as soon as it is completed? It would be surprising to me if they all happened to be finished on exactly the same day, and it would be very helpful if we could examine them as they are being completed rather than having to look at them all the once.

Thank You, Cindy

Paul's response (1/25/11)

Cindy, I have a meeting to review information to date and plan to put the 5 remaining sections on line by the end of the day or early Wednesday... Paul

Cindy's response (1/25/2011)

Thank you for the information.

Gregg's follow-up (1/25/11)

Mr. Yauk;

Will that then begin the 30 day public comment period?

Gregg

Shamika's response

Mr. Gregg:

The 30 day comment period begins when the remaining documents are posted on the website.

Thanks.

Gregg's follow-up (1/25/11)

Ms. Askew;

Thanks for that clarification. I will also be submitting some comment. Will a mailed document be scanned and entered on the web-site? It will be too large a file for email.

Regards,
Gregg

Shamika's response (1/25/11)

Mr. Gregg:

Yes, a mailed document will be scanned and put on the website. You can attention the information to Paul or myself, doesn't matter.

Thanks.

Gregg's follow-up (1/25/11)

Thank you again. Will the application be made to the NPS immediately after the 30 day public comment period ends?

Shamika's response (1/25/11)

Good afternoon Mr. Gregg:

Yes, it is the department's intention on submitting the conversion proposal once the public comment period ends AND once the department receives the Regional Planning Clearinghouses opinion.

Gregg's follow-up (1/25/11)

Thank you. Will the Clearinghouse operations (whatever they may be) include review and consideration of public input?

Gregg

Shamika's response (1/25/11)

Mr. Gregg:

You're welcome.

To my understanding after speaking with Ms. Hines, Region II Planning Commission, the clearinghouse(s) will notify the clerks and planning commissions that a formal conversion proposal is completed for Waterloo Recreation Area. The Region II Planning Commission will have its regular meeting and at that meeting, the affected public will have an opportunity to share their comments/concerns/questions. Ms. Hines suggested that staff from the DNRE is present to answer specific questions.

After the meeting is held, the Regional Planning Clearinghouses will provide the department with its opinion. To my understanding, the opinion does not provide persuasive analysis.

Any other questions regarding the role of the Regional Planning Clearinghouses should be directed to that specific clearinghouse. I provided you with the contact information for the two Regional Planning Clearinghouses.

Thanks.

72. Gregg's question (1/25/11)

Mr. Yauk;

How many wells does AI have on site to support their operating water needs?

Paul's response (1/25/11)

Greg, the aggregate operation uses surface water for their operating needs, they recycle the water back into one of the filter ponds and reuse it. I will find out if the concrete uses well water as requested in your second e-mail. Paul

Gregg's follow-up (1/25/11)

Paul;

Thanks for the response. All the used water comes from the surface ponds? What about the losses to evaporation, absorption into the earth and road dust control? You are stating that rainfall alone is sufficient to replenish those volumes? That seems very hard to believe, especially with the added activity on-site and the much reduced rainfall of the last summer or two...

Please confirm.

Gregg's (second) follow-up question (1/25/11)

Mr. Yauk;

Also, please describe the source and quantities of the source of water used at the concrete manufacturing plant. It cannot be pond water.

This matters because the DNRE proposed expanded operations will include the concrete manufacturing plant remaining on-site and operating for that additional time. And, of course, it requires large volumes of fresh, clean water.

Please advise ASAP. By your own schedule time is getting short.

Paul's response (1/26/11)

Here are the DEQ permits that should answer your questions. They are part of the EA and will be on line shortly as part of this larger document. It is my understanding that 85% to 90% of the surface water is returned to the pond.... Paul

Attachments to email: posted on the website.

Gregg's response (1/26/11)

Mr. Yauk;

I asked for information regarding the source and volume of water consumed by the concrete manufacturing plant on-site. The documents you sent do not contain that information. Please provide ASAP.

73. Cindy's question (1/27/11)

Hi Paul,

I've haven't yet seen the remaining 5 sections that you thought would be online by Wednesday. Do you still think they will be put online sometime this week?

Thank You,

Cindy

Paul's response (1/27/11)

I found out that our web person was not in yesterday or today. The material is in his in-box and I have asked him to update the web site on Friday, I will e-mail you when it is on line. Paul

Cindy's follow-up (1/27/11)

Thank you for the information and your offer to email us when the material is uploaded to the website. It's much appreciated. ~ Cindy

Paul's response (1/28/11)

Cindy, the Conversion process is now on line and complete.... Paul

74. Cindy's questions (1/28/11)

Paul,

Thank you. I see that Appraisals and an Environmental Assessment have now been added as Items 32 and 33 under the Listed Documents on the DNRE webpage. I have a few questions.

- 1) I see that Item 24 on the website (10 Step Federal Conversion Process Status Update) still has some items listed as "pending". Can you clarify what this means?
- 2) The Appraisal document is not an appraisal. It's a memo saying that an appraisal has been done and that a certified appraiser found it to be adequate. However, without access to the actual appraisal, we cannot independently verify its reliability. We would therefore like to request a posting of the actual appraisal, including the details of each comparable sale that was analyzed.
- 3) I do not see a copy of the completed "LWCF Proposal Description and Environmental Screening Form (PD/ESF)". It is stated on this National Park Service form that the PD/ESF must be completed and submitted as part of any conversion proposal.

Thank you,

Cindy

Paul's responses (1/28/11)

Cindy, thanks for the comments. I will respond below in **bold**.

Paul,

Thank you. I see that Appraisals and an Environmental Assessment have now been added as Items 32 and 33 under the Listed Documents on the DNRE webpage. I have a few questions.

- 1) I see that Item 24 on the website (10 Step Federal Conversion Process Status Update) still has some items listed as "pending". Can you clarify what this means? **I need more specifics on this... As I can not find any items in the web page or Ten Step Federal Conversion Process that is still listed as "pending"**
- 2) The Appraisal document is not an appraisal. It's a memo saying that an appraisal has been done and that a certified appraiser found it to be adequate. However, without access to the actual appraisal, we cannot independently verify its reliability. We would therefore like to request a posting of the actual appraisal, including the details of each comparable sale that was analyzed. **I forwarded this question to our Real Estate staff, they stated that appraisals are copyrighted by the appraiser and we have a contractual obligation with the appraiser. According to Real Estate, we have no objection to offering you the opportunity to come in and review the report hear in this office. Please contact Mr. Jon Mayes at 517-373-8243 if you want to view this document.**

3) I do not see a copy of the completed "LWCF Proposal Description and Environmental Screening Form (PD/ESF)". It is stated on this National Park Service form that the PD/ESF must be completed and submitted as part of any conversion proposal. **The Screening form has just been completed I overlooked putting it on the web site.... I will list it as item #34 have it on line by the end of the day. Paul**

75. Mr. Gregg's questions (1/28/11)

Mr. Yauk;

Certainly I am not an expert in how the DNRE may interact with its vendors, but in my experience the "copyrights" to such documents universally belong to the person or party or entity purchasing the service that produced the information, which would be the DNRE in this case. I have never had any business with any government agency in which that was not absolutely the flat-out case. Are you saying that the DNRE is making contractual agreements with private firms in which the results are not open to public scrutiny.... for a completely non-security related issue in the environmental protection department? Please explain.

The appraisal in question is a *public* document purchased and produced by a *government agency* as part of a proposed *public due process* conversion of *public* land, to be used to support a contentious *public* application to another *government agency* regarding a decision that will greatly affect the local *public*.... *US citizens*. Please explain why the DNRE cannot purchase an appraisal that meets the minimum requirements of an open *public* process in cases like this.

I suggest your Real Estate staff talk to a lawyer.... any lawyer.... even a law student will do.

In the meantime I would appreciate seeing the full appraisal *with all detail and supporting documents* on-line and quite quickly. I believe it is entirely arguable that the 30-day public comment period clock cannot start until this and the other obvious omissions in preparation by the DNRE are rectified.

I look forward to your considered response.

76. Mr. Daniel's comments

1/30/2011

To Whom It May Concern,

This letter is written in response to the proposed expansion of the Waterloo gravel mine that is owned and operated by Aggregate Inc. It

has come to point where the National Park System decides to agree or disagree with the State of Michigan.

The information supplied by the DNRE of Michigan is not adequate to make an informed, educated decision. The decision of the DNRE to convert the old mine and allow the expansion will be detrimental to the environment in the surrounding area. The State of Michigan has not done an environmental impact study to date.

The land that has mined out is now a waste area with no hope of restoration. The money generated by the expansion will not be used for the rehabilitation of the old mine area. We, the people who neighbor this area, will have twice the destroyed area to deal with. The State of Michigan, through their DNR, have acted irresponsible in their decision to allow this expansion.

The area surrounding this mine sits on the aquifer that supplies 3 watersheds. The Huron, Grand and Raisin River drain from this region. I feel, because this area directly affects the Raisin River, the State of Ohio should have been notified. As far as we know, Ohio is not aware of this development. Obviously, the DNR has tried to keep this a low key affair and sneak it by everyone. If the State of Michigan did an environmental impact study, where is it and does it include the possible damage to these watersheds. Many of the surrounding areas depend on a predictable water flow to sustain their communities.

In conclusion, I feel the State of Michigan and their DNR are negligent in their duties of managing these resources. The short gain in money will not replace the ecological disaster that will incur. The National Park Service should not allow this transfer of properties unless adequate study of the area is done. Why risk an ecological disaster for the small amount of economic gain.

Sincerely,

Daniel

Paul's response (1/31/11)

Dear Dr. Helvey

Thank you for taking the time to comment on this transaction, please visit the web page identified below regarding questions that you have raised below on the Waterloo/Aggregate Industries Land Transaction.

The DNRE prepared this document to give the public an opportunity to view and comment on this transaction. The document lists a number of questions, with answers on this transaction along with public meeting agendas and presentations, site plans, public comments, and the Environmental Assessment.

As highlighted in this web page, the DRNE is actively engaged with the National Park Service (NPS) in working through the requirements of the Land and Water Conservation Fund conversion process and will soon provide the public an opportunity to review and provide additional written comments on this transaction.

Please call me at 517-335-4824 if you have any additional comments. Paul

77. Ms. Connie's question to John Mayes, DNRE (2/1/11)

John,

I'm still waiting for a copy of the appraisal that you said you would email to me momentarily yesterday afternoon during our telephone conversation.

I'm not sure I understand why this appraisal is not posted to the conversion website with all the other materials.

I have consulted with several appraisers, who tell me that appraisals are not copyrighted. They are the property of the party that pays for them. In this case, that would be the citizens of the State of Michigan.

I will look for it in my email or on line in the next days. If not I will come to your office to look at it and have a copy made.

Thank you

Connie V.

78. Mr. Gregg's question (2/5/11)

Mr. Yauk;

Has the 30 day time period for public comment now started? If so, please immediately provide the date of start.

Hello, Shamika;

My email to Mr. Yauk regarding the official start date of the 30 day public comment period was greeted with a message that he is out of the office until 14 Feb. Since time is of the essence here, I ask you to please provide the official start date of that 30 day period.

Thank you.

Shamika's response (2/7/11)

Good morning Mr. Gregg:

Official public comment period starts today, February 7, 2011.

Thanks and have a great day!

79. Ms. Cindy's question (2/7/11)

Good Morning Shamika,

Thank you for the information about the start date. For clarity, let us agree on the end date. When I count 30 days, I come to March 9. If that is correct, is it the end of the day on March 9?

I'm really not trying to be picky -- just trying to be clear. :)

Thanks,

Cindy

Shamika's response (2/7/11)

Good morning Ms. Cindy:

That is correct; March 9th is the end date for public comment period.

I know you are not trying to be picky, no need to explain yourself!

Also, I spoke with Mr. Steve Duke, Region 2 Planning Commission, on February 3, 2011. He informed me that you had inquiries about the conversion proposal. To make certain that we have an understanding, let me explain the next steps in the conversion process.

Overview

1. All of the conversion documents have been updated on the website for a 30day public comment period, with the exception of document #25, public comment. The public comment document changes daily as we receive more comments from the public.
2. Currently, I have a hard copy of all the conversion documents (including the petition and sign-in sheet from the meeting on Sept. 27th) on my desk. My plan is to make four copies of the conversion proposal. (One copy for the department's record, one copy to submit to SEMCOG, one copy to submit to Region 2 Planning Commission and one copy for the National Park Service (NPS))
3. Once I gather these materials and fill out forms required by the NPS, I will send SEMCOG and the Region 2 Planning Commission a copy of the conversion proposal.
4. The Planning Commissions hold regular monthly meetings. The **plan** is to have the conversion proposal as an agenda item for the Region 2 Planning Commission Meeting on March 2, 2011 at 2pm. The meeting will be held at the Jackson County Tower

th Floor County Commission Room, Jackson, MI 49201. **This is not a public meeting specifically for the Waterloo Recreation Area conversion proposal.** This is the Region 2 Planning Commission's monthly regular meeting, and the conversion proposal will be a topic for discussion during that meeting. Several DNRE employees will likely be in attendance to answer questions.

5. The planning commissions will provide written comment on the conversion proposal to the DNRE.
6. I will include the planning commissions' comments in the conversion proposal for the department and the NPS. Then, I will send the NPS the conversion proposal for Waterloo Recreation Area.

Please be aware that I have not listed any dates in this overview. Dates are subject to change, so I believe that it is best to provide a general overview of the plan.

Thanks.

80. Mr. Gregg's question (2/7/11)

Dear Shamika;

Please tell me what body of government the Region 2 Planning Commission belongs to. Is it DNRE? In other words, will this be an internal-to-DNRE plan review and approval, or are you seeking approval from some other governmental agency?

Thank you.

Shamika's response (2/7/11)

Mr. Gregg:

Please review this forwarded message. This email should answer your questions about the planning commissions.

Again, the National Park Service retains the authority to approve/deny a conversion proposal.

Thanks.

Forwarded message:

Good morning Ms. Cindy:

>

> The State and Regional Planning Clearinghouses are not state agencies. They are separate organizations that review federal applications for a variety of projects and conversions.

>

> In our case, the State and Regional Planning Clearinghouses will review the conversion proposal for comment. The proposal is not submitted to the clearinghouses for approval/denial of the conversion proposal.

>

> To learn more about the Clearinghouses, please click on the links below:
> 1. Southeast Michigan Council of Governments (SEMCOG)
> <http://www.semcog.org/About.aspx>
>
> 2. Region II Planning Commission
> <http://www.region2planning.com/website/index.asp>
>
>
> Thanks,

81. Cindy's question (2/7/11)

Hi Shamika,

I'm only writing to you on this because I want you to know that the Region 2 Planning Commission date is March 10. If you go on their website, you will see the date posted: http://www.region2planning.com/website/calendar_main.asp?date=2011-3-1&action=month

Also, just in case anyone on the lake asks, I am assuming the deadline would be the END of the day on March 9. :)

As always, thank you so much for your help.

Cindy

Shamika's response (2/7/11)

Good afternoon Ms. Cindy:

I'll call the Region 2 Planning Commission to confirm the meeting date. Thanks for bring this to my attention.

Yes, the end of the business day (5pm) on March 9th is the cut-off for public comment on the Waterloo Recreation Area conversion proposal.

Thanks.

Shamika's follow-up (2/9/11)

The public comment period will end on March 15, 2011 (end of business day).

Thanks.

82. Mr. Gregg's question (2/7/11)

Dear Shamika;

Thanks for the response. If the Planning Commission is to hear and comment on the proposal before the public comment period is over, then it seems evident that public input is not a factor they will consider. Is this correct?

Gregg
Shamika's response (2/7/11)

Mr. Gregg:

I respectfully disagree. The Planning Commission will hold its regular meeting either on March 2nd or March 10th (I'll call to confirm), in which the Waterloo Recreation Area conversion proposal will be a topic for discussion. At that meeting, the affected citizens can make comments on the proposal. The Planning Commission will be present to hear all comments. Once the meeting is over, the planning commission will send the DNRE an opinion of the conversion proposal.

Thanks.

83. Mr. Gregg's question (2/7/11)

Dear Shamika;

I fear we are speaking past each other. I understand, even better now, that there will be some opportunity for direct public input at the Planning Commission meeting. My question, though, was really about all the public comment that the DNRE already has and will have additionally gathered during this 30-day period. Obviously I did not make that distinction. The question really is whether the DNRE will be compiling and delivering all of that already-received public input to the Planning Commission as part of its presentation and/or discussion? If so, then I was questioning how that could be the case if the public period extends to the 9th and the Planning Commission hearing is the 2nd or, with the same practical results, the 10th? That part is still not clear to me, unfortunately. I know it is a detail, but it matters.

I thank you for your continued quick responses and evident efforts to be informative.

Shamika's response (2/7/11)

Good afternoon Mr. Gregg:

Ok, I understand.

The public comments that the department has gathered will be included in the conversion proposal that will be submitted to the planning commissions. However, comments received **after the meeting date** (either March 2nd or March 10th) will not be included in the conversion proposal to the planning commissions, but those comments will be included in the conversion

proposal to the National Park Service. Essentially, the conversion proposal is final once I send the package to the National Park Service.

So, to further answer your question, you are correct in stating that the planning commission will not hear all comments made because some comments will generate after the March 2nd or 10th meeting date.

I hope this email provides more clarity. If not, please contact me.

And no problem, that's my role!

Enjoy your evening.

84. Shamika's comment (2/16/11)

Good afternoon:

Paul spoke with Mr. Duke, Region 2 Planning Commission today and March 10th at 2pm has been confirmed as the meeting date.

Thanks.

Cindy's response (2/16/11)

Thank you for letting us know, Shamika. We did speak to Paul this afternoon and we arranged to upload a copy of the J F New report so it could appear on your website (#35 - Paul told us). Thank you, Paul for arranging that.

Cindy

Shamika's response (2/16/11)

Ok, great!

85. Paul's comment (2/17/11)

The web site is now updated includes the JF New reference document.
Paul

Cindy's response (2/17/11)

Thank you so much, Paul.

PRINT HERE

86. Ms. Joan's letter (2/22/11)

Please see attached letter.

Please include this attached letter with the package that is sent to NPS.

Attachment:

2/22/2011

Mr. Paul Yauk,

I am writing this letter to inform you of my strong opposition to the proposed expansion of Aggregate Industries mining. I would like to clearly state that THE PROPOSED REPLACEMENT PROPERTY IS VERY SUB STANDARD AS COMPARED TO THE PROPERTY WHICH WOULD BE LOST TO MINING! I see that on the DNR website, the posted documents regarding the proposed expansion, specifically document 33, page 7, states "At the moment of conversion, the Replacement Property will provide dispersed recreation opportunities, hiking, hunting, bird watching, etc. that are equal to or greater than those currently afforded by the Converted Property." THIS IS VERY MUCH NOT NOT NOT TRUE! The "converted property" which would be lost to mining, is densely wooded with terrific birding, hiking, hunting. The replacement property is of a much lesser quality for recreation for these reasons:

- 1) The proposed replacement property has been previously mined, and is not much more than barren grassland. (the proposed property lost to mining is mature forest).
- 2) The proposed replacement property is partially bordered by a road with heavy truck and equipment use (customers of Aggregate Industries) resulting in loud noise and dust.
- 3) The proposed replacement property is divided by a road used by Aggregate Industries.

4) The proposed replacement property does not offer recreational opportunities comparable to the property which would be lost to mining.

4) The proposed converted property which would be lost to mining, is mature forest. It seems a TRAGIC mistake to destroy mature forest.

5) The proposed converted property which would be lost to mining is contiguous to the Waterloo Recreation Area. The proposed replacement property is not contiguous to the rec area.

I am requesting that this letter be submitted with the package to the NPS.

Again, I consider this proposal of mining expansion a tragic irreversible mistake.

Joan

[Paul's response \(2/22/11\)](#)

Joan, I have received your e-mail and will include in the package to be sent to the National Park Service. Paul

[87. Ms. Sheila and Mr. Tim's letter \(2/27/11\)](#)

Please find attached a letter that we want to be included as public record with your application for conversion for the 72 acres of property in Waterloo.

Sheila and Tim

[Paul's response \(2/28/11\)](#)

Sheila, your letter will be included as public record with our application. Paul

[Shamika's response \(2/28/11\)](#)

Good morning Ms. Conant:

Thank you for your letter. It will be included in the conversion proposal.

88. Gregg's question (2/28/11)

Hello, Shamika;

As I noted earlier, my public comment input does not lend itself to electronic delivery because of the size. Please provide the address for delivery of a document package that will then be scanned and entered into the official public record on the web.

Thank you.

Shamika's response (2/28/11)

Please review the address in the "signature."

Thanks.

Shamika T. Askew-Storay
Grant Coordinator
Michigan Department of Natural Resources and Environment
530 West Allegan Lansing, MI 48933
Telephone: (517) 241-3128
Fax: (517) 335-6813
Email: askews2@michigan.gov

89. Gregg's comment (2/28/11)

Excellent. Thank you.

Shamika's response (2/28/11)

No problem.

90. Ms. Louise's comment and letter (3/2/11)

To Whom It May Concern:

Please review my attached letter and submit it and / or include it with all documentation referencing the DNRE and AI proposal.

I am in support of the rebuttal document being sent to the National Park Service on my behalf and have attached an additional representative view.

Regards,
Louise

Attachment:

March 2, 2011

To Citizens, DNRE Representatives, AI Administrators, and U.S. National Park Service Officials:

Re: Support for the Rebuttal submitted to U.S. National Park Service

Recently, the Clear Lake Property Owners have submitted a rebuttal document. I hope that all the parties concerned, including those reading this letter, will take the time necessary to read it in its entirety.

This rebuttal, **to the LWCF 6(f)(3) Conversion Proposal Being Submitted by the Michigan Department of Natural Resources and Environment to the U.S. National Park Service**, is logical, informative, and inclusive of the real issues affecting Clear Lake Property Owners, other area residents, and the users of the Waterloo Recreational Area.

I want it to be known that I reject the DNRE and the AI proposal and am in full support of the points addressed in the documented rebuttal. I take this position based on the reasons listed below regarding pertinent clauses and subsequent proof that offer evidence affecting the issue at hand. The information substantiates that the replacement property is **NOT** of

- Reasonably Equivalent Recreation Value
- NOR** is it of an
- Economical Equivalent Value

I further reject the DNRE/AI proposal for the reasons listed in my previous letter dated February 1, 2011, and am providing again, for your consideration following the closure of this letter.

I make one last point to U.S. National Park Service, Department of Natural Resources and Environment, and AI administrators; I am a citizen, a taxpayer, a neighbor, - just a small person, really, asking you to seriously consider the issue from my point of view.

In your scheme, there are no positive effects. No mention about the people, the homes, their property values, guaranteed water well function, and or continued quiet country living to really use the land for it's aesthetic value. There just aren't any advantages. The proposal doesn't increase my property value or make my drive from one side of the lake to the other easy. All I see are the related problems and negative outcomes.

Someone with backbone needs to stand up and admit that what may have initially seemed like the way to proceed is not.

The headlines need to say: DNRE and AI recognize incongruities: Both parties

abandon the proposal.
Or at the next step, that
The U. S. National Park Service distinguishes a ruse.

Regards,
Louise

February 1, 2011

Dear Mr. Paul Yauk:

Re: Waterloo Recreation Area – Aggregate Industries Land Transaction

I am saddened by the final additions in the proposal: **Waterloo Recreation Area - Aggregate Industries Land Transaction** – especially, these words; "At the moment of conversion, the Replacement Property will provide dispersed recreation opportunities, hiking, hunting, bird watching, etc. that are equal to or greater than those currently afforded by the Converted Property." Your department attempts to justify your vision to us area residents, Waterloo Recreational area users, and Michigan residents.

Your proposal intends to give us 87 acres of ‘replacement property’ in exchange 72 acres and at a later date, years from now, with another gift of over 300 acres. At a glance, this seems like a great exchange, and perhaps to those who are uninformed a great deal. But I consider myself an informed and educated citizen and frequent user of the area. This proposal is disconcerting to me. Here’s why.

In Michigan, haven’t we seen enough of the country’s widespread greed, which precipitated the current domino effect: poor economic conditions and high unemployment. This proposal has similar repercussions, because at another’s expense, DNRE and AI will pad their affairs. DNRE will acquire more property after AI strip-mines the area and then, in the distant future (19 years) put everything back.

Enough is enough; your suggestion that more is better is not accurate in this case. It makes no attempt to consider this entity: citizen viewpoints, recreational users, seasonal residents, property owners, and correlated property value changes, noise, and air quality. Aesthetically, the proposed property, which will eventually be given to the people for use, is flat, with tall grasses. I find that as I walk through the area in winter or in summer the dense forest, rolling topography, and distant gradient views are much more appealing. This area will be lost at this time to those currently using it.

Consider the human factor, now; it’s not about more.

Area residents would be wise to review your proposal and express further opposition.

It's my continued hope that even a DNRE representative would express resistance.

Sincerely,

Louise

Shamika's response (3/11/11)

Thanks for your input. This email will be included in the conversion proposal.

Thanks.

91. Allen and Cheryl's comments 3/3/11

As residents of Clear Lake we are writing to urge the National Park Service to deny the DNRE's request to convert 72 acres of recreational land to a strip mining operation. The best use of this 72 acres is for it to remain in its current state. It is currently a lovely forested area home to a diversity of wildlife and plants. The paths that wander through this area are a delight to stroll, ride a horse and enjoy nature as it was intended. Converting this land to a mining operation will create a noisy, dust polluted eyesore. The conversion would also include the closing of a section of Green Road. This road has been designated by Jackson County a "natural beauty road". The DNRE wrote in support of this designation but is now willing for that beauty to be decimated.

We do not consider the replacement land to be equivalent to this 72 acres. The area being proposed as a replacement is flat land covered by grass. It supports very little flora and even less wildlife. And it will be adjacent to the mining operation. We do not consider walking along the edge of a gravel pit the equivalent of walking through the woods!

The increased noise and dust produced by moving the mining closer to Clear Lake will not improve our property values. It will not enhance our enjoyment of the lake and surrounding lands. We are worried about the quality and quantity of the water in our lake. We are not assured when we are told that adverse effects when mining close to a lake "have not happened yet".

Please deny the DNRE the power to destroy that which they are supposed to protect.

Allen and Cheryl

Shamika's response (3/4/11)

Thank you for your email. It will be included in the conversion proposal.

92. Ms. Cindy's comment (3/4/11)

Good Morning Shamika,

As you requested, I have sent you a package that contains 3 bound copies of our Rebuttal Report plus 2 discs of this report. This package should arrive today. Please let me know when you have received this package.

Also, let me know if you need any other documents from us to complete the NPS conversion package.

Thank you,

Cindy

Shamika's response (3/4/11)

Good morning Ms. Cindy:

Ok, thanks. I'll let you know when I receive the package.

Unless you have more public comments, we are all set.

Thanks!

93. Cindy's letter to Region 2 Planning Commission

Hi Shamika,

As you requested for your records, I am forwarding below a copy of the message I sent to Steve Duke regarding the Clear Lake Property Owners Rebuttal Report.

As you can see, this includes an attachment I sent to him for their consideration.

Let me know if you have any questions.

Best,

Cindy

Cindy Kleinsmith, President
Clear Lake Property Owners

Forwarded letter:

Hello Steve,

You and I previously discussed the fact that the Clear Lake Property Owners Association (of which I am President) has serious reservations about the DNRE proposal to lease land in the Waterloo Recreation Area for gravel strip mining. Shamika Askew-Storay of the DNRE told me that you have already been given the DNRE proposal. So I told her that I would send a copy of our Rebuttal Report directly to you to be included as part of that package.

Therefore, I am attaching an Executive Summary of our Rebuttal Report and requesting that you distribute that two-page summary to members of

the Region 2 Planning Commission. In this Executive Summary, we outline numerous procedural deficiencies and substantive risks associated with the DNRE proposal. Among these numerous risks is the safety hazard associated with the closing of Green Road (designated by Jackson County as a Natural Beauty Road), which we think may be of special concern to the Planning Commission. Our Executive Summary contains an overview of all the major issues covered in our full Rebuttal Report, which is 54 pages long and contains an additional 122 pages of Appendices. In case anyone wants to see the evidence upon which the statements in the Executive Summary are based, I will be sending you a print copy of our full Rebuttal Report later this week. An electronic version of the Rebuttal Report can also be downloaded using the following link:

<https://rcpt.yousendit.com/1057809255/dbca363b3f9bdb8521c5ac5cce658254>

The Clear Lake Property Owners Association, which represents several hundred property owners in Jackson County, voted unanimously at last year's annual meeting to have its Executive Officers express their concerns to public officials. Therefore we respectfully request that the Region 2 Planning Commission give serious consideration to the issues outlined in our Executive Summary and acknowledge the existence of these issues in its communications with the DNRE about their proposal.

Thank you --
Cindy K.
President, Clear Lake Property Owners Association

Attachment to email:

**Gravel Strip Mining Should Not Be Permitted
in the Waterloo Recreation Area near Clear Lake:
A Rebuttal to the LWCF 6(f)(3) Conversion Proposal Being Submitted
by the Michigan Department of Natural Resources and Environment
to the U.S. National Park Service**

*From: The Clear Lake Property Owners Association
Waterloo Township, Jackson County, Michigan*

The Clear Lake Property Owners Association, which represents several hundred property owners with homes near the proposed mining site, has serious reservations about the DNRE proposal to lease Waterloo Recreation Land for gravel strip mining. In this Executive Summary, we outline numerous procedural deficiencies and substantive risks associated with the DNRE proposal. Among these numerous risks is the safety hazard associated with the closing of Green Road (designated by Jackson County as a Natural Beauty Road), which we think may be of special concern to the Planning Commission. Our Executive Summary contains an overview of all the major issues covered in our full

Rebuttal Report, which is 54 pages long and contains an additional 122 pages of Appendices. Anyone who wishes to see the evidence upon which the Executive Summary is based can download a copy of the full Rebuttal Report from the following site:

<https://www.yousendit.com/download/MzZHRGx3aFJLVIZFQIE9PQ>

We respectfully request that the Region 2 Planning Commission give serious consideration to the issues outlined in our Executive Summary and acknowledge the existence of these issues in its communications with the DNRE about their proposal.

Executive Summary

The hundreds of residents represented by the Clear Lake Property Owners Association respectfully request that the National Park Service (NPS) deny the Michigan DNRE proposal to convert 72 acres of Waterloo Recreation Land for gravel mining under the Land and Water Conservation Fund State Assistance Program. The property proposed for conversion to gravel strip mining is not situated in some remote, deserted location where such activities would have a minimal impact on adjacent populations and park users—the proposed location is adjacent to a major recreational lake (Clear Lake) and the highest concentration of homes in Waterloo Township. And the strip mining would not be for a short, defined period of time. The terms of the mining lease allow the DNRE, at its sole discretion, to permit strip mining for at least 19 years.

In our report, we will provide substantive documentation and evidence that support the following reasons for denying the DNRE proposal:

- Allowing the conversion of LWCF-encumbered land for strip mining would reverse a precedent that has never before been breached and would set an unacceptably low standard for future conversions (Section 2),
- This conversion would violate the public trust because residents purchased their properties in reliance upon the federally deeded restriction that the nearby land be used solely for recreational purposes (Section 3),
- The reasons used by the DNRE to justify the need for converting the land have been overstated and underlying data have been misrepresented (Section 4),
- Viable alternatives to the proposed conversion exist (Section 4),
- Numerous DNRE actions and statements have been misleading and deceptive rather than objective and neutral (Section 5 describes thirteen examples),
- The DNRE proposal DOES NOT MEET the NPS requirements for early consultation with local government officials and inviting the affected public to participate in "scoping out the proposal" (Section 6),
- The DNRE proposal provides inadequate documentation in its responses to several NPS requirements (Section 7),
- The Real Estate Appraisal provided by the DNRE is INVALID because it DOES NOT MEET the NPS requirement which says that a non-economic use such as conservation,

natural lands, or preservation "is not a valid use upon which to estimate market value" (Section 8),

- The DNRE proposal DOES NOT MEET the NPS requirement that the appraised economic value of the replacement property must be at least equal to that of the conversion property (Section 8),
- The DNRE proposal DOES NOT MEET the NPS requirement that the recreation value of the replacement parcel must be at least equal to that of the conversion property (Section 9),
- The DNRE proposal does not mention that strip mining would rip up and strip mine both sides of a road (Green Road) that has been designated by Jackson County as a Natural Beauty Road in recognition of its outstanding natural features and scenic beauty (Section 9),
- The DNRE proposal has not adequately assessed the risks posed to animal habitats and terrain (Section 10),
- The DNRE proposal has not adequately assessed the risks to Clear Lake and residential wells (Sections 11 and 12),
- The DNRE proposal fails to document its claims about the supposed lack of contamination (Section 13),
- The DNRE proposal has not adequately acknowledged the increase in noise to residents and park users (Section 14),
- The DNRE proposal has not acknowledged and documented the known risk to residential property values (Section 15),
- The DNRE proposal has not acknowledged the safety risks that would be imposed upon Clear Lake residents by the closing of Green Road (Section 16),
- The DNRE proposal pays insufficient attention to the risks arising from the uncertainties associated with the operation and reclamation plans (Sections 17 and 18), and finally,
- The DNRE proposal has failed to carry out an objective risk-benefit analysis (Section 19).

In the body of our full Report, we provide substantive and detailed evidence to support each of the above assertions.

Shamika's response (3/4/11)

Ok, I've added these emails and the attached letter to the conversion proposal.

Thanks.

94. Cindy's comment (3/4/11)

I will be sending in my own personal letter in the next few days and I would also expect that you will get a few more letters from Clear Lake area residents in the next week.

~ Cindy

Shamika's response(3/4/11)

Ok, thanks.

Cindy's response (3/4/11)

Thank you. ~ Cindy

95. Gregg's comment (3/4/11)

Hello, Shamika;

I have sent a document package to you via UPS, at the address provided below. These document are for inclusion (complete and as presented) in the record as public input/comment. They are too big to email, and I apologize for the amount of scanning that will have to be done. Please be so kind as to inform me when when the package has been received.

Thank you, and I hope you have a good weekend.

Regards,
Gregg

Shamika's response

Mr. Gregg:

I've received your package in the mail. I will include these documents in the conversion proposal.

Thanks.

96. Ruth and Dean's comments (3/5/11)

Dear Mr. Yauk:

We are writing in support of the "Rebuttal" written by the Clear Lake Property Owners Association {CLPOA} to your proposal to the National Park Service {NPS} requesting permission to allow strip mining on state land in the Waterloo Recreation Area.

We can't possibly convey to you and your department ENOUGH how utterly shocked and dismayed we are that you could and would initiate such devastation and destruction of the very environment that you are supposed to protect. How self-serving!

We are residents living on Clear Lake for most of our lives. Our children{3} and our grandchildren{3} have all been connected to this lake all of their lives. Clear Lake has been a major influence in all of our lives; making many wonderful memories.

What ulterior motives does the DNRE have in destroying this beautiful recreation area? We thought your job was to protect our environment from outside elements such as gravel mining companies from invading and destroying our land.

Our home is just off of Green road. We are close to the foothills of "Murder Mountain". This mountain is historic as it has a legend that makes it intriguing and popular. This legend was written up in Michigan Conservation - 1953. I, Ruth, remember it well. Also, I, being a self-proclaimed writer of children's short stories, wrote about Murder Mountain, titled "The Mystery of Murder Mountain" based on this legend, adding fictional characters. My story is published on the internet on my website for children's stories. So, you see, how dearly I am connected to this area. I have hiked every possible paths through Murder Mountain, when younger, and I'll never forget the amazing, pristine sight from the top of the mountain. Truly, this is God's creation. If you continue to support the strip mining of this beautiful mountain and surrounding area, no longer will hikers have this tremendous awe inspiring view when they reach the top. All that they will see instead is vast wasteland, devastation, a big hole in the ground, and noisy equipment drowning out their thoughts. It makes no sense!! It is unthinkable!!

We all take pride in our homes, our lovely environment, and it's many attractive outdoor activities that the Waterloo Recreation Area provides. Clear Lake is one of the most beautiful lakes in the state of Michigan. We all participate in keeping the area clean, watchdogging the water to make sure no zebra mussels, etc enter into the lake. Our water is monitored and tested regularly. We all make sure no invasive weeds take over our beaches and every resident participates in the careful checking. We are all proud to live on Clear Lake. But if strip mining is allowed to take over our land, our property values will plummet to devastating numbers. Clear Lake will never be attractive to potential home buyers. Who wants to live near a gravel-pit constantly hearing loud noises of heavy equipment, breathing in polluted air and never being able to enjoy hiking in or near Murder Mountain for 19 years?

The DNRE claims that the "87-acre replacement site will provide recreation opportunities that are as good as those being lost from the 72 acres" -that is false! We know so well what the 72 acres has to offer and its' beauty does not even compare to the 87 acres of vast wasteland. We have hiked these two areas most of our lives - there is no comparable value!

As to the closing off of Green road, again, what are you thinking? It's insane to close this designated Natural Beauty Road and make it a dead-end road!! Mr. Yauk, you, yourself, supported and endorsed Green road to be a designated "Natural Beauty Road" May we quote your words in a memo in July, 2003:

"Green road, West of the aggregate mine, is reflective of the natural beauty of the Recreation Area. This stretch of road has outstanding natural beauty. The road bisects

significant tracts of mature oak hickory forest that support several rare species that depend on this closed canopy habitat type, including hooded and cerulean warblers. Maintaining Green road in it's natural state will further PRB's mission of protecting Waterloo State Rectreation Areas unique natural resources; therefore, I encourage you to designate Green Road as a Natural Beauty Road".

So, now, you want to destroy this Natural Beauty Road by closing it off at the East end? You want to put a conveyor belt across this Natural Beauty Road and strip mine along both sides of it? What are you thinking? That leaves all the residents that live off of Green road stranded and in jeopardy if the West exit becomes blocked due to trees falling across, {which has happened} or some such other catastrophe such as fire,etc. Already, we have had to call 911 three times for medical emergencies. If the West exit had been closed due to the aforementioned reasons, the emergency vehicles could have entered and exited through the East exit off of Loveland road. Closing off the East exit of Green road is certainly thoughtless and uncaring on the part of the DNRE to its' citizens living in this area.

In conclusion, we are deeply opposed to gravel strip mining in the Waterloo Recreation Area near Clear Lake and the mining should not be permitted.

Sincerely,
Ruth and Dean

Shamika's response (3/7/11)

Thanks for your input; I've included this statement in the conversion proposal.

97. Cindy's comment (3/7/11)

Good Morning Shamika,

I've been worrying all weekend about what has happened to the package I sent you last week that contained 3 copies of our Rebuttal Report and 2 discs with electronic versions of the Rebuttal. Although it was delivered to your building last Friday morning and "Collins" signed for it at 10:54 am, these documents had not been delivered to you by the time you left on Friday.

I would appreciate it so much if you could look for our Rebuttal documents this morning as soon as possible. Please email me as soon as you find them. If you can't find them I'll probably need to drive to Lansing with another set of copies today because I am busy the rest of the week.

Thank you,
Cindy

Shamika's response (3/7/11)

Good morning Ms. Cindy:

Our administrative assistant picked up the documents this morning. I have the documents in my physical possession.

Cindy's response (3/7/11)

That is fantastic. I am very relieved. Thank you so much for taking care of this so quickly this morning. ~ Cindy

Shamika's response (3/7/11)

No problem.

Enjoy your day!

98. Mr. Lewis letter (3/7/11)

I am writing this letter to be included as part of the Public Comments in response to the DNRE Public Notice about its intention to submit an LWCF 6(f) Conversion Application to the National Park Service to convert 72.44 acres in the Waterloo Recreation Area for the purpose of gravel strip mining.

I urge the National Park Service to deny this proposed conversion based on the following procedural violation:

In order to obtain approval for the proposed mining lease from the State of Michigan's own Natural Resources Commission (NRC), the DNRE issued a Public Notice about the project on December 3, 2009 in the Jackson Citizen Patriot. This Public Notice gave citizens 30 days to comment on the proposed lease, and the NRC then approved the lease during its meeting on January 7, 2010. However, the Public Notice failed to mention the crucial fact that the lease involved gravel mining ON PUBLIC LAND within the boundaries of the Waterloo Recreation Area. Instead the Public Notice said that "The proposed lease is for an extension to an existing sand and gravel pit." Since the existing gravel pit is on private land, this statement conveyed the misleading impression that the lease involved private land. Since the Public Notice never mentioned the fact that the gravel mining lease would involve public land in the Waterloo Recreation Area, the DNRE failed to inform the public of this essential defining feature of the proposed mining lease. Since the public was deprived of this essential information prior to the January 7, 2010 NRC meeting, the public could

not provide its informed comments to the NRC and the NRC approval of the lease should therefore be considered to be null and void.

I therefore respectfully urge that the National Park Service deny the DNRE application based on this fundamental violation of procedural due process.

-Lewis

Shamika's response (3/8/11)

Good morning Mr. Lewis:

Thanks for your input. I will include this email in the conversion proposal.

Paul Yauk's response (3/8/11)

I disagree with Mr. Kleinsmith's statement.

The December 7, 2009 NRC memo is clear in identifying a non-metallic mineral lease #167 on adjacent State-owned land. During the term of the non-metallic lease, the offered land and the adjacent State-owned land under lease will be mined for sand and gravel and then restored in phases according to a reclamation plan approved by Parks and Recreation Division. The memo also clearly states that the State owned land to be leased is an irregularly-shaped parcel with rolling topography and a mix of old field and woodland cover types. Consisting of farm fields prior to acquisition, the parcel now hosts invasive exotic species such as Russian olive, Oriental bittersweet and spotted Knapweed. I have attached a full copy of the NRC memo...

99. Cindy's letter (3/8/11)

Mr. Yauk,

I am writing to say that I find it deeply dispiriting that the DNRE would allow a multi-billion dollar foreign company (Aggregate Industries) to gravel strip mine in the Waterloo Recreation Area. Aggregate Industries (AI) gets the best deal here:

1) I understand why AI would want such a convenient arrangement. They don't have to move any of their operations because the 72 acres of Waterloo Recreation Area they want to strip mine is adjacent to their current mining area. They get the best deal while we get to see 72 beautiful acres of Waterloo Recreation Area strip mined up to the crest of Murder Mountain. Why would the DNRE choose to do this?

2) The plan allows AI to close a Jackson County Natural Beauty Road that was designated such because it has unique features. These unique features would be strip mined just like they do in Kentucky and Tennessee. Mr. Yauk, several years ago, you wrote a letter strongly supporting this “Natural Beauty Road” designation of Green Road, and now you are seeking to allow strip mining that will destroy a good portion of it. How can we trust the DNRE if first they proclaim that this road and surrounding area has the qualities to declare it a “Beauty Road” and next they argue that this same road should be gravel strip mined? With our Beauty Road closed, Aggregate Industries will be able to put their conveyor belt across it so they won’t have to move their plant operations. Very convenient for them, devastating for the citizens of the Waterloo area.

3) To satisfy LWCF requirements, the DNRE has declared that the 87 acres of replacement property is of equivalent “recreational value” to the 72 acres that AI will gravel strip mine. In fact, those 87 acres are composed of flat grassland that is bounded on one side by a haul road used by Aggregate Industry’s noisy commercial cement trucks and other large commercial vehicles. Near to this 87 acres is the AI plant where many noisy gravel operations take place. In contrast, the 72 acres that will be gravel mined is currently a densely wooded, hilly forest where hikers, horse riders, and hunters enjoy the sense of being in the wilderness. How is that equivalent? There will be no hunters or horse riders on the 87 acre replacement land. And why would any hiker choose this property over the rest of Waterloo Recreation area? This is clearly a good deal for AI, but an enormous loss of recreation value for the citizens of the Waterloo area.

4) And the DNRE wants to allow gravel strip mining on land that was gifted to them in 1943 by the Federal Department of Interior solely for the purpose of conservation and recreation. I can’t imagine any reason good enough to break such a clearly-stated public trust. It seems that one of the reasons is that it is convenient for a multi-billion dollar foreign company to expand their operations on this public land. Is that a good enough reason? Another reason is that the state of MI will receive \$8-9 million? Can money buy the right to strip mine land that was gifted as a public trust to the DNRE? Another reason is that AI would not sell to the DNRE. Of course they wouldn’t. They clearly wanted to gravel strip mine in the Waterloo Recreation area so they said they wouldn’t sell. Clever business ploy! Do we want to be the victim of such a stance from a multi-billion foreign company? I say we don’t.

I am hopeful that the National Park Service will take note of these issues and many more to be found in the Clear Lake Property Owners Rebuttal Report. That Report describes in

detail the issues raised above and includes numerous other substantive reasons for denying the DNRE request to allow gravel strip mining in their own recreation area.

Please include these Public Comments in the DNRE Conversion Proposal to the National Park Service.

Sincerely,

Cindy

[Shamika's response \(3/8/11\)](#)

Ms. Cindy:

Thanks for your input. I've included this email in the conversion proposal.

[Cindy's response \(3/8/11\)](#)

Thank you, Shamika

[Shamika's response \(3/8/11\)](#)

No problem.

[100. Shamika's question to Gregg \(3/8/11\)](#)

Mr. Gregg:

I noticed that your package only contained one copy. Ms. LaForest works in Boston, Massachusetts whereas Mr. Bob Anderson works in Omaha, NE. The conversion proposal, which includes your recently submitted package, will be mailed out after the public comment period ends.

Can you submit another copy, so I can mail your documents to the appropriate locations?

Your email below mentioned scanning these documents, did you want these documents placed on the website as well? I intended to place your documents in the conversion proposal to NPS only.

Thanks in advance.

Gregg's response (3/9/11)

Hello, Ms. Askew-Storay;

I am requesting that the DNRE include my entire set of comments, with all supporting documentation, to both the public record and with the conversion application to the NPS. I am traveling at the moment and cannot [produce a second copy immediately. The recipients listed on the letters/comments already have copies.

Please tell me if my comments cannot be included in both the public record and the application. Thank you.

Regards,
Gregg

Shamika's response (3/10/11)

Good morning Mr. Gregg:

Can you clarify what you mean by "include my entire set of documents to both the public record and the conversion application to the NPS?" The conversion proposal has a section called "public comment." My intent is to include your hard copy documents in the conversion proposal to the NPS. Are you suggesting that the department scans your entire package, place the documents on the website **and** make copies of your documents for both Mr. Anderson and Ms. LaForest?

I'm not stating that your comments cannot be included, I'm asking you to clarify what you mean.

Thanks.

Gregg's response (3/10/11)

Good Morning, Shamika;

I am sorry that there is confusion.

Regarding the entire document package I sent to the DNRE: I am requesting that the entire package be included as part of the "public comment" portion of the conversion application to the NPS. I am also requesting that the entire document package be entered into the DNRE's own public record of this entire process, which means, yes, the entire package should be scanned and published in the "public comment" section of the DNRE website page established to inform the public of this proposal.... including public comment in opposition.

I am not asking the DNRE to do anything else. All the addressees of the various letters have already received those letters and documents long ago, per the dates of the letters. I am not asking the DNRE to make or send copies to anyone else.

I hope this clarifies the issue, and I thank you again for your responsiveness to this member of the public.

Regards,

Gregg

Shamika's response (3/10/11)

Good morning again Mr. Gregg:

Ok, no apologizes needed.

Let me explain what will take place. The package you submitted on March 8, 2011, will be scanned and placed on the "Waterloo Recreation Area website" until March 15, 2011- when the public comment period ends. Please be advised that we have a webmaster that works part-time, so we (Paul and I) don't have any control over when the documents are posted on the site. So, once the documents are scanned as a .pdf, those documents will be sent to our webmaster to be placed on the website **until** the end of the public comment section.

Also, two (2) copies of your package will be made. There are a total of three (3) hard copy conversion proposals (one copy for the department, one copy for Ms. LaForest and one copy for Mr. Anderson) that are located in my work area. One copy of your package will be placed in the department's conversion proposal and the other copy will be placed in Mr. Anderson's conversion proposal. The original you submitted will be placed in Ms. LaForest's conversion proposal. These packages will be placed in the "public comment" section of the conversion proposal.

I trust that we have cleared up the misunderstanding. Also, no need to thank me!

Have a great day.

Shamika's follow-up (3/10/11)

*apologies

Gregg's follow-up (3/10/11)

Ah, I see. Then there is little point in scanning and posting just to see it disappear. As long as it is all firmly entered as public comment into the DNRE application process and accompanies the various proposals that must be submitted, as it seems to be, then I am satisfied.

And there is no harm in thanking anyone who does a good job. :)

Regards,

Gregg

Shamika's follow-up (3/10/11)

Yes, the documents will be sent to the National Park Service (both offices), as well as put in the department's hard copy file. So, the department will not place the documents on the website. Reading your email, you seem to be ok with this decision.

Thanks for the compliment!!!!

101. Ms. Crystal's email (3/8/11)

To Whom it may concern,

I would like to provide my input for public comments regarding the proposed Aggregate Industries Land Transaction in the Waterloo Recreation Area. The parks and natural spaces of the state of Michigan are a treasured resource. Please reconsider allowing this irreplaceable resource to be used for a temporary gain, potentially causing long term damage to our land, water, wildlife and native plants. We spend a great deal of money advertising our parks and lakes (the Pure Michigan advertisement campaign) and should consider refraining from damaging the very things we are promoting to our citizens and the world. Further, these beneficial resources for our people, flora and fauna should be protected. Our shared resources (recreation and drinking water, for example) should be preserved. We can not get unspoiled areas back, nor can we acquire more of them. Thank you for your time and consideration of my input. Thank you for your careful consideration of this matter.

sincerely,
Crystal S.

102. Mr. Randall's email (3/8/11)

Dear Mr. Yauk,

I am writing to again express myself and my wife's **COMPLETE OPPOSITION TO THE EXTENSION OF THE AGGREGATE INDUSTRIES GRAVEL PIT**. We are homeowners on the east side of Clear Lake.

The extended gravel pit will destroy 72 acres of densely forested land that is used every year by thousands of hikers, hunters, horseback riders, and other recreationists. The acreage is predominantly forested by native species, not invasive ones as you claim (your own sampling data demonstrate that.) The parcel supports several threatened species of plants and animals; these will also be lost. The extension will also destroy the southeast side of "Murder Mountain" which will ruin a wonderful vista from the top of the hill. There also will be serious erosion from the hill into Pond Lily Lake and its wetlands. Half of Green Road, a designated Scenic Road, will be destroyed and homeowners who depend on that road for access to their homes will be impacted and potentially in danger if Clear Lake Road is ever blocked.

The extension will also have a tremendous negative impact for recreational users of the parcel. There is no other conclusion to that fact. The claim by the DNRE that restoration of 87 out of

the 324 acres of the existing gravel pit will be equivalent to the lost 72 acres of forest is absurd to put it bluntly. First, due to the nature of the agreement with Aggregate Industries, the DNRE can only initially reclaim about 87 acres of the 324. Most of the acreage will continue to be used for mining or will be left an eyesore. Secondly, the existing gravel processing facility, its roads with continuous heavy truck traffic, noise, dust, and a conveyor belt that will be installed across Green Road to carry gravel from the extension to the processing facility will be in view and earshot of the "restored" 87 acres. The restored area is supposed to be converted to native grassland. While that is better than the existing condition, do you really believe an open field with exposure to the views, noise, and dust of the mining operations is equivalent in recreation, habitat, or aesthetic value as a densely forested woodland. I assume you've had training in biology and ecology and have spent time in the woods. I don't understand how you can make such a ridiculous claim.

The gravel pit extension will push within one quarter mile of properties on the southern side of Clear Lake. These homeowners (and others) will be greatly impacted by increased noise, dust, possibly failed or contaminated wells, and lowered lake level. The environmental assessment that assures us these things won't happen is clearly flawed and weak at best. Because of these negative impacts and simply by having a gravel pit in their backyard, homeowners' property values will decrease. To claim otherwise again defies logic. Wouldn't you be upset and concerned about your health and property value if someone was digging a gravel pit only a quarter mile from your house?

I am not opposed to gravel pits since I understand the need for the resources they provide. But I am opposed to the extension of this one. Let me repeat myself. My wife and I are **COMPLETELY OPPOSED TO THE EXTENSION OF THE AGGREGATE INDUSTRIES GRAVEL PIT**. I listed some of the reasons, but we have many others.

Please do the right thing and stop this potential tragedy.

Regards,

Randall

Shamika's response (3/11/11)

Thanks for your input. This email will be included in the conversion proposal.

Thanks.

103. Mr. William's email (3/9/11)

Attention: Michigan DNRE, Paul Yauk and Shamika Askew-Storay,

This is in support of the Clear Lake Property Owners response to the DNRE February 27, 2011.

The name 'Clear Lake' and the surrounding Waterloo Recreation Area is synonymous with beauty and clear, pure and abundant water resources.

Past and future gravel mining is a complete degradation of the Waterloo Recreation Area.

The Waterloo Area already has many abandoned gravel pits adjacent to Clear Lake which are detrimental to natural resources, tourism and recreational areas.

Each gravel pit is similar to a sewage lagoon without the liner to separate runoff water from the ground water.

The cost to clean up the contamination and toxic chemicals would far out weight the value of the returned gravel pit property.

To return the mined property to its original state and value would require more than twenty years. In the future Waterloo Recreation Area and Clear Lake property owners will be required to hook up to the rural water and sewage systems.

This conversion to the rural water and sewer systems has occurred on Cavanaugh Lake only a short distance to the east of Clear Lake.

During the spring, summer and fall months there many adults and children enjoying the the Waterloo Recreation Area and surrounding lakes which maybe drained.

The contaminated gravel ponds represent a drowning hazard and increased liability with an immeasurable cost factor.

The county has begun to patch Clear Lake Road north of US 94 highway.

We have continued to notice an increased road degradation during the 2010-11 winter due to increased gravel truck traffic.

I have not seen any road weight restrictions in the past ten years.

The cost to replace Clear Lake Road would have to be considered in the returned cost of the gravel mined property.

In my opinion as a registered Senior Engineer in Michigan, we can not justify the cost differential. Why does the Michigan DNRE have to continue destroying the Waterloo Recreation Area and Michigan Wet Lands?

Strip mining is simply robbing the area of its resources.

Michigan Strip mining laws need to upgraded and more restrictive.

Water is Michigan's main and abundant resource.

Let's protect it.

Sincerely,

William

Shamika's response (3/11/11)

Thanks for your input. This email will be included in the conversion proposal.

Thanks.

104. Dorothy and Marlin's email (3/9/11)

We object to DNRE's proposal to allow strip mining in Waterloo Recreation Area. The tradeoff of up to possibly 18 years of truck traffic, dust, and ever-present noise relative to an eventual small expansion of the Recreation Area is simply not justified. We do believe such mining would have a negative effect on our home's value and that there is some risk about Lake water levels. We agree with the additional objections raised in the Mar.2, 2011 "Gravel Strip Mining Should Not be Permitted in the Waterloo Recereation Area near Clear Lake" report.

We are asking that you consider the issues and data surfaced in that report and abandon the plans that you have advanced.

Dorothy and Marlin

Shamika's response (3/11/11)

Thanks for your input. This email will be included in the conversion proposal.

Thanks.

105. Ms. Rachel's email (3/9/11)

Mr. Yauk,

I am writing as a citizen opposed to the proposed Aggregate Industries Land Transaction. It appears to be illegal, and does not serve the recreation needs of the State citizens. Citizen opposition is clear; any funds potentially raised by this proposal could be greatly depleted by expensive public lawsuits likely to result by ignoring public outcry. Potential loss of revenue from reduced recreation in the area should also be considered.

Another question affecting potential costs should be answered: **Were any Federal grants to States or funds (sometimes called Pittman Robertson or Dingell Johnson or Sport Fish and Wildlife Restoration funds) used in the purchase of any of these lands or to improve fish and wildlife habitats or to improve access associated with these lands?** If these funds were involved in the purchase the State would be required to refund the monies to the Federal government for the value of the land at today's values. Thus, potential revenue may be further reduced. If these funds were involved in improving fish or wildlife habitat or human access to lands associated with the proposal, then the State may have to pay some back by making those investments less valuable or diminishing them in some way those funds were intended to improve.

Public information shows the Waterloo Recreation Area was formed and is required to be managed for recreation purposes. I understand the original acquisition of the land came in the form of grant from the Federal Government which stipulated this requirement clearly. Subsequent additions to the Waterloo Recreation Area were also clearly for the recreation of the citizens. No one considers watching or hearing gravel mining a form of recreation. People consider gravel mining a detriment to recreation while it is occurring and after it is finished and the land remains obviously affected. People are recreating in the woods proposed to be mined. People cannot recreate in the mine while it is occurring, and will certainly avoid adjacent areas affected by the tremendous noise and dust and the roads used by the loud and dangerous gravel trucks. Clearly loss of fish and

wildlife habitat will occur as well.

I understand the State has a serious budget problem and I support innovative approaches to raise funds. However, this is not an innovative approach to raise funds as it is unlikely to be successful. It may be illegal and does not serve the needs of the State. Please end this proposal.

Sincerely,

Rachel

Paul's response (3/9/11)

Ms. Miller :

In regards to your question:

There were no Pittman Robertson or Dingell Johnson or Sport Fish and Wildlife Restoration funds associated in the purchase or development of the lease parcel of land. Paul

106. Ms. Connie's email (3/11/11)

Please post in the public record

Dear Mr. Yauk,

I have to tell you I am totally scratching my head about the appraisal that was done for the proposed conversion of 72+ acres of Waterloo Recreation land to allow for gravel mining by Aggregate Industries. Am I wrong, or aren't you asking for this conversion for the **expressed purpose** of being able to allow gravel mining of recreational land? If that is so, why would the appraiser look at the 72+ acres as highest and best use being recreational land? Isn't that contrary to the reason for asking for the conversion and the land's intended use for the next 10 to 19 years?

I've been a real estate agent for more than 16 years, so I deal with appraisals on a regular basis. The first rule of appraising is to compare "apples" to "apples". Obviously, the two parcels in question, the 72+ acres of state owned recreational land and the 324 acres of Aggregate Industries gravel mine are very different from each other in their current uses so they are not both "apples". If you use the argument that **eventually** they will both be recreational, you must also argue that **soon** they will both be gravel mine. Since the reason for asking for the conversion is to allow gravel mining, shouldn't the parcels have been appraised as gravel mine land? We both know the resulting values for each parcel would have been significantly different in that case since Aggregate's 324 acres is

essentially depleted of gravel while the state's 72+ acres is supposed to yield how many thousand ton?

As long as we're talking values, again as a Realtor, I **know** my home value will go down if this conversion takes place. When my husband and I bought our home on Clear Lake 5 years ago, we knew nothing of this proposed gravel mining expansion, even though you were already in negotiations with AI about it. Had we known, we never would have purchased our Clear Lake home, because as a Realtor I know that gravel mining close to a home will have a negative impact on its value. Sure, we saw AI's gravel operation down Natural Beauty Green Rd., but it looked near depleted and we knew there was plenty of state owned recreational land between us. We are putting our Clear Lake home on the market in the next weeks. If it doesn't sell before the proposed gravel mining expansion, will the state compensate us for our losses from the \$7-8 million you expect to get from AI? Or maybe you or someone else at the DNRE would be interested in buying it at its current value?

I also have concerns about the environmental assessment that was done by JFNew. They are supposed to include the data of all the well logs within a one-mile radius of the proposed gravel mining. Unfortunately, they got their **very incomplete** well log information from the DNRE, which from the first public meeting demonstrated that it doesn't know what houses are on Clear Lake or their locations. Specifically, our well log is not included in the environmental assessment even though our well has been in existence since 1968 and is one of the closest to the mining area.

The level of incompetence and lack of regard for the Waterloo community that has been demonstrated by the DNRE throughout this whole process has me very frightened for the future of Waterloo Recreational land, its neighbors and its users.

Sincerely,

Connie

Shamika's response (3/11/11)

Thanks for your input. This email will be included in the conversion proposal.

107. Ms. Jennifer's letter (3/13/11)

Shamika, please include this letter in your package to the National Park Service regarding the Waterloo Rec Area/Aggregate Industries proposed lease.

March 13, 2011

Mr. Paul Yauk

Michigan Department of Natural Resources and Environment
PO Box 30473

Lansing, Michigan 48909
Via email at YAUKP@michigan.gov

RE: Proposed Lease of Waterloo Township Recreation Area land to Aggregate Industries

Dear Mr. Yauk,

My name is Jennifer S. and my husband and I have enjoyed the Waterloo Recreation area for over 30 years. As a child, I grew up in nearby Chelsea and the Saline area and used the Waterloo Recreation area as a haven for my love of horseback riding. My husband, who grew up on the east side of Detroit, has been coming to the area for years to hunt and hike and remembers many summers to Sugarloaf Campgrounds. Additionally, we have enjoyed Clear Lake since 1990 when my parents purchased their house on the lake. I have spent many summers on the lake and enjoyed the recreational areas surrounding it. So much so, that last fall, we started looking at properties to purchase on Clear Lake. We currently live in Grosse Pointe, Michigan and wish to raise our two small children in the Waterloo Recreation area and specifically on Clear Lake. In fact, we even have the home we want to purchase picked out. Unfortunately, we aren't willing to purchase this home, until we know whether or not the DNRE is going to put a gravel pit on my back porch.

I'm sure you can understand how much this decision to lease land to Aggregate Industries will hurt the value of homes on the lake, or even the sale of any homes on the lake. Luckily, before I purchased this home on Clear Lake Shores, I was kindly tipped off by a resident that there were issues with the lease of this land and it has halted any forward momentum we have to purchase a home in this area.

I have seen the land that the DNRE has proposed in substitute as a "pay back" for the acreage they want to lease to Aggregate Industries. It is in no way equal. The residents and people who use the Recreational area will lose in this deal and Aggregate Industries will win should this lease be allowed to be executed. This is a bad deal for the residents of Waterloo Recreation area and for all who use this area. Please do not allow this lease to move forward and do not allow Aggregate Industries the opportunity to lease any more land in the Waterloo Township area. They are killing the natural beauty of this land for all who enjoy it. Sincerely,

Jennifer

Shamika's response (3/16/11)

Thanks for your input. This will be included in the conversion proposal.

108. Ms. Tangie (3/16/11)

I request that my letter below be submitted to the United States Department of the Interior, National Park Service, as part of the proposed WRA LWCF conversion packet. I oppose the mining on the WSRA and want my opinion below to be recorded in State records as well.

To:

Michigan Department of Natural Resources and Environment,
Regards: Waterloo State Recreation Area Aggregate Industries Inc., Case
#20050400

Dear Director Stokes and Staff,

I am a common citizen that VERY OFTEN utilizes the Waterloo State Recreation Area.

I walk my dogs, or run, throughout the ENTIRE State Park.

I find respite and solace in climbing the hills on the Green Road trails especially.

Going off trail is much more challenging along Green Road as the terrain is UNIQUE. There along Green Road (it's topographic map would show this to the unknowing), are ridges that are certainly unique for our part of lower Michigan. The terrain along side Green Road is UNIQUE even for our Waterloo State Recreation Area. I can only feel awestruck at the marvels of nature when I visit the beauty that is Michigan.

Prospect Hill (A.K.A. Murder Mountain) with it's vistas for miles provides a full 360 degree view from it's 'peak' that is incredibly beautiful and such a positive example of what is our Michigan.

Pond Lilly Lake though not officially the State Recreation Area, gives our lake system a bird sanctuary for nesting and roosting migratory waterfowl.

Listening to those VIBRANT waterfowl while hiking the hills along Green Road is a precious commodity in today's harried world.

Pond Lilly Lookout, trail 16 on your bridle trails guide, is yet another unique vista of the entire "valley". Awe inspiring hiking to view our Michigan's wonders.

These hills are some of the most rugged and challenging hunting ground any one can find in this lower half of our Michigan for Whitetail. Well worth the time spent even if you leave our area without game.

Come Home to Michigan.

Where have I heard that before?

I, literally, have walked or ran somewhere in the Waterloo State Recreation Area a minimum of three times weekly during the bitter winter months and daily from spring thaw throughout the summer and fall, through to the next bitter winter, for years. I feel very privileged to be a part of this beauty.

Perhaps blessed is more the word.

I also feel confident in knowing that I am qualified to talk about the area's beauty and abundance of prime hunting, hiking, fishing, camping and horse riding trails.

Which brings me home to "Waterloo".

Our Michigan.

I understand full well why, in their wisdom of not so long ago, our United States Government set aside this area for recreation and conservation.

I know that then, as is still true now, man was and is ever increasingly

destroying any and all natural beauty available to sustain man's ever expanding needs. Haiti and Egypt being the most extreme case of ignorant deforestation I can highlight quickly. Ignorant ravaging without consideration of consequence to the future; the very reason Waterloo State recreation Area was created, to prevent this beauty that is Waterloo, that is "MICHIGAN" from being destroyed and ravaged.

I believe it is the very reason the entire 10,000 acre plus Waterloo Demonstration Area was Quitclaim Deeded with such concise and strong deed restrictions.

The point Madame Director and Staff is that our President Franklin Roosevelt did not lightly sign a contract with the State of Michigan in the year of 1943. Nor, did he ignore, Madame Director and Staff, the possibility that less than seventy years from its signing and conveyance, our State of Michigan Department of Natural Resources and Environment would choose to flippantly violate its very concise restrictions.

The very language of the deed is so strong that no argument can be made for intentionally breaking its covenants. The deed President Roosevelt and Secretary Harold L. Ickes signed, placed the language simply on the page, so that all men and women would understand"PROVIDED ALWAYS, that this deed is made under the express condition that the State of Michigan shall use the said properties exclusively for public park, recreational, and conservation purposes..."

I believe that both the President of the United States of America and the Secretary of the Interior understood man's ever increasing needs. I believe that our United States of America purposely, intentionally, and with the knowledge that the land held future commercial value to the future citizens of the State of Michigan did willfully place ALL of Waterloo State Recreation Area under the covenants of a concise restricted deed, and hence, because of the concise deed restrictions, the United States of America did purposely and intentionally, set this land's commercial use aside and denied the sale that the commercial use might reap, all done with the intention that these restrictions carry through for posterity.

No wiggle room to allow mining on these lands. CUT. DRIED. SIMPLE.

I have been before our Michigan Natural Resources Commission in June of 2010 to read the Deed out loud for all to hear. I expressed then the petition voicing opposition to the M.D.N.R.E's WSRA Aggregate Industries Inc., case#20050400.

I have publicly, via a radio broadcast, expressed my opposition to any deed violations that would incur should the State of Michigan's flippant dismissal of the Quitclaim Deed restrictions and the preposterous proposal to

remove and destroy the beauty of the recreation land, for short term commercial gain, be entertained by members of the United States Department of the Interior, National Park Service. I believe the terms of the Quitclaim Deed signed by President Roosevelt and Secretary Ickes should and must be upheld in perpetuity. No flippant decisions by a group of bureaucrats that have no clue what the poor of us are doing, no flippant decisions by a group of bureaucrats who have no concerns about the needs of the poor, none of their opinions should have an impact on our very real, future and present needs for outdoor beauty here in Waterloo State Recreation Area..

President Roosevelt and Secretary Ickes understood the needs of the poor; our needs for recreation; our needs to enjoy nature; our needs to “get away” from it all to enjoy the outdoor world.

Our National Park Service was created for people of my caliber, people who are on the bottom of this world’s financial rung.

Waterloo was a present to our physical constitutions and mental wellness.

I have visited Sugarloaf Lake when ALL of the camp sights were taken.

I have visited the W.S.R.A. Equestrian Camp Ground when ALL of the camp sights were taken.

I have visited the commercial Farm Lane Equestrian Camp Ground, when ALL of the camp sights were taken.

Closing Green Road, the beauty road, to all of these thousands of people is cruel.

Drive to Lincoln Park, Detroit, Allen Park, Southfield, Southgate, Riverview, Redford, Taylor etcetera, etcetera, etceteralook at our houses, our jobs, our daily worlds.

WE ARE THE PEOPLE WATERLOO STATE RECREATION AREA WAS DEEDED TO:“PROVIDED ALWAYS”.....!!!!!!!!!!!!!!!!!!!!!!

The Michigan Department of Natural Resources and Environment is merely OUR lands’ steward.

We pay the employees of the M.D.N.R.E. to effectively steward OUR lands.

We do not intend for that stewardship to become M.D.N.R.E. ownership.

The land involved in the WSRA, Aggregate Industries, Inc., case#20050400 is NOT UNDER UTILIZED State owned land as has falsely been stated by the M.D.N.R.E.. Thousands of people flock here to experience the same respite as I do. All of us who use these waters here in Waterloo and who use these trails or who hunt these hills and flush these meadows experience the same awesome wonder that is “PURE MICHIGAN“.

THIS Waterloo State Recreation Area is OUR NATURE.

The preposterous land exchange that the M.D.N.R.E. expresses is a WIN-WIN for the recreation users of the area is a bold face fabrication of the facts.

We in Waterloo experience robust hiking and riding under the canopy of mature, beautiful shade trees.

We in Waterloo experience the beauty and wonder of bow hunting from MATURE trees able to hold a tree stand.

We in Waterloo experience the open meadows and the small water holes where migratory waterfowl nest and roost.

We in Waterloo experience what is now natural, raw and beautiful.

We experience Michigan right here in Waterloo.

The proposed "GIFT" land is disastrous flat land that NO fowl will ROOST in or nest in for years to come.

The proposed "GIFT" land has NO TREES for bow hunting tree stands.

The proposed "GIFT" land has NO SHADE.

The proposed gift land is a horrendous substitution of empty ugly scrubland.

I use Waterloo State Recreation Area daily. I am a taxpayer and I am a voter.

I oppose the Michigan Department of Natural Resources and Environment Waterloo Recreation Area Aggregate Industries Inc., case#20050400.

I am the reason Waterloo State Recreation Area exists.

I am Waterloo.

Tangie

Shamika's response (3/16/11)

Thanks for your input. This will be included in the conversion proposal.

109. Phyllis's letter (3/13/2011)

Paul,

Please accept our apology for the tardiness in sending this to you. This is our response regarding the proposed property allocation for gravel mining.

Sincerely,

Phyllis

Attachment :

RE: LWCF 6(f)(3)

To Whom It May Concern:

This is with regards to the request to convert 72 acres of land adjacent to Clear Lake to gravel mining use. We strongly support the position taken in the “Rebuttal to the LWCF 6(f)(3) Conversion Proposal Being Submitted by the Michigan Department of Natural Resources and Environment to the U.S. National Park Service” submitted on March 2, 2011 by the Clear Lake Property Owners Association.

It is our opinion that this is not a “reasonable equivalent” replacement as pointed out in the rebuttal on pages 28 – 31. Not only is this not equivalent, it goes against the federally deeded restriction that nearby land be used solely for recreational purposes.

It is also our opinion that this “deal” has been negotiated privately and not openly to the public as it should have been. It was not until December 3, 2009 that any publicly available information surfaced and it is clear that the negotiations had been ongoing for approximately eight years. This is a total violation of public trust and undermines the very fabric of a democratic society.

As a land owner on Clear Lake, we have both a financial and emotional investment in our own property as well as the area surrounding the lake. Placing a gravel mining operation so close to a recreational lake like Clear Lake can only hurt the value, aesthetics, and noise levels in the area. In addition the real estate appraisal value set forth in the proposal was derived using incorrect and misleading methods. Please read “Section 8: Procedural Deficiency: Invalid Real Estate Appraisals” in the aforementioned “Rebuttal” for a more definitive discussion on the appraisal value of the property involved.

We encourage you to read the “Rebuttal” referenced above that was developed by the Clear Lake Property Owners Association and that you deny the DNRE’s request.

Sincerely,

Phyllis

[Shamika’s response \(3/16/11\)](#)

[Thanks for your input. This will be included in the conversion proposal.](#)

110. Darryl's letter (3/14/11)

Mr. Yauk

This is a raw deal for the residence of Waterloo. Aggregate Industries is not a good neighbor, there are always issues on the table with this gravel pit, whether it's the attempt to expand Green road for better access to the pit or this issue, the encroachment to residential property and I'm sure there are probably others.

We were looking at property on Clear Lake, but that is definitely on hold til this issue is resolved. The house we where interested in is ONLY 1000 feet from the new property line of this planned land deal, that is only 3 football fields from private property and the lake, not a good move or investment for anyone.

The only people benefiting from this deal is the State of Michigan and Aggregate Ind. and the residence get to worry about their water table, dust and dirt in the air, and noise for only being 1000 feet from this operation. In documentation that the DNRE had presented was a wind study, it had mentioned that the wind ONLY blew from the direction of the gravel pit to the lake ONLY 15% of the time, which is 53 days a year!!!! who wants that? who needs that for one day a year? This is ALL about money\$\$\$\$\$, royalties, it's not about 72 acre swap or a 350 acre gift, or the threat of development, Waterloo Rec area is so large, that 72 or 350 acres is so small in the overall picture of this area. The residence of Waterloo are already surrounded by gravel pits, they don't need to be any closer.

From potential home buyer, Darryl

Shamika's response (3/16/11)

Thanks for your input. This will be included in the conversion proposal.

111. Leslie's comment (3/14/11)

when I first heard this is sounded like a bad idea, but on reviewing the facts, it sounds like a wonderful idea! the gravel pit is hilly and should make a great site for riding and hiking when restored. good luck in achieving the new gravel pit and restoring the old one. thanks

Shamika's response (3/16/11)

Thanks for your input. This will be included in the conversion proposal.

112. The Allen's comments (3/14/11)

Mr. Yauk,

Please place this letter in the public response records regarding the Waterloo Recreation Area /Aggregate Industries issue to be forwarded to the a National Park Service .

To whom it may concern at the National Park Service,
The Michigan DNRE has conspired with Aggregate Industries to conceal a land swap deal of property that had been deeded to the state of Michigan to be used for public recreation purpose... FOREVER!!!

This deal has been glorified to the media and the general public as a wonderful gift of 324 acres from Aggregate Industries, in exchange for the right to mine 72 + acres

The “gift” is land that has already been ravaged by Aggregate Industries, and no longer has any value or use to Aggregate Industries, or anyone else.

The threat has been that if this swap is not consummated, Aggregate Industries may allow their land to become a housing development. This is not likely in the current economic climate, but a housing development would look much nicer than what is there now, and actually would bring property values up, not down. Expanding the mine would absolutely have a very quick and very dramatic decline in nearby property values, especially Clear Lake property values. Please consider, if you were looking for a lake property in the Waterloo Recreation Area, and could choose from 14 other lakes, would you purchase a property on Clear Lake, with a gravel pit as close as Aggregate Industries wants to mine to Clear Lake?

It is hard to imagine that any appraiser could consider that the highest and best use of these 72+ acres is a gravel pit! It is also unbelievable that the land Aggregate Industries is willing to “give” to the DNRE could possibly be worth the same or more than the 72+ heavily wooded acres they want to mine. The land to be given by Aggregate Industries will be of no use to anyone, just as the 72 acres will be of no good use to anyone, when they are through mining it.

There has been little done to satisfy the area residents’ concerns regarding the effect the mining could have on the water levels and water quality of Clear Lake, and the area wells, air quality, and noise levels.

We have depended on the DNRE to protect and preserve the Waterloo Recreation Area and its 15 lakes, and 21,000 acres for hiking, riding, hunting, fishing, and wildlife habitat. It is unfortunate that these no longer seems to be the DNRE’s goals.

Please, before a decision is made, take a look at the land Aggregate Industries own, and have mined. Take a ride to the corner of Harvey Road and Clear Lake Road to see how poorly they have reclaimed the land they are finished mining. Drive down Loveland Road, where Aggregate Industries is currently mining, and up a “Natural Beauty Road”, Green Road, that Aggregate Industries wants to destroy.

Please look long and hard at the 72 + acres they want to replace with and gravel pit, and please while you are there, take a ride around Clear Lake. It is a little gem of a lake in the Waterloo Recreation Area.

It will be a travesty if this request to expand the mine is granted.
PLEASE DENY IT!!

Thank you,
Patrick and Theresa

Paul Yauk's response (3/15/11)

Mr. Allen, I will forward this letter to the National Park Service. Paul

Theresa's follow-up (3/17/11)

Mr. Yauk,
Did you receive my last e-mail, asking if you are no longer putting public response on the DNR website?
Theresa Allen

Paul's response (3/17/11)

The website will be posted for a short period a time to allow The President of the Clear Lake Property Owners Association Ms. Kliensmith to verify that we've received all of the emails and public comments on this issue. Paul

Theresa's follow-up (3/17/11)

Mr Yauk
Can you please respond to my last e-mail?
Theresa Allen

Paul's follow-up (3/17/11)

I received your e-mail on the Waterloo Transaction on March 15 and will include in the package to the National Park Service. Paul

Shamika's response (3/17/11)

Good morning Ms. Allen:

We're currently going through all of the emails we've received and the remaining comments will be posted on the website soon.

Thanks.

Theresa's follow-up (3/17/11)

Thanks

Shamika's follow-up (3/17/11)

No problem.

Enjoy the rest of your day.
[Theresa's follow-up \(3/17/11\)](#)
Have a great afternoon

[Theresa's follow-up to Paul Yauk \(3/17/11\)](#)

I checked again late last night, and my last letter was not there?????

[Paul's response \(3/17/11\)](#)

Ms. Allen, comments on this case came in to different people under different titles, I just received a comment in the US mail. We are currently collecting all comments on this issue, give us some time, we will post them when they are all assembled. Paul

[113. Ms. Carol's comments \(3/14/11\)](#)

Dera Mr. Yauk,

This email and for the public comment period regarding the Waterloo Recreational Area was submitted before the end of the public comment period date of March 15, 2011.

Thank you,

Carol

March 14, 2011

Paul Yauk,
Lands Coordinator for DNRE's Recreation Division

Subject: Waterloo Recreation Area conversion proposal

Dear Mr. Yauk,

Before I address the Waterloo Recreation Area (WRA) conversion request I would like to make some relative points about the tragic impact that the approved conversion for a Jack Nicklaus championship golf course development had on the dunes and other globally rare features of Jean Klock Park in Benton Harbor, Michigan.

Over the years the City of Benton Harbor was given approximately 1.7 million dollars in various grants for improvements to JKP. Among the many grants were a Michigan Natural Resources Trust Fund (MNRTF) grant for **“preservation and enhancement of fragile dunes and wetland areas”** and a LWCF grant for the construction of a new bathhouse.

In 2003 I began a grass roots campaign to stop private development within JKP and joined a lawsuit that resulted in a 2004 consent judgment that allowed the contested development but restricted further commercial or privately owned development in JKP. Years of battle followed that involved constant appeals to the MNRTF Board, the MDNR, MDEQ, Michigan State Historic Preservation Office, ACOE and NPS.

In 2005 I brought several Benton Harbor City residents before the MNRTF Board to express their opposition to the then proposed leasing of a large portion of pristine sand dunes and spectacular natural habitat of JKP for a privately owned and operated championship golf course. Like the WRA, not only did LWCF restrictions apply to the park’s 6f3 boundaries, but also a 1917 deed gifting the park that included land use restrictions.

On October 18, 2006, in an attempt to convince MNRTF colleagues to remove the JKP conversion proposal from the agenda - and if that wasn’t possible, to vote it down - Lana Pollack sent an email to her fellow board members which in part said the following:

*“In addition, the project would be to likely to **forever alter these natural dunes.** And most important, conversion would **break the trust** under which this land was given to Benton Harbor which in turn would **put into question the permanency of every other protected property.**”*

Under the orders of then Governor Granholm, and despite opposition against the golf course development in the park from both written comments and those presented by experts and others who attended the meeting, the MNRTF voted 4-1 to approve the conversion proposal and the destruction of JKP’s natural resources.

Following the MNRTF Board’s approval the MDNR worked closely with the golf course developer’s attorney who was also working with the State’s assistant D.A. in attempt to manipulate and hasten (along with Congressman Fred Upton’s interference for Whirlpool) the NPS and ACOE’s approval. Regardless of the findings that I and others presented to the NPS and ACOE concerning the questionable practices and conflicts of interest that took place, the NPS ultimately approved the conversion and delivered the final blow to JKP’s unspoiled natural resources - a tragic precedent setting decision.

In 2008, I and a fellow plaintiff from the 2003 settlement agreement and 2004 consent judgment had no choice but to file a second lawsuit in the State Court in an attempt to enforce the Klock deed and the 2004 consent judgment. Litigation continued to the Michigan Court of Appeals then to a Michigan Supreme Court leave to appeal which in the end was not heard - but not without the following dissenting opinion of Supreme Court Justice Stephen Markman:

*“... I believe that the City’s use of Jean Klock Park, by leasing portions of it for 105 years to a private commercial entity, the Harbor Shores Community Redevelopment, Inc., for its use as a golf course, constitutes **a breach of faith...** Although the City prevails today, it, and other communities throughout our state, may well come out losers tomorrow as later generations of philanthropists look at the legacy of J. N. and Carrie Klock and **come to question the faithfulness of government** in upholding their intentions after they too have passed. I respectfully dissent.”*

Fast forward to March 2011 -- The crests and the landward side of the JKP’s “fragile dunes and wetlands” have been decimated beyond recognition. The once beautiful wooded dunes were stripped of nearly all of their vegetation. All of the natural ridges, slopes and hollows, that many were so intimately familiar with, no longer exist. It’s as if the entire landward side of the varying slopes of the dunes were amputated, creating a steep grade of sliding sand, making it impossible for anything to take root.

A place that was once the site of globally rare natural resources has been turned into a commercial operation with non-native golf course turf and chemical run-off. If (more likely when) the golf course was to fail, or by some miracle the rightful public was able to reclaim the conversion area for use as a public park, it would take decades to restore the dunes to any state of “natural”, if at all. The trees and lost features of the dunes are still in the hearts and minds of so many who feel as if those features were limbs of their own - limbs that have been lost forever. And by the time the dunes and wetlands could be restored, those of us who painfully long for what was once there will be dead and gone.

The reason I felt it necessary to go into this detail is because what needs to be understood is that what happened to JKP **should NOT happen** to the Waterloo Recreation Area. It’s not important that only 72 of Waterloo Recreation Area’s 20,000 acres would be leased and later reclaimed after ten years, or the fact that 324 (razed) acres will be mitigated. No matter how it’s presented it is **NOT a fair trade** and never will be. The proposed conversion; reclamation; restoration process will take decades, all the while being off limits to the public - just like the lost sand dune mining reclamation site at Grand Mere State Park.

The proposed conversion area is in part protected by the LWCF Act and in part by a restrictive deed requiring “...***that the state of Michigan shall use the said property exclusively for public park, recreational and conservation***”

_____.” In light of the “conservation purposes” language in the deed I question the state’s legal right to convert the use of this portion of the recreation area to strip mining as it is in direct violation of the “*conservation purposes*” use restriction in the deed.

Living legacies are irreplaceable and the unspoiled Waterloo Recreational Area, is no exception. It is a legacy for the people of the state and its visitors and should be promoted as an eco-tourism destination, not a strip mine. It’s unacceptable that its natural resources should be destroyed in order to generate state revenue. And speaking of revenue - what’s to stop Governor Snyder from allocating the projected 8 million plus in mining royalties to the increasingly deceitful ‘Pure Michigan’ campaign? I’ve seen stranger things than that happen through my 8 years as an advocate for JKP.

The first conversion that was approved for JKP was a 4 acre residential development. back before the board asking for another 22 of the remaining 73 acres of JKP for a golf experience there is no doubt in my mind that before the 10 year lease is up for the first WRA conversion that Aggregate Industries will be negotiating with the MDNRE (that is if the MDNRE or DNR and DEQ continue to exist) for more of the WRA land.

I fear dangerous precedents have been set by state and federal agencies and the courts. I fear that those same agencies are about to further “***break the trust***” of the public and commit a “***breach of faith***” regarding the restrictive deed that’s associated with the proposed conversion of the WRA, fulfilling the prophecies of both former MNRTF Board Commissioner/Chair, Lana Pollack and Michigan Supreme Court Justice, Stephen Markman.

I fear the approval that was given for the conversion of JKP might in some way influence or seemingly justify the proposed conversion of the WRA land to allow a strip mining operation. I do not trust the honesty and integrity of most industries or their legal representatives – state and federal environmental regulatory agencies - or our State Representatives, Congressmen, the Attorney General’s office, or the Governor - to listen to us - the people of Michigan. Where is our voice? No doubt I’m wasting mine -again.

As a life-long resident of the state of Michigan, who has ownership in state lands, I adamantly beseech the MDNRE to withdraw the conversion request for a strip mining operation in the Waterloo Recreation Area, and if not that the NPS, with prejudice, deny the MDNRE’s request.

Respectfully,

Carol

Paul's response (3/15/11)

Ms. Drake, I will forward this e-mail to the National Park Service. Paul

114. Sheryl's comments (3/11/11)

March 11, 2011

Dear Mr. Olson,

I very recently learned of the intention of the Michigan DNRE to allow mining on some of our states' beautiful protected park land (in the Waterloo State Recreational land in Jackson County). This is a terrible precedent – almost as bad of a decision as letting Canada dump their waste into our beautiful state. I understand that the State will get about \$7 million from this deal and some used up mining land donated back to us in about 10 – 20 years. I still think it's a bad deal!

How will we ever move Michigan out of this economic depression if we continue to make short sighted decisions like this?

I am a native Michigander and live in Ann Arbor , Michigan . You know Ann Arbor very well. Our residents have never turned down a millage for the Parks as long as I can remember. There are a lot of bright, entrepreneurial and environmentally concerned young people living here that I think would be good to keep in this state if we want to move it forward. Google is here. These same people love their parks. Our city and state parks nearby are heavily used. I see the people hiking, running, biking, mountain biking, backpacking, canoeing, etc. I believe our City parks and State parks and the protected lands are a tremendous asset in attracting the kind of people to Michigan that we want to build clean and innovative businesses to help move Michigan forward.

I do not mean to be disparaging to the state of West Virginia , but we know that it is well known for its mining and I have not heard anyone ever say they wished they could move to West Virginia . I really hate to see Michigan cave in to the pressures of waste dumping, mining, etc. that will continue to turn our beautiful state into a place where no one wants to live.

I know the waste dumping is a separate issue, but it falls into the same type of short sighted decision making that I see with the mining proposal. The mining company is not even from Michigan . It's time for Michigan to stop being a place of dumping and mining for outside interests and utilize the beauty we have to attract the types of economic development we want.

I read on the DNRE website that the mission of the DNRE is to use regulations to protect our land. I know that you would not have gone into the kind of work you are in if you did not value protecting our beautiful state - especially that land that was given to us to protect and use as recreation and conservation.

I appeal to you and to the DNRE to please be a help and a stepping stone to real economic progress in Michigan and do not cave in to the pressures of a mining company that will only further our reputation as a backward state.

Please, please help protect Michigan ! I respectfully ask that this letter be entered into the official public record for the DNRE Land Transaction Case No. 20050400 (or the correct number for the Waterloo Mining Issue).

Sincerely,

Sheryl

Yolanda's response (3/14/11)

Ms. Marzonie:

Thank you for your comments and concern for our natural resources. By copy of this e-mail, I am providing your comments to Mr. Paul Yauk, our Land Programs Manager, regarding the proposed Agreegate Industries Land Transaction at the Waterloo Recreation Area, who is gathering all public input/comments for consideration.

A web site was created to provide background information regarding this proposed land transaction, which you can access by clicking on the link below:

http://www.michigan.gov/dnr/0,1607,7-153-10365_31399-245300--,00.html

You can also access this site by going to www.michigan.gov/parkmanagementplans, under "Special Information" (scroll all the way to the bottom of the page).

Thank You!

Yolanda Taylor, Executive Assistant to
Ronald A. Olson, Chief, DNRE Recreation Division

Paul's response (3/15/11)

Thanks Yolanda, we will include this e-mail in the packet to be sent to the National Park Service.
Paul

115. Cindy's question (3/15/11)

Hi Shamika,

Now that the last day to receive public comments has arrived, I'm wondering about the letters that have come in during the 30 day public comment period. I haven't seen any new letters posted in the Public Comments pdf since the end of February. Are you planning to post the rest of the letters on the pdf before you send them in?

I have copies of some of the letters that people have submitted but not all of them because some people do not always send copies to me.

Are you going to send everything in to the NPS soon? Then you can focus completely on your new job. :)

Thanks for any help you can give me on this.

Cindy

Shamika's response (3/15/11)

Good morning Ms. Cindy:

Yes, I plan to submit the comments to our webmaster soon with the exception of your large document you submitted via mail and Gregg's large document he submitted through the mail. I received several emails over the weekend and some this week (I anticipate receiving more today). I wanted to make certain that I had all of the emails before I sent the document to our webmaster. In addition, Paul Yauk has not responded to all of the concerns, so I was waiting for his responses. To eliminate confusion, one document will be sent to the webmaster that contains the citizens' concerns and Paul Yauk's responses. If I send the document to our webmaster every time I receive an email, it may cause confusion.

Yes, I will send all of the concerns (letters) to the National Park Service soon. Mr. Yauk is responding to these concerns, so I'll have to wait for his responses before submitting to the National Park Service.

Thanks.

116. Ms. Connie's comments/questions (3/13/11)

Please post in the public record

Dear Mr. Yauk,

I have to tell you I am totally scratching my head about the appraisal that was done for the proposed conversion of 72+ acres of Waterloo Recreation land to allow for gravel mining by Aggregate Industries. Am I wrong, or aren't you asking for this conversion for the **expressed purpose** of being able to allow gravel mining of recreational land? If that is so, why would the appraiser look at the 72+ acres as highest and best use being recreational land? Isn't that contrary to the reason for asking for the conversion and the land's intended use for the next 10 to 19 years?

I've been a real estate agent for more than 16 years, so I deal with appraisals on a regular basis. The first rule of appraising is to compare "apples" to "apples". Obviously, the two parcels in question, the 72+ acres of state owned recreational land and the 324 acres of Aggregate Industries gravel mine are very different from each other in their current uses so they are not both "apples". If you use the argument that **eventually** they will both be recreational, you must also argue that **soon** they will both be gravel mine. Since the reason for asking for the conversion is to allow gravel mining, shouldn't the parcels have been appraised as gravel mine land? We both know the resulting values for each parcel would have been significantly different in that case since Aggregate's 324 acres is essentially depleted of gravel while the state's 72+ acres is supposed to yield how many thousand ton?

Both appraisals (for the conversion parcel and the mitigation parcel) were performed in accordance with The Uniform Appraisal Standards for Federal Land Acquisitions (aka "Yellow Book") as they pertain to Land and Water Conservation Fund 6 (f)(3) conversions. The Uniform Appraisal Standards for Federal Land Acquisitions can be found at <http://www.justice.gov/enrd/land-ack/Uniform-Appraisal-Standards.pdf>. If you review of the standards while giving a close reading of the appraisal reports you will better understand the appraiser's conclusions. Both appraisal reports were reviewed by an appraiser qualified to review "Yellow Book" appraisals for 6(f)(3) conversions. The review appraiser approved both appraisal reports. The Department is confident the appraisals address the valuation questions in a manner consistent with the needs of the 6(f)(3) conversion process.

As long as we're talking values, again as a Realtor, I **know** my home value will go down if this conversion takes place. When my husband and I bought our home on Clear Lake 5 years ago, we knew nothing of this proposed gravel mining expansion, even though you were already in negotiations with AI about it. Had we known, we never would have purchased our Clear Lake home, because as a Realtor I know that gravel mining close to a home will have a negative impact on its value. Sure, we saw AI's gravel operation down Natural Beauty Green Rd., but it looked near depleted and we knew there was plenty of state owned recreational land between us. We are putting our Clear Lake home on the market in the next weeks. If it doesn't sell before the proposed gravel mining expansion, will the state compensate us for our losses from the \$7-8 million you expect to get from AI? Or maybe you or someone else at the DNRE would be interested in buying it at its current value?

Sand and gravel extraction has taken place on the Aggregate Industry location for over 50 years. This transaction would restore the 324 acre parcel and 72.44 acre parcel include a time frame for final completion of sand and gravel extraction at this site.

I also have concerns about the environmental assessment that was done by JFNew. They are supposed to include the data of all the well logs within a one-mile radius of the proposed gravel mining. Unfortunately, they got their **very incomplete** well log information from the DNRE, which from the first public meeting demonstrated that it doesn't know what houses are on Clear Lake or their locations. Specifically, our well log

is not included in the environmental assessment even though our well has been in existence since 1968 and is one of the closest to the mining area.

The JFNew document is a reference and not funded by this office.

The level of incompetence and lack of regard for the Waterloo community that has been demonstrated by the DNRE throughout this whole process has me very frightened for the future of Waterloo Recreational land, its neighbors and its users.

Sincerely,

Connie

Paul's response (3/15/2011)

Ms. Velin, I have responded to your questions below. Paul (**Paul's responses are italicized above**)

Ms. Connie's follow-up (3/15/11)

Mr. Yauk,

Thank you for your responses. I will take a better look at the appraisal information you provided. I don't understand your response to my question about whether the DNRE would compensate homeowners their losses.

Your response about the environmental assessment troubles me since you are taking no responsibility for it, but included it in the conversion proposal. Including it in the proposal means that you find it a believable reference, even though it is incomplete.

Connie

Paul's response (3/17/11)

Ms. Velin

The existence of both the recreation area and mining operation has been a constant for over 50 years. Much broader value shaping influences are reflected in the real estate market (Jackson County, Waterloo Township). Such factors as employment conditions, lending, taxes, current rate of foreclosures, saturated market for single family and second home market, etc. serve to shape the market demand.

117. Larry's comments (3/14/11)

Dear Mr Yauk,

I am inclined to take a negative view of the proposed transaction (at least until there is a clearer explanation given to the Public and there is a better outside ecological assessment) for the following reasons:

1) The Public comments are very negative and indicate some communication problems-

We do have support for this project but the Clear Lake Associations position has been negative. In regards to communications, the DNR has held meetings on:

*January 7, 2010 (January 2010 NRC Meeting)
January 19, 2010 at the request of Waterloo Township, board meeting project presentation and overview
March 13, 2010 local public meeting at the Waterloo Recreation Area (morning)
March 13, 2010 site visit (afternoon)
September 2, 2010 Public information meeting at the Waterloo Recreation Area
February 13, 2011 Presentation to the board of Region 2 Planning, Jackson MI*

On October 18, 2010 the DNR set up a web-page to make the process and public review open and transparent.

<http://www.michigan.gov/dnr/0,1607,7-153-10365_31399_31403-245300--,00.html>

2) There are some significant questions* about legality from the National Park Service, Northeastern Division stating that the proposed conversion process is illegal (with some good reasons).

*See pg 13/136 of previous public comments.

The DNR has followed the standard NPS conversion request process as outlined on page 2 and 3 of the January 7th 2010 NRC memo. The transaction would be a lease of land for a limited time frame, with no net loss of land for public recreation over the term of the lease.

3) This project sets (reinforces?) a bad precedent, and in the light of the political breach of trust in the case of Jean Klock State Park (<http://www.savejeanklockpark.org/>), there is reason not to trust. *Jean Klock is a City of Benton Harbor park. As a local issue, Parks and Recreation Division has no background on this case. In regards to trust, Parks and Recreation Division has provided two examples of outstanding restoration projects at other State Park sites in power point presentations.*

4) What guarantee (performance bond?) is there to ensure that the mining company will follow through?

The DNR would own the 324 acres at the signing of the lease, valued at \$810,000. A performance bond would be held by Waterloo Township for the value of the restoration to assure that reclamation will be done. If the company walked away from the project the state would keep the land and bond.

5) This also encourages the DNRE to cash out its assets to support itself in lieu of Public (taxpayer) support. These may look good to some politicians, but they do not server the DNRE or the Public well.

- The DNR believes that this is an outstanding transaction and is overwhelmingly in the State's favor.*
- The State will receive 324 acres restored to DNR specifications*

- A re-vegetation program using native genotype grasses, shrubs, and trees.
- A plan to ensure that there is no net loss of open-space available for recreation
- Significant increase in the amount of land for public recreation at this location near major Michigan population centers.
- The 72.44 acre lease represents .3 of 1% of the public land at the Waterloo Recreation Area

Sincerely,

Larry

Paul Yauk's response (3/15/11)

Larry, thanks for taking the time to review the project and reply. I have made a quick response to some of your questions below: Paul

118. Mr. Gregg's question (3/16/11)

Shamika;

Thank you for keeping us updated. Will Mr. Yauk's response to these apparently recent concerns be available for public scrutiny?

Regards,
Gregg

Shamika's response (3/16/11)

Good afternoon Mr. Gregg:

No problem.

Mr. Yauk will be responding to the recent emails we received over the weekend, emails we've received this week and the large documents that were sent through the mail. According to the Land and Water Conservation Fund manual, Chapter 4 (4-9), the State is responsible for reviewing the public comments and responding to substantive comments. It appears that he is complying with the federal guidelines.

Pertaining to the public having an opportunity to respond to his response (to the public), the public comment period has ended. If you have any questions regarding his responses, please contact him directly.

All of the emails and responses will be on the website soon.

Thanks.

Gregg's follow-up (3/16/11)

Hello again, Shamika;

OK, I understand about Mr. Yauk's responses. But I am a bit confused about the web site. You are saying that the public comments will be published there (except for Mr. Kleinsmith's and my responses)? I understood that the web site was to be taken down soon after the public comment period ended, that being about now. Is that not the case now? When would you expect the web site to be taken down and the public comment to therefore no longer be available? Perhaps I am misunderstanding this (again...)?

Regards,
Gregg

Shamika's response (3/16/11)

Good afternoon again Mr. Gregg:

It was the intent of the department to take the website down after the public comment period ended on yesterday. However, on yesterday (3/15/2011- the end of the comment period), I received an email from Ms. Cindy inquiring about the emails that were not posted after February 28th. So, I immediately told Mr. Yauk that we should post the remaining emails and responses on the website. As a result, the website is still up because of my request.

Please understand that I am trying to meet the needs of several affected public citizens. I respond promptly as I can, and sometimes the requests may cause a conflict in what was stated previously - as in this situation.

No, you're not misunderstanding this.

I'm assuming that Ms. Cindy wanted the emails to be posted to verify that we have all of the emails.

Thanks.

Gregg's follow-up (3/16/11)

Dear Shamika;

OK, I understand better now. So I think you are telling me that those later public comments will be posted and then the site will be taken down (maybe some days after it is all done so Cindy can verify, etc)? If that is still the basic plan (to take it down in relatively short order), then all is good here. As long as my input and Mr. Kleinsmith's (via the CL Prop Owner's Assoc) will be included as part of the official public record that is attached to the NPS application, everything is good.

Thanks again for your work. And no worries about confusion, I know how it goes sometimes. Some times I even cause it myself! :)

Gregg

Shamika's follow-up (3/16/11)

Mr. Gregg:

Yes, I'm stating that the website will be posted for a short period a time to allow Ms. Cindy to verify that we've received all of the emails. And yes, your proposal and the Clear Lake Property Owner's Association documentation will be included in the final conversion proposal, which will be mailed to Ms. LaForest and Mr. Bob Anderson. **I will personally email you and Ms. Cindy when the proposal is mailed.**

Please feel free to follow-up with Ms. LaForest and Mr. Bob Anderson to make certain they have received the conversion proposal in its entirety.

No problem. I'm happy we worked this out.

119. Tangie's comment (3/17/11)

Good Morning, I spoke to you over the telephone and requested that my CORRECTED letter addressed to Director Stokes, please be included and sent to the USDO, National Park Service regarding WSA Aggregate Industries case # 20050400. I did send the corrected hard copy via express mail to Mr. Yauk's post office box. I assume the printed hard copy with my signature will be what is sent with your packet. Is that correct? Thank you. T. R. Mann

Shamika's response (3/17/11)

Good morning Ms. Mann:

Yes, the signature letter addressed to Mr. Stokes will be submitted to the National Park Service. I currently do not have the letter, but will obtain it from Paul Yauk.

Thanks.

120. Tangie's comment (3/17/11)

I can only find comments dated to February 27, 2011 on the Waterloo State Recreation Area page, on the MDNRE web site. Are all of the received comments available on the Internet to read? If so, how can I read them. If you could please forward the information and/or link to the page I would be grateful. T. R. Mann

Shamika's response (3/17/11)

Good morning Ms. Mann:

No, all of the comments after February 27, 2011 are not posted on the website. I'm currently going through all of my emails. The emails and responses will be posted soon.

Thanks.

Tangie's follow-up (3/17/11)
THANK YOU!!!!

Tangie's follow-up (3/17/11)
Thanks again.

Shamika's response (3/17/11)
No problem.

121.Joan's letter with Paul Yauk's responses

Thank you Ms. Shoaf for your comments, I have responded below in italic. Paul

2/22/2011

Mr. Paul Yauk,

I am writing this letter to inform you of my strong opposition to the proposed expansion of Aggregate Industries mining. I would like to clearly state that THE PROPOSED REPLACEMENT PROPERTY IS VERY SUB STANDARD AS COMPARED TO THE PROPERTY WHICH WOULD BE LOST TO MINING! I see that on the DNR website, the posted documents regarding the proposed expansion, specifically document 33, page 7, states "At the moment of conversion, the Replacement Property will provide dispersed recreation opportunities, hiking, hunting, bird watching, etc. that are equal to or greater than those currently afforded by the Converted Property." THIS IS VERY MUCH NOT NOT NOT TRUE! The "converted property" which would be lost to mining, is densely wooded with terrific birding, hiking, hunting. The replacement property is of a much lesser quality for recreation for these reasons:

1) The proposed replacement property has been previously mined, and is not much more than barren grassland. (the proposed property lost to mining is mature forest).

Please refer to Section 2.1 to 2.1.3 of the Environmental Assessment on this issue. The parcel will also include a public parking area for use of the site.

2) The proposed replacement property is partially bordered by a road with heavy truck and equipment use (customers of Aggregate Industries) resulting in loud noise and dust.

The AI entrance road is located to the east of this property is made concrete, we do not believe that this is a determinate to the habitat, wildlife or the public using the land.

3) The proposed replacement property is divided by a road used by Aggregate Industries. *True, but over time the property open to the public will expand, linking it to existing state land.*

4) The proposed replacement property does not offer recreational opportunities comparable to the property which would be lost to mining. *Please refer to Section 2.1 to 2.1.3 of the Environmental Assessment on this issue. The parcel will also include a public parking area for use of the site.*

4) The proposed converted property which would be lost to mining, is mature forest. It seems a TRAGIC mistake to destroy mature forest. *Please refer to Chapter 1 of the Environmental Assessment on this issue.*

5) The proposed converted property which would be lost to mining is contiguous to the Waterloo Recreation Area. The proposed replacement property is not contiguous to the rec area. *The 324 acres gift of land neighbors the Waterloo Recreation Area to the north, west and east.*

I am requesting that this letter be submitted with the package to the NPS.

Again, I consider this proposal of mining expansion a tragic irreversible mistake.

Joan

122. Louise's letter with Paul Yauk's response

A DNR response has been made below in italic. Paul

March 2, 2011

To Citizens, DNRE Representatives, AI Administrators, and U.S. National Park Service Officials:

Re: Support for the Rebuttal submitted to U.S. National Park Service

Recently, the Clear Lake Property Owners have submitted a rebuttal document. I hope that all the parties concerned, including those reading this letter, will take the time necessary to read it in its entirety.

This rebuttal, **to the LWCF 6(f)(3) Conversion Proposal Being Submitted by the Michigan Department of Natural Resources and Environment to the U.S. National Park Service**, is logical, informative, and inclusive of the real issues affecting Clear Lake Property Owners, other area residents, and the users of the Waterloo Recreational Area.

I want it to be known that I reject the DNRE and the AI proposal and am in full support of the points addressed in the documented rebuttal. I take this position based on the reasons listed below regarding pertinent clauses and subsequent proof that offer evidence affecting the issue at hand. The information substantiates that the replacement property is **NOT** of

- Reasonably Equivalent Recreation Value
- NOR** is it of an
- Economical Equivalent Value

Both appraisals (for the conversion parcel and the mitigation parcel) were performed in accordance with The Uniform Appraisal Standards for Federal Land Acquisitions (aka "Yellow Book") as they pertain to Land and Water Conservation Fund 6 (f)(3) conversions. The Uniform Appraisal Standards for Federal Land Acquisitions can be found at <http://www.justice.gov/enrd/land-ack/Uniform-Appraisal-Standards.pdf>. If you review of the standards while giving a close

reading of the appraisal reports you will better understand the appraiser's conclusions. Both appraisal reports were reviewed by an appraiser qualified to review "Yellow Book" appraisals for 6(f)(3) conversions. The review appraiser approved both appraisal reports. The Department is confident the appraisals address the valuation questions in a manner consistent with the needs of the 6(f)(3) conversion process.

I further reject the DNRE/AI proposal for the reasons listed in my previous letter dated February 1, 2011, and am providing again, for your consideration following the closure of this letter.

I make one last point to U.S. National Park Service, Department of Natural Resources and Environment, and AI administrators; I am a citizen, a taxpayer, a neighbor, - just a small person, really, asking you to seriously consider the issue from my point of view.

In your scheme, there are no positive effects. No mention about the people, the homes, their property values, guaranteed water well function, and or continued quiet country living to really use the land for it's aesthetic value. There just aren't any advantages. The proposal doesn't increase my property value or make my drive from one side of the lake to the other easy. All I see are the related problems and negative outcomes.

Someone with backbone needs to stand up and admit that what may have initially seemed like the way to proceed is not.

The headlines need to say: DNRE and AI recognize incongruities: Both parties abandon the proposal.

Or at the next step, that

The U. S. National Park Service distinguishes a ruse.

Regards,
Louise Rohrkemper

February 1, 2011

Dear Mr. Paul Yauk:

Re: Waterloo Recreation Area – Aggregate Industries Land Transaction

I am saddened by the final additions in the proposal: **Waterloo Recreation Area - Aggregate Industries Land Transaction** – especially, these words; "At the moment of conversion, the Replacement Property will provide dispersed recreation opportunities, hiking, hunting, bird watching, etc. that are equal to or greater than those currently

afforded by the Converted Property." Your department attempts to justify your vision to us area residents, Waterloo Recreational area users, and Michigan residents.

Your proposal intends to give us 87 acres of 'replacement property' in exchange 72 acres and at a later date, years from now, with another gift of over 300 acres. At a glance, this seems like a great exchange, and perhaps to those who are uninformed a great deal. But I consider myself an informed and educated citizen and frequent user of the area. This proposal is disconcerting to me. Here's why.

In Michigan, haven't we seen enough of the country's widespread greed, which precipitated the current domino effect: poor economic conditions and high unemployment. This proposal has similar repercussions, because at another's expense, DNRE and AI will pad their affairs. DNRE will acquire more property after AI strip-mines the area and then, in the distant future (19 years) put everything back.

Enough is enough; your suggestion that more is better is not accurate in this case. It makes no attempt to consider this entity: citizen viewpoints, recreational users, seasonal residents, property owners, and correlated property value changes, noise, and air quality. Aesthetically, the proposed property, which will eventually be given to the people for use, is flat, with tall grasses. I find that as I walk through the area in winter or in summer the dense forest, rolling topography, and distant gradient views are much more appealing. This area will be lost at this time to those currently using it.

I disagree with your assessment for the following reasons:

- *The State will receive 324 acres restored to DNR specifications*
- *A re-vegetation program using native genotype grasses, shrubs, and trees.*
- *The transaction will restore native grasslands, only 1% of the native grasslands remain in Michigan.*
- *A plan to ensure that there is no net loss of open-space available for recreation*
- *Significant increase in the amount of land for public recreation at this location near major Michigan population centers.*
- *A royalty will be directed to the Michigan Natural Resource Trust Fund.*

Consider the human factor, now; it's not about more.

Area residents would be wise to review your proposal and express further opposition. It's my continued hope that even a DNRE representative would express resistance.

Sincerely,

Louise

123. Allen and Cheryl's comments (Sent 3/3/11)

A DNR response is provided below in italic Paul

As residents of Clear Lake we are writing to urge the National Park Service to deny the DNRE's request to convert 72 acres of recreational land to a strip mining operation. The best use of this 72 acres is for it to remain in its current state. It is currently a lovely forested area home to a diversity of wildlife and plants. The paths that wander through this area are a delight to stroll, ride a horse and enjoy nature as it was intended. Converting this land to a mining operation will create a noisy, dust polluted eyesore. The conversion would also include the closing of a section of Green Road. This road has been designated by Jackson County a "natural beauty road". The DNRE wrote in support of this designation but is now willing for that beauty to be decimated.

Please refer to Chapter 1 of the Environmental Assessment on this issue, this 72 acre parcel has a number of non-native, invasive plants, a single horse trail will be relocated with the help of the Waterloo Horsemen's Association. It is yet to be determined if a segment of Green Road (that included the old Green Farm) will be closed.

We do not consider the replacement land to be equivalent to this 72 acres. The area being proposed as a replacement is flat land covered by grass. It supports very little flora and even less wildlife. And it will be adjacent to the mining operation. We do not consider walking along the edge of a gravel pit the equivalent of walking through the woods!

Please refer to Section 2.1 to 2.1.3 of the Environmental Assessment on this issue. The mitigated parcel will also include a parking area, for the public to park and use the site.

The increased noise and dust produced by moving the mining closer to Clear Lake will not improve our property values. It will not enhance our enjoyment of the lake and surrounding lands. We are worried about the quality and quantity of the water in our lake. We are not assured when we are told that adverse effects when mining close to a lake "have not happened yet".

The existence of both the recreation area and mining operation has been a constant for over 50 years. Much broader value shaping influences are reflected in the real estate market (Jackson County, Waterloo Township). Such factors as employment conditions, lending, taxes, current rate of foreclosures, saturated market for single family and second home market, etc. serve to shape the market demand.

The northern point of the proposed extraction operation is 1,300 feet from Clear Lake, as the Topographic map indicates, the crest of the hill and vegetation on the crest is outside of the project area. The level of Clear Lake would be 12 feet above the level of the proposed base of the sand and gravel extraction area.

Please deny the DNRE the power to destroy that which they are supposed to protect.

Allen and Cheryl

133. Mr. Kleinsmith's letter (Sent on 3/7/11)

A response to Mr. Kleinsmith is highlighted below:

I am writing this letter to be included as part of the Public Comments in response to the DNRE Public Notice about its intention to submit an LWCF 6(f) Conversion Application to the National Park Service to convert 72.44 acres in the Waterloo Recreation Area for the purpose of gravel strip mining.

I urge the National Park Service to deny this proposed conversion based on the following procedural violation:

In order to obtain approval for the proposed mining lease from the State of Michigan's own Natural Resources Commission (NRC), the DNRE issued a Public Notice about the project on December 3, 2009 in the Jackson Citizen Patriot. This Public Notice gave citizens 30 days to comment on the proposed lease, and the NRC then approved the lease during its meeting on January 7, 2010. However, the Public Notice failed to mention the crucial fact that the lease involved gravel mining ON PUBLIC LAND within the boundaries of the Waterloo Recreation Area. Instead the Public Notice said that "The proposed lease is for an extension to an existing sand and gravel pit." Since the existing gravel pit is on private land, this statement conveyed the misleading impression that the lease involved private land. Since the Public Notice never mentioned the fact that the gravel mining lease would involve public land in the Waterloo Recreation Area, the DNRE failed to inform the public of this essential defining feature of the proposed mining lease. Since the public was deprived of this essential information prior to the January 7, 2010 NRC meeting, the public could not provide its informed comments to the NRC and the NRC approval of the lease should therefore be considered to be null and void.

I therefore respectfully urge that the National Park Service deny the DNRE application based on this fundamental violation of procedural due process.

The Natural Resource Commission memo of December 3rd 2009 clearly outlines the scope of the project, mineral lease and detailed descriptions of the leased and gift parcels of land. Please refer to Step 1 of the conversion process. Document #2

-Lewis

134. Ms. Cindy's letter (Sent on 3/8/11)

Response is italicized.

Mr. Yauk,

I am writing to say that I find it deeply dispiriting that the DNRE would allow a multi-billion dollar foreign company (Aggregate Industries) to gravel strip mine in the Waterloo Recreation Area. Aggregate Industries (AI) gets the best deal here:

I understand why AI would want such a convenient arrangement. They don't have to move any of their operations because the 72 acres of Waterloo Recreation Area they want to strip mine is adjacent to their current mining area. They get the best deal while we get to see 72 beautiful acres of Waterloo Recreation Area strip mined up to the crest of Murder Mountain. Why would the DNRE choose to do this?

The process operation is in a central location and would not need to be moved. This site will also the company to reclaim and open portions of the 324 acres to the south of the process operations and an area in the northern corner of the 324 acres.

The plan allows AI to close a Jackson County Natural Beauty Road that was designated such because it has unique features. These unique features would be strip mined just like they do in Kentucky and Tennessee. Mr. Yauk, several years ago, you wrote a letter strongly supporting this "Natural Beauty Road" designation of Green Road, and now you are seeking to allow strip mining that will destroy a good portion of it. How can we trust the DNRE if first they proclaim that this road and surrounding area has the qualities to declare it a "Beauty Road" and next they argue that this same road should be gravel strip mined? With our Beauty Road closed, Aggregate Industries will be able to put their conveyor belt across it so they won't have to move their plant operations. Very convenient for them, devastating for the citizens of the Waterloo area.

In 2003 I met and drove a number of roads in Washtenaw and Jackson County regarding Natural Beauty Roads. A point of beginning and ending was clearly outlined at that time and reflected native oak habitats. On March 13, 2010 a site visit meeting was held on site and further outlined this boundary and highlighted the invasive species to be removed as part of this proposal. (former Green Farm) I can not answer why the road designation was extended to the east across the area of the Green Farm.

In regards to the conveyor belt, a tunnel currently exists that runs under Green road from the process plant to the ponds to the north of Green Road, this tunnel will remain and be used.

To satisfy LWCF requirements, the DNRE has declared that the 87 acres of replacement property is of equivalent "recreational value" to the 72 acres that AI will gravel strip mine. In fact, those 87 acres are composed of flat grassland that is bounded on one side by a haul road used by Aggregate Industry's noisy commercial cement trucks and other large commercial vehicles. Near to this 87 acres is the AI plant where many noisy gravel operations take place. In contrast, the 72 acres that will be gravel mined is currently a densely wooded, hilly forest where hikers, horse riders, and hunters enjoy the sense of being in the wilderness. How is that equivalent? There will be no hunters or horse riders on the 87 acre replacement land. And why would any hiker choose this property over the rest of Waterloo Recreation area? This is clearly a good deal for AI, but an enormous loss of recreation value for the citizens of the Waterloo area.

I disagree with this statement, only 1% of the grasslands remain in Michigan, it is a critical resource to protect and enhance. Please refer to Section 2.1 to 2.1.3 of the Environmental Assessment on this issue.

And the DNRE wants to allow gravel strip mining on land that was gifted to them in 1943 by the Federal Department of Interior solely for the purpose of conservation and recreation. I can't imagine any reason good enough to break such a clearly-stated public trust. It seems that one of the reasons is that it is convenient for a multi-billion dollar foreign company to expand their operations on this public land. Is that a good enough reason? Another reason is that the state of MI will receive \$8-9 million? Can money buy the right to strip mine land that was gifted as a public trust to the DNRE? Another reason is that AI would not sell to the DNRE. Of course they wouldn't. They clearly wanted to gravel strip mine in the Waterloo Recreation area so they said they wouldn't sell. Clever business ploy! Do we want to be the victim of such a stance from a multi-billion foreign company? I say we don't.

I disagree with your assessment for the following reasons:.

- *The State will receive 324 acres restored to DNR specifications*
- *A re-vegetation program using native genotype grasses, shrubs, and trees.*
- *The transaction will restore native grasslands, only 1% of the native grasslands remain in Michigan.*
- *A plan to ensure that there is no net loss of open-space available for recreation*
- *Significant increase in the amount of land for public recreation at this location near major Michigan population centers.*
- *A royalty will be directed to the Michigan Natural Resource Trust Fund.*

I am hopeful that the National Park Service will take note of these issues and many more to be found in the Clear Lake Property Owners Rebuttal Report. That Report describes in detail the issues raised above and includes numerous other substantive reasons for denying the DNRE request to allow gravel strip mining in their own recreation area.

Please include these Public Comments in the DNRE Conversion Proposal to the National Park Service.

Sincerely,

Cindy

135. Randall's letter (Sent 3/8/11)

A DNR response is highlighted below in italic:

Dear Mr. Yauk,

I am writing to again express myself and my wife's **COMPLETE OPPOSITION TO THE EXTENSION OF THE AGGREGATE INDUSTRIES GRAVEL PIT**. We are homeowners on the east side of Clear Lake.

The extended gravel pit will destroy 72 acres of densely forested land that is used every year by thousands of hikers, hunters, horseback riders, and other recreationists. The acreage is predominantly forested by native species, not invasive ones as you claim (your own sampling data demonstrate that.) The parcel supports several threatened species of plants and animals; these will also be lost. The extension will also destroy the southeast side of "Murder Mountain" which will ruin a wonderful vista from the top of the hill. There also will be serious erosion from the hill into Pond Lily Lake and its wetlands. Half of Green Road, a designated Scenic Road, will be destroyed and homeowners who depend on that road for access to their homes will be impacted and potentially in danger if Clear Lake Road is ever blocked.

I disagree in your assessment on the 72 acre parcel of land. Please refer to Chapter 1 of the Environmental Assessment on this issue. The 1930's map of the parcel also indicates past vegetation and land use. There have been no threatened species of plants or animals found on this site. Please review the detailed maps and plans of the site, the project boundary stops short of the southern side of "Murder Mountain" and Pond Lily Lake. The project will create a number of new wetlands and grassland habitats. Keep in mind that only 1% of the native grasslands remain in Michigan. The final outcome of Green Road has yet to be determined, homeowners access to the paved Cedar Lake Road.

The extension will also have a tremendous negative impact for recreational users of the parcel. There is no other conclusion to that fact. The claim by the DNRE that restoration of 87 out of the 324 acres of the existing gravel pit will be equivalent to the lost 72 acres of forest is absurd to put it bluntly. First, due to the nature of the agreement with Aggregate Industries, the DNRE can only initially reclaim about 87 acres of the 324. Most of the acreage will continue to be used for mining or will be left an eyesore. Secondly, the existing gravel processing facility, its roads with continuous heavy truck traffic, noise, dust, and a conveyor belt that will be installed across Green Road to carry gravel from the extension to the processing facility will be in view and earshot of the "restored" 87 acres. The restored area is supposed to be converted to native grassland. While that is better than the existing condition, do you really believe an open field with exposure to the views, noise, and dust of the mining operations is equivalent in recreation, habitat, or aesthetic value as a densely forested woodland. I assume you've had training in biology and ecology and have spent time in the woods. I don't understand how you can make such a ridiculous claim.

I disagree with your assessment; please refer to the Environmental Assessment on this issue and the power point presentation on these issues.

The gravel pit extension will push within one quarter mile of properties on the southern side of Clear Lake. These homeowners (and others) will be greatly impacted by increased noise, dust, possibly failed or contaminated wells, and lowered lake level. The environmental assessment that assures us these things won't happen is clearly flawed and weak at best. Because of these negative impacts and simply by having a gravel pit in their backyard, homeowners' property

values will decrease. To claim otherwise again defies logic. Wouldn't you be upset and concerned about your health and property value if someone was digging a gravel pit only a quarter mile from your house?

The wooded ridgeline will remain between the project area and Clear Lake. The base of the extraction area will be 12 feet above the level of Clear Lake.

- *The State will receive 324 acres restored to DNR specifications*
- *A re-vegetation program using native genotype grasses, shrubs, and trees.*
- *The transaction will restore native grasslands, only 1% of the native grasslands remain in Michigan.*
- *A plan to ensure that there is no net loss of open-space available for recreation*
- *Significant increase in the amount of land for public recreation at this location near major Michigan population centers.*
- *A royalty will be directed to the Michigan Natural Resource Trust Fund.*

I am not opposed to gravel pits since I understand the need for the resources they provide. But I am opposed to the extension of this one. Let me repeat myself. My wife and I are **COMPLETELY OPPOSED TO THE EXTENSION OF THE AGGREGATE INDUSTRIES GRAVEL PIT**. I listed some of the reasons, but we have many others.

Please do the right thing and stop this potential tragedy.

Regards,

Randall

136. Crystal comments (Sent to Paul on 3/8/11)

To Whom it may concern,

I would like to provide my input for public comments regarding the proposed Aggregate Industries Land Transaction in the Waterloo Recreation Area. The parks and natural spaces of the state of Michigan are a treasured resource. Please reconsider allowing this irreplaceable resource to be used for a temporary gain, potentially causing long term damage to our land, water, wildlife and native plants. We spend a great deal of money advertising our parks and lakes (the Pure Michigan advertisement campaign) and should consider refraining from damaging the very things we are promoting to our citizens and the world. Further, these beneficial resources for our people, flora and fauna should be protected. Our shared resources (recreation and drinking water, for example) should be preserved. We can not get unspoiled areas back, nor can we acquire more of them. Thank you for your time and consideration of my input. Thank you for your careful consideration of this matter.

sincerely,
Crystal

137. Leslie's comment (sent to Paul on 3/11/11)

when I first heard this is sounded like a bad idea, but on reviewing the facts, it sounds like a wonderful idea! the gravel pit is hilly and should make a great site for riding and hiking when restored. good luck in achieving the new gravel pit and restoring the old one. thanks

138. Tania's comments (Sent on 3/11/11)

Hi Mr. Yauk -

I'm in support of the land swap. Those who know what's actually in the plan of 72 old farm land acres in exchange for a gravel pit realize that it's a win-win for Michigan and for the local recreationalists, conservationists, hikers, trail riders and foxhunters at Waterloo. Thanks!

Many people who just read the headlines are responding with alarm. But because of the succinct and full report being sent out by Charity Steere who lives in Waterloo, I know that you all have done a great job and will monitor and plant and plan for the future.

Tania

139. Karen's comments (sent to Paul on 3/12/11)

Dear Mr. Yauk,

I am writing to express my disapproval of the proposed mining of Waterloo Recreation area land. I was at the Michigan Horse Exposition the past few days running a booth for the Great Lakes Distance Ride Association. There was a lot of interest from attendees in the trails section of the Expo and we handed out a lot of flyers with our ride schedule. This is proof that there are a lot of people out there interested in our parks and recreation areas and committing Waterloo to a 10 year commitment with the mining company would deny many the use of that area. With the new parks access being tied into the license plate purchase now it would be shame to eliminate the use of one of them when there is an increased demand. Thank you.

Karen

140. Amy's comments (sent to Paul on 3/14/11)

I am very concerned about the Aggregate Industries Land Transaction of Waterloo Recreation Area. If the land was donated for recreational use ONLY, then it seems this should not even be a consideration. Mining would change the landscape forever, clear trees and we will lose years of recreational use of the area. I do not support this transaction. Thank you.

Amy

141. Barry's comments (Sent to Paul on 3/14/11)

Hi Paul, good speaking with you this morning. Here are my comments on the Aggregate Industries Land Transaction in the Waterloo State Recreation Area:

*I'm pleased that the entire existing site (324 acres) will be transferred to ownership and that the southern 80 some acres will become immediately accessible to the public with a parking area in the southeast corner.

*I'm also pleased that the entire acreage will be graded and planted native trees and grasses to better restore the area.

*trails designed to accommodate equine users must avoid the kind of damage occurring on trails through the woods, which is profound.

*this kind of arrangement must only occur adjacent to an existing operation, be on marginal lands instead of quality habitat and never permit new operations to be sited on public land.

A lot of thought and effort has gone into the proposal to make it the least impactful and provide a substantial long-term benefit.

Please add my name to the list of contacts for the park management plan.

Barry

142. James's comments (Sent to Paul on 3/14/11)

March 14, 2011

TO: Paul Yauk
Land Programs Manager
DNRE Recreation Division

Our family and friends regularly enjoy the peace and beauty of the trail systems at Waterloo Recreation Area. Part of what we enjoy

is the quiet. We appreciate the natural mature woodlands, the habitat for birds and animals.

What justification can there be to destroy this in order to mine for gravel? What kind of precedent would this establish?

Land that is disturbed like this becomes a magnet for invasive species. Not only will this activity destroy the original intent of the area but it will destroy its biodiversity. We really do not need more threats to biodiversity.

Turning such a significant part of Waterloo Recreation Area into a gravel pit, IMO, is a *very bad idea*.

Thank you for your consideration.

Sincerely,

James

143. Larry comments (Sent to Paul on 3/14/11)

On looking further at the details, I can see that this proposal may actually have considerable merit as well as some possible pitfalls.

It may be possible to convince/enlist the support of Ann Arbor conservation groups including the Michigan Botanical Club, but we would need to look at the site during the growing season.

It may be advantageous for the DNRE to garner this support. I would have to talk with my colleagues. Let me know if you are interested in more discussion.

Larry

Paul's response on 3/18/11

Larry, thank you for taking the time to comment, Ray Fahlsing is our Stewardship Program Manager and would be our contact if you have technical questions on this transaction or site visit, Ray can be reached at 517-335-4823

Shamika, can you include in the NPS package.

144. Theresa comments to Paul (3/25/11)

Mr. Yauk,

I realize that you are very busy, but I thought that there would be something posted by now on the " public response" portion of the aggregate industries land transaction portion of the website for the Waterloo Rec Area .

I may be mistaken, but I thought that I could see not only what I submitted, but also what other people had to say about the matter.

Do you have a target date for the rest of the communications you have received since 2/27/2011, since that was the last posting?

Thanks,

Theresa

Paul's response (3/25/11)

We have been busy collecting comments, I am expected to have the comments posted next week. Paul

February 27, 2011

Mr. Paul Yauk
Land Programs Manager
DNRE Recreational Division
P.O. Box 30257
Lansing, MI 48909

Mr. Yauk,

We are writing to oppose the granting of the conversion of the 72.44 acres of property gifted for recreational use, by the Federal Government to be used for commercial mining operations by Aggregate Industries. The 72.44 acres of property is primarily old-growth hickory and oak forested, glacier-made rolling topography that provide peace, solace, hiking, horseback riding, and nature discovery opportunities that cannot be replaced in our lifetimes. To destroy this pristine environment in favor of putting revenue into the DNRE budget is a violation of public trust and a desperate attempt to get more money for programs in a state that has experienced a poor economy for more than 10 years.

We have reviewed the documents submitted by the DNRE in support of the application and have these comments:

“The DNRE believes that if this proposal is not consummated, Aggregate Industries will eventually develop the 324-acre property for residential housing.”

We seriously doubt that Aggregate Industries would develop residential housing at this site but if they did, it would greatly improve the tax base for the township and transform the eye-sore of a depleted mining operation into a more pleasing residential setting. In the current economic environment, it seems unlikely that this would be a sound investment decision, but that’s not our decision to make.

“Residential development would have significant and irreversible negative impacts to the natural resources and to the recreational and aesthetic experiences provided by the proximal undeveloped lands of the Waterloo Recreation Area.”

In contrast to the significant and irreversible negative impact to the natural resources and to the recreational and aesthetic experiences of the *existing* home owners and recreational users of the 72.44 acres that they wish to convert! Trying to prevent a hypothetical situation that is unlikely to ever happen at our expense is crazy. Even if Aggregate Industries just left, without doing any reclamation of property, it would be better than adding 72.44 acres to the 324 acres that they have already decimated.



We live here; our property ends about 800 feet from the northern point of the 72.44 acres. We believe that converting this property will negatively impact us. We are concerned about the quality and quantity of our well water and the potential negative impact on Clear Lake water levels. If the DNRE can imagine the negative impact of residential housing, just imagine the negative impact on Clear Lake, its residents, and the irreversible destruction of the natural beauty we currently enjoy. Just imagine a 1 foot drop in lake level and undrinkable water supplies. Just imagine what our recourse would be if Clear Lake dried up and we were stuck with property of no value. Saving the 324 acres from potential residential development is not worth risking the quality of life for existing residents.

"At the moment of conversion, the Replacement Property will provide dispersed recreation opportunities, hiking, hunting, bird watching, etc. that are equal to or greater than those currently afforded by the Converted Property."

At issue is the claim by the DNRE that 87 acres of the 324 acres is of equal recreational value to the 72.44 acres they will destroy. Here are some pictures to prove how ludicrous this claim is:



These are the DNRE photos submitted as the northern and southern portions of the initial 87 acres of property to be reclaimed. Note how flat and deforested the area is. Note the existing gravel pit and active gravel processing facilities that will remain in operation for 10 to 19 years to support strip mining the proposed 72.44 acres. Note the lack of cover and privacy for species of all kinds like hikers, horseback riders, and wildlife. The road seen in both of these DNRE pictures is Loveland Road, used by the double-tandem gravel haulers, making noise and kicking up dust from the dirt road. Imagine the sounds of commercial equipment processing gravel, the gravel haulers, the sounds of chain saws clear-cutting old-growth forests, heavy equipment roaring forward and beeping notice when backing up. Imagine bringing your family here for a picnic with no shade trees, no water, and no privacy, with plenty of dirt, dust, and noise.



These are our pictures of our property. Note the lush old-growth forest and elevations of rolling topography that define our environment. We live on a lake in the woods and it is beautiful during every season of the year. Note the lake used for recreation by all its residents and the residents of Jackson County. Note the dense forests laced with trails by the breaks in the tree canopy. This is the point of our property that is closest to the 72.44 acres under consideration for conversion. Imagine being anywhere on the lake and listening to the sounds of the strip-mining operations, gravel trucks, chain saws, and heavy equipment. Imagine walking a trail through the woods and being stopped by a fence that frames a sheer cliff of deforested land with gravel mining equipment on it. Imagine what the other side of this mountain looks like, clear-cut with no trees. Imagine what the other side of this mountain looks like, when it's GONE. The mining for gravel will remove the other side of this mountain. Destroying the other side of this mountain, the 72.44 acres under consideration, for recreational use will

effectively squelch all recreational use of our part of the Waterloo Recreational Area. We expect that people will simply go elsewhere.

We believe that the recreational use of the proposed 87 acres is not even close to the equivalent of the recreational value of the 72.44 acres under consideration for conversion.

Please deny the application by the DNRE to convert the 72.44 acres for the commercial mining operation that would negatively impact our environment, our lake, and our lives.

In writing this letter, we ask that it be placed into the public record to register our opposition to granting the application for conversion and the expansion of the gravel pit mining.

Sincerely,

Sheila Conant and Tim Sharp
3790 Clear Lake Road
Grass Lake, MI 49240

The following comments in blue are in response to Ms. Sheila Conant and Mr. Tim Sharp's correspondence dated February 27, 2011, regarding the conversion of 72.44 acres of property located at Waterloo Recreation Area:

1. With its location close to the metro Ann Arbor area, there is a clear threat for residential development. This type of development would have a serious impact to the habitat in the area. This issue has been addressed at past meetings, and in the Aggregate Industries overview. The Department of Natural Resources and Environment has shown examples of such developments in other recreation areas in Southern Michigan.

2. The following is a list of invasive landscaping plants in Southern Michigan that could be introduced as part of the residential subdivision complex: Japanese barberry, glossy buckthorn, common buckthorn, privet, jetbead, yellow iris, Norway maple, black alder, bush honeysuckles, Dame's rocket, baby's breath, and Japanese knotweed. The acquisition of inholdings provides protection of biological and recreational values as well as protection of ecosystems:

- a. Increase connectivity to existing land areas within the recreation area.
- b. Protect biodiversity by eliminating non-native species and protecting or reintroducing native plants and animals.
- c. Habitat supports state and federal threatened and endangered species or increases preservation of fundamental ecosystem function.

The northern point of the proposed extraction operation is 1,300 feet from Clear Lake. As the topographic map indicates, the crest of the hill and vegetation is outside of the project area. The level of Clear Lake would be 12 feet above the level of the proposed base of the sand and gravel extraction area.

3. The initial 87 acres open to public recreation includes a 40+ acre woodlot and neighboring marsh. The returning property will be restored to historic native grassland habitats. Less than 1% of the native grassland habitats remain in Michigan. The topographic map indicates the project boundary, and shows that the crest of the hill and old growth forest is outside of the project boundary. The view scapes from Clear Lake will not be impacted by this project.

March 10, 2011

Mr. Paul Yauk
Michigan Department of Natural Resources and Environment
P.O. Box 30473
Lansing, Michigan 48909
Via e-mail to: YAUKP@michigan.gov

**RE: Proposed Lease to Aggregate Industries
Waterloo Township, Michigan**

Dear Mr. Yauk:

It is hard for me to comprehend the DNRE's rationalization in comparing the exchange of 72 acres of woodland filled with native species of animals, flora, fauna, and fowl, some of which are rare and endangered, which surround a "protected" Natural Beauty Road with the 87 acres of bare land you describe as: "At the moment of conversion, the Replacement Property will provide dispersed recreation opportunities, hiking, hunting, bird watching, etc. that are equal to or greater than those currently afforded by the Converted Property." The truth is that this "Replacement Property" is barren, previously-mined land unsuitable for hiking and/or hunting surrounded by active gravel mining and includes a paved haul road which runs north and south on the eastern border and is used exclusively by gravel trucks, concrete trucks and other gravel mining equipment. Your statement just doesn't seem to describe the "Replacement Property" accurately and it certainly does not appear that the 87 acres you are offering qualify under the National Park Service's requirement as an even exchange. To the people who use the 72 acres, the 87 acres are useless!

In addition, the 324 acre acquisition that you advertise as the incentive for the lease agreement you are proposing with Aggregate Industries does not exactly portray the truth to the public. In my opinion the information you do not readily divulge paints a much different picture. The fact that the 324 acres of barren hole left behind after the mining has been completed will be worth next to nothing, and the fact that the land would not be available to the park system for a minimum of 20 years is information that would cause one to conclude it is not really such a great deal after all.

And then there is the Federal Land Grant to the Waterloo Recreation Area.....If this agreement, which stipulates the land can only be used for recreational and conservation purposes, is not upheld, what kind of security do we have that other lands in other state parks in our entire nation which have been granted for recreational purposes only will not

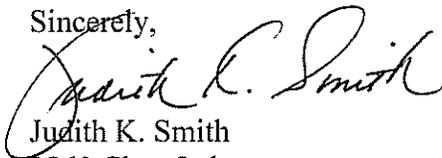
be ravaged by strip mining? Where would it stop???? What a shame it would be to again let greed prevail over preservation of our great land.....and yet again to another foreign company?????

And as if I haven't expressed my feelings enough yet.....what happens if the residents surrounding this proposed gravel pit, some as close as 1000 ft., do in fact lose their wells and or Clear Lake's water table is significantly reduced.....???? Do you really think Aggregate Industries or the DNRE will be there for us with handouts as A.I. stated they would at your public meeting? We already know our property evaluations will decrease due to the close proximity of the gravel pit....that is a well stated fact. Can you imagine what they'd be if we lost Clear Lake? Can you imagine what would happen to Waterloo Township without Clear Lake residents' tax base?

On yet another subject...closing Green Rd...a Natural Beauty Road. First of all, what does it mean to be a Natural Beauty Road???? Doesn't that title convey that the road cannot be disturbed because of its natural beauty? Aren't there criteria that have to be met in order to be designated a Natural Beauty Road and weren't all of those criteria met when Green Rd. received its designation? Again, what does that say about our written word? It used to be agreements were made with a handshake.....and then written contracts, agreements, leases, etc. were required. What good are these contracts, agreements, leases, etc. if they can be discarded without regard for the majority?

I am a nature lover first...I love flowers, woods, plants and animals. I used to admire the DNRE for all they did to protect what I love. However, the way our DNRE in Lansing has handled informing the public of this lease agreement is nothing short of trying to intimidate and shove it down our throats, and it is embarrassing. I am sorry to say they no longer have my respect or my admiration.

Sincerely,



Judith K. Smith
2860 Clear Lake
Grass Lake, MI 49240

cc: Shamika Askew-Storey
Cindy Kleinsmith - CLPOA

March 9, 2011

Paul Yauk
Land Programs Manager
DNRE Recreation Division
P.O. Box 30257
Lansing, MI 48909

Dear Mr. Yauk:

We are against the expansion of gravel mining in Waterloo Recreation Area. We have enjoyed visiting the area for hiking and nature study for more than forty years. Any expanded gravel mining would harm the wildlife features of the recreation area.

Sincerely,

Ralph Powell

Barbara Powell

Ralph and Barbara Powell
2887 Dalton Ave.
Ann Arbor, MI 48108