

## **Overview of the Levy Company Mining Project in Metamora**

Levy and the Boy Scouts are back again, with a plan to industrialize a large chunk of the Metamora countryside and turn the Village into a heavy truck route. This project has been stopped twice before, and the Metamora Land Preservation Alliance believes it must be stopped again.

American Aggregates, a subsidiary of the Edward Levy Company, has requested approval from Metamora Township to build a crushing plant and mine gravel from the Boy Scouts' D-bar-A Ranch. This project has been proposed twice before, and the Township turned it down both times because of its harmful impacts on property values and roads. Both times the Boy Scouts and the mining company sued the Township, and lost.

The scale of the project is staggering. Levy plans to mine 30 million tons of gravel over the next 30 years. The company will excavate almost 500 acres from a 724 acre site. Most of the mine would be located on the Scout Ranch, with the rest on an adjacent parcel owned by Levy along Dryden Road. The mine would remove 400 acres of woodlands and destroy nine acres of wetlands. The mine would operate from 6:00 am to 6:00 pm Monday through Friday, and 6:00 am to 12:00 noon on Saturday, from mid-March through the end of November.

Levy admits that the construction of the mining cells will violate the Township's residential noise limit of 60 decibels. Levy projects noise impacts from the mining to homes along Ribble, Dryden and Wilder Roads, and at homes west of the site, to range from 45 to 60 decibels – which exceeds the noise limits in many communities – for as much as 12 hours per day during the week and six hours per day on Saturdays during different phases of the mining.

Levy plans to build a gravel processing plant on site. The plant will crush gravel, among other things. Levy admits the crusher will create fugitive dust – which is also known as particulate matter, a harmful air pollutant. The Levy Company has a history of being cited for violating air pollution rules related to particulate matter.

Gravel trucks will cause some of the worst impacts. Levy plans to haul the gravel out along Dryden Road. Most would likely go west through the Village of Metamora, with some going east through Dryden. The plan calls for 100 trucks in and out of the mine each day, for 200 total truck trips back and forth. That equals about one truck passing by every three-and-a-half minutes, with more during the morning and afternoon peak hours. Critically, Levy has provided no assessment whatsoever of the impact of noise or structural vibration from gravel trucks rumbling by homes and buildings along Dryden Road and through the Village almost 70 hours per week. The largest gravel trucks weigh over 100,000 pounds fully loaded; and Levy's

noise study projects noise exceeding 70 decibels in the immediate vicinity of the trucks. Seventy decibels is the level classified as causing health impacts from long-term exposure.

Levy's application says that there are already four gravel mines in the vicinity: the Lapeer County Road Commission pit; Whitaker-Gooding (also known as the Schenkel pit); John R Sand and Gravel; and the Walker site (also known as Forrest Aggregates). However, comparisons to these sites are extremely misleading, because the Levy mine would be four times the size of all of the other mines in the Township put together.

An additional public health risk unique to the Levy project is the nearby Metamora Landfill – a Superfund site with volatile organic compounds and arsenic contaminating the groundwater. The Levy mine would be located less than 2,000 feet from the landfill. The excavation and high capacity water pumping may pose a risk of drawing contamination further out from the landfill. Levy commissioned an “assessment” of these issues, but the firm who wrote the assessment performed no scientific testing to verify their opinions.

The risks and impacts just summarized have been evaluated twice before, and in both cases they justified denying a mine of this size on the Boy Scout property. In 1990, a federal court upheld Metamora Township's decision not to allow mining due to increased heavy-truck traffic on local roads; decreases in property values along the haul routes; noise and dust; the conflict between mining and residential development along Dryden Road; and vibrational impacts on buildings.

In 2006, the Township denied Levy's request to mine the property, citing the negative impact on property values and the impact of gravel traffic on roads in the Township. Both Dryden Township the Village of Dryden also objected to Levy's request, citing concerns about truck weight, safety, and noise on Dryden Road. Levy and the Boy Scouts sued the Township again, and lost.

It is true that gravel mining projects are reviewed using special standards under a state law passed in 2011. However, those standards are essentially the same as the judicial precedents that governed gravel mining prior to a court decision in 2010. In other words, gravel mining is still subject to local control, and the standards that are used to decide mining proposals today are the same as the standards that were in place in 1990 and in 2006, when mining on the Boy Scout property was denied by the Township, and those decisions were upheld in court. The Metamora Land Preservation Alliance believes the Levy project will cause long-term harm to the environment, safety, property values, and local businesses in Metamora; and so it must be rejected again.

