



MAC 2020-2021 Proposed Environmental & Regulatory Affairs Platform

There are two copies of the 2020-2021 Proposed platform in this document:

- The first document is the final proposed form with all edits and review cleaned up with no track marks
- The second document shows how our committee arrived at the final proposed language. All colored text, strike-throughs, and comments are indicative of changes made during this year's committee process



2020-2021 PROPOSED ENVIRONMENTAL & REGULATORY AFFAIRS PLATFORM

The Michigan Association of Counties holds that a healthy environment is central to sustaining a sound economy and a positive quality of life in Michigan. Federal, state and local governments, businesses and all citizens must share the responsibility for maintaining and improving the environment. Legislative initiatives and administrative rule-making authority addressing environmental issues must include county representation and input. They must also consider balancing long-term needs with short-term impacts, costs and benefits, including economic impacts to local communities, and consideration of possible unintended consequences. Sound, responsible and sustainable funding strategies must be identified to implement and ensure the success of policies and programs. We support full state funding or provision for reasonable cost recovery for county departments that deal with health and environmental activities carried out on behalf of the state.

SOLID WASTE MANAGEMENT

MAC supports:

- County authority over the implementation of solid waste management objectives through the development of local solutions and the siting of solid waste facilities.
- State funding mechanisms, as provided in Part 115 of PA 451 of 1994, for the development and enforcement of county solid waste plans and solid waste facility capacities.
- Retaining local authority to convert capped and excess landfills to other uses.
- State legislation improving provisions of Part 115 of PA 451 of 1994 by streamlining planning process timelines; clarifying the role and authority of, and providing the funding for counties in plan implementation and improving data collection.
- Tipping fees that are comparable to those in other Midwest states.
- State policies enabling counties to have the resources necessary for adequate staff resources to plan and implement county solid waste management laws, rules and regulations.
- Efforts by the Michigan Department of Environment, Great Lakes and Energy (EGLE) to set clear priorities with a studied, reasoned approach to regulatory policies and procedures, and which are determined with the purposeful engagement of local, political jurisdictions and their citizenry.
- Fines and penalties for non-compliance of environmentally safe protocol when handling hazardous waste materials that threaten our water and environment.

STATEWIDE SEPTIC AND SEWAGE SOLUTIONS-

MAC supports:

- The use of state and county leadership and legislation to address problems

associated with septic and sewage waste, including potable water quality, E. Coli, algal blooms and economic loss from beach closings, water sports and recreation.

- The development of comprehensive septic sewage initiatives that focus on collaborative partnerships among local public health departments, commercial Realtors and homeowners through regional and statewide initiatives.
- Efforts to enhance information management systems and outreach activities to the public on health benefits and threats resulting from best and worst practices.
- The establishment of financial support mechanisms for homes that need to replace a well or septic system.
- The development of a statewide sanitary code that addresses the contamination of our rivers, lakes, streams and groundwater, so long as the statewide code does not restrict counties from establishing greater environmental protections than the state requires. Different types of geology and soils should be considered when formulating the statewide code practices.
- Proper funding and/or adequate financing mechanisms for the separation of storm and sanitary sewers.
- A county's right to initiate a point of sale ordinance.

RECYCLING

MAC supports:

- Comprehensive recycling initiatives that focus on integrating the participation of the residential, commercial and industrial sectors through regional and statewide initiatives.
- The continuation of county recycling revenue generation via market development and state funding sufficient to support recycling initiatives.
- State legislative incentives to reduce waste via improved packaging designs, the ability to purchase "long-life" products, the creation of products with recycled materials and incentives for developing strategies for obsolescence that may be warranted.
- The cost-effective expansion of non-carbonated bottle recycling.
- Changes to the distribution of escheat monies going through the Renew Michigan Fund to support county recycling at a substantially greater amount than current funding levels.

HOUSEHOLD HAZARDOUS WASTE (HHW) PROGRAMS

MAC supports:

- Sustained funding for collections, collection facilities and HHW disposal.
- Regulations regarding hazardous waste collection, storage and disposal or recycling that are founded upon environmentally and scientifically sound standards, thereby sustaining the highest degree of public health and safety.

HAZARDOUS WASTE MANAGEMENT

MAC supports:

- Adoption of a policy that deep well injection be proven environmentally safe before it is utilized: ensuring that the well does not leach into any surrounding waters, and that waste derived from the injection is disposed of in accordance with US EPA standards.

WATER RESOURCES

MAC supports:

- State laws and policies on pollution prevention strategies that reduce waste and neutralize the toxicity of hazardous waste.
- Adequate and sustainable state funds and grants to county health departments with Watershed, Beach and Surface (water) monitoring programs.
- The reauthorization of the Michigan Groundwater Stewardship Program, funded through assessments on nitrate fertilizers and pesticides, to provide technical assistance, cost-sharing funds and research.
- Michigan's collaboration with other Great Lakes states, the National Association of Counties and Canadian provinces to protect the Great Lakes and prevent the diversion and redistribution of Great Lakes waters outside their basins.
- The creation of a public body, similar to the previously existing Water Resources Commission, with policy-making authority in water quality and resource issues.
- Legislation that maintains consistent conservation standards for Michigan's groundwater resources.
- Reasonable soil erosion control, sedimentation control and watershed management, provided all mandated activities are fully funded and sustained by the state.
- The regulation of, testing for and remediation of problem chemicals, such as PFAS. The costs involved should not be borne by counties.
- Funding by the state, or responsible polluters, to test private wells for PFAS chemicals that are not currently being tested under MPART (Michigan PFAS Action Response Team) testing guidelines.
- The continued development of blue trails (waterways utilized for outdoor recreation) that bolster county economic development.
- Legislation that would require polluters to pay for the cleanup of their pollution in aquifers to drinking water standards.
- Specifically defined 'navigable waters' definition, similar to the 2015 WOTUS rule definitions, that do not include local streets, gutters, and human-made ditches in that definition.

LOW-LEVEL RADIOACTIVE WASTE (LLRW)

MAC supports:

- Amending the federal 1980 Low Level Radioactive Waste Policy Act to:
 - limit the number of LLRW sites to three nationwide;
 - exclude from the definition of LLRW those substances that remain hazardous for more than 100 years; and
 - deregulate below regulatory concern (BRC) radioactive waste and provide for its disposal in municipal solid waste landfills or incinerators.

- A policy that the siting criteria of PA 204 of 1987 should allow a county interested in locating a LLRW facility within its borders to seek a waiver of specific criteria.
- A policy that all surrounding jurisdictions to the facility/site and citizens are included in the process.
- A policy to require full compensation and environmental agreements be reached before the community is asked to make a firm commitment, plus a countywide referendum to authorize the signing of final agreements.

SCRAP TIRE MANAGEMENT

MAC supports

- Legislation to create a tire deposit law that would encourage proper disposal activities for used tires that are similar to the bottle deposit law.
- The utilization of Act 51 money and/or state general fund dollars to expand the use of rubberized asphalt for roads and other public facilities as an alternative to scrapping tires.
- Legislation that addresses scrap tire disposal challenges that contribute to mosquito abatement and fire control efforts.

ENVIRONMENTAL EDUCATION

MAC supports:

- Primary and secondary school curricula on how natural aquatic and land environments function; and how human beings can manage behavior and ecosystems to live sustainably and improve their communities for future generations.
- Initiatives by MSU Extension, conservation districts, recycling centers and other stakeholders to develop resources to better inform communities on environmental topics.

AIR POLLUTION

MAC supports:

- Holding point-source polluters responsible for their practices.
- State laws, policies and federal regulatory authorities subjecting all jurisdictions to federal corrective actions or penalties for non-locally generated air pollution.

LAND USE/PLANNING

MAC supports:

- Local governments having, with the caveat of recognizing private property rights, the resources necessary for sustainable growth management.
- Land preservation resources that don't encourage urban sprawl or indiscriminate land use that threaten the environment.
- Effective growth management initiatives and tools.
- The development of a more comprehensive statutory framework to enable

counties to address problems associated with residential and commercial development of rural areas; the loss of agricultural and forest resources; the costs of infrastructure; and the social conflicts at the residential/agricultural interface.

- County parks and green spaces are strongly correlated with better public health, and state funding should be available to increase the county's public outreach to residents regarding the benefit of parks.

CONSERVATION DISTRICTS (SHARED WITH AG. & TOURISM)

MAC supports:

- State funding of local Conservation Districts and Michigan State University Extension so that they may assist with the promotion of sustainable agricultural practices and natural resources.

FARMLAND PRESERVATION (SHARED WITH AG & TOURISM)

MAC supports:

- Permanently preserving agricultural land, including, but not limited to, the Purchase of Development Rights (PDR) Program.
- An increase in sustainable State funding methods for initiatives that will make significant annual preservations of farmlands.
- Michigan Agriculture Environmental Assurance Program (MAEAP) certification as a component of the preservation of farmland.

CONCENTRATED ANIMAL FEEDING OPERATIONS (CAFOs) (SHARED WITH AG & TOURISM)

MAC supports:

- Consistent enforcement of current regulations and permit requirements for CAFOs. All CAFOs should be working towards MAEAP certification.

RENEWABLE ENERGY

MAC supports:

- The statewide development of sustainable, renewable energy resources, energy conservation programs and the removal of regulatory obstacles.

INVASIVE SPECIES & PEST INFESTATION

MAC supports:

- The development of sustainable plans to identify, prevent, reduce and eliminate invasive species in Michigan.
- Collaborative action by the federal government and Great Lakes states to prevent further entry of invasive species into the Great Lakes (e.g., Asian Carp).

STATE LAND MANAGEMENT

MAC supports:

- The use of good, reasonable, and proper state land management policies by the Michigan Department of Natural Resources (DNR) and the requirement that the DNR work closely with counties and other units of local government on land management issues.

MAC opposes:

- Any state-owned purchases, sales, land transfers or exchanges without approval of the boards of commissioners or affected counties.

MINING AND SEVERED MINERAL RIGHTS

MAC supports:

- Efforts to develop legislation that will protect the mineral rights of surface or sub-surface (i.e., property) owner(s) from improper seizure, including mineral rights registration and activity notification.
- A policy that any proposed state changes to taxes for mining shall not result in any loss of local revenues or local authority.
- Legislation that will require oil and gas drillers to pay impact fees to counties, cities, villages, and townships across the state.

TIMBER MANAGEMENT (SHARED WITH AG & TOURISM)

MAC supports:

- State and federal timber management standards that provide for maximum yield, the highest timber quality and reforestation.
- Preservation of wildlife habitats.

ENVIRONMENTAL HEALTH

MAC supports:

- Full state funding or provision for reasonable cost recovery for county health department Environmental Health Division activities carried out on behalf of the state.
- Full state or federal funding for non-community well monitoring and testing.
- State and federal funding for a coordinated state/local initiative to combat the harmful effects of PFAS in groundwater.

ENERGY RELIABILITY AND SAFETY

MAC supports:

- A robust analysis of possible methods to safely transport and provide necessary

energy sources to meet Michigan's needs.

HIGH WATER/SHORELINE EROSION

MAC supports:

- Coordination of resources with pertinent state and federal departments such as the US Army Corps, US EPA, Department of Environment, Great Lakes, and Energy (EGLE), National Weather Service, Michigan State Police, and others.
- Funding from the state to offset losses to public infrastructure.
- EGLE quickly providing private property owners with permits to safely and properly protect their property from shoreline erosion damages.



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SOLID WASTE MANAGEMENT

MAC recognizes:

- ~~Michigan's integrated solid waste management objectives are best addressed by each county's authority over the siting of solid waste facilities and the development of local solutions.~~

MAC supports:

- County authority over the implementation of solid waste management objectives through the development of local solutions and the siting of solid waste facilities.
- State funding mechanisms, as provided in Part 115 of PA 451 of 1994, for the development and enforcement of that develop and enforce county solid waste plans and assure solid waste facility capacities.
- Retaining local authority to convert capped and excess landfills to other uses.
- State legislation improving provisions of Part 115 of PA 451 of 1994 by streamlining planning process timelines; clarifying the role and authority of, and providing the funding for counties in plan implementation; providing for funding of solid waste plan development and implementation responsibilities; and improving data collection.
- Tipping fees that are comparable to those in other Midwest states.
- State policies enabling counties to have the resources necessary for to provide adequate staff resources to plan and implement county solid waste management laws, rules and regulations.
- Efforts by the Michigan Department of Environment, Great Lakes and Energy (EGLE) to set clear priorities with a studied, reasoned approach to regulatory policies and procedures, and which are determined with the purposeful engagement of local, political jurisdictions and their citizenry.
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HAZARDOUS WASTE MANAGEMENT

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- Adoption of a policy that deep well injection be proven environmentally safe before it is utilized: ensuring that the well does not leach into any surrounding waters, and that waste derived from the injection is disposed of in accordance with US EPA standards. ~~Is there certain criteria we would like to see met for these to be considered safe~~

WATER RESOURCES

MAC supports:

- State laws and policies on pollution prevention strategies that reduce waste and neutralize the toxicity of hazardous waste.
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- A policy to require full compensation and environmental agreements be reached before the community is asked to make a firm commitment, plus a

countywide referendum to authorize the signing of final agreements.

SCRAP TIRE MANAGEMENT

MAC asserts:

- ~~That scrap tires pose challenges to mosquito abatement and fire control.~~

MAC supports

- Legislation to create a tire deposit law that would encourage proper disposal activities for used tires that are similar to the bottle deposit law.
- The utilization of Act 51 money and/or state general fund dollars to expand the use of rubberized asphalt for roads and other public facilities as an alternative to scrapping tires.
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ENVIRONMENTAL EDUCATION

MAC supports:

- Primary and secondary school curricula on how natural aquatic and land environments function; and how human beings can manage behavior and ecosystems to live sustainably and improve their communities for future generations.
- Initiatives by MSU Extension, conservation districts, recycling centers and other stakeholders to develop resources to better inform communities on environmental topics.

AIR POLLUTION

MAC asserts/supports:

- Holding That point-source polluters are the parties responsible for their practices.

MAC opposes:

- ~~That~~ State laws, policies and federal regulatory authorities subjecting must strive to prevent all jurisdictions from being subject to federal corrective actions or penalties for non-locally generated air pollution.

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LAND USE/PLANNING

MAC asserts/supports:

- ~~Local governments having, with the caveat of recognizing private property rights, the resources necessary for sustainable growth management.~~
- ~~State laws and policies that provide local governments with the statutory resources necessary for sustainable growth management. Private property rights should be respected, but not overly burdensome or costly to the sustainable growth of the local government.~~
- ~~That indiscriminate land use, urban sprawl and the lack of~~ Land preservation resources that don't encourage urban sprawl or indiscriminate land use that threaten are primary threats to the environment.
- ~~That Michigan is lagging behind other states in e~~ffective growth management initiatives and tools.
- ~~The That state leadership is needed to development of~~ a more comprehensive statutory framework to enable counties to address problems associated with residential and commercial development of rural areas; the loss of agricultural

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and forest resources; the costs of infrastructure; and the social conflicts at the residential/agricultural interface.

- county parks and green spaces are strongly correlated with better public health, and state funding should be available to increase the county's public outreach to residents regarding the benefits of parks.

CONSERVATION DISTRICTS (SHARED WITH AG. & TOURISM)

MAC ~~urg~~ supports:

- State funding of The Legislature to restore historical levels of funding to local Conservation Districts and Michigan State University Extension so that they may -
te assist with the ~~preservation~~ promotion of sustainable of agricultural ~~practices~~
and natural resources.

FARMLAND PRESERVATION (SHARED WITH AG. & TOURISM)

MAC ~~urges~~ supports:

- ~~The state to provide greater leadership in p~~Permanently preserving agricultural land, including, but not limited to, the Purchase of Development Rights (PDR) Program.
- ~~An~~The state to ~~substantially~~ increase ~~in sustainable State the~~ funding methods for initiatives that will make significant annual preservations of farmlands.

MAC asserts:

- ~~That the~~ Michigan Agriculture Environmental Assurance Program (MAEAP) certification ~~as should be~~ a component of the preservation of farmland.

CONCENTRATED ANIMAL FEEDING OPERATIONS (CAFOs) (SHARED WITH AG. & TOURISM)

MAC supports:

- Consistent enforcement of current regulations and permit requirements for CAFOs. All CAFOs should be working towards MAEAP certification.

RENEWABLE ENERGY

MAC supports:

- The statewide development of sustainable, renewable energy resources, energy conservation programs and the removal of regulatory obstacles.

INVASIVE SPECIES & PEST INFESTATION

MAC ~~urges~~ supports:

- The ~~Legislature to~~ develop ~~ment of sustainable and sustain~~ plans to identify, prevent, reduce and eliminate invasive species in Michigan.

MAC supports:

- Collaborative action by the federal government and Great Lakes states to prevent further entry of invasive species into the Great Lakes (e.g., Asian Carp).

STATE LAND MANAGEMENT

MAC ~~urges~~ supports:

- ~~Ensuring the proper management of~~ ~~The Legislature to properly manage the state lands under its control.~~
- The ~~state to~~ use ~~of~~ good, ~~and~~ reasonable ~~and proper state~~ land management policies ~~and encourage by~~ the Michigan Department of Natural Resources (DNR) ~~and the requirement that the DNR to~~ work ~~more~~ closely with counties and other units of local government on land management issues.

MAC opposes:

- Any state-owned purchases, sales, land transfers or exchanges without approval of the boards of commissioners of affected counties.

MINING AND SEVERED MINERAL RIGHTS

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MAC supports:

- Efforts to develop legislation that will protect the mineral rights of surface or sub-surface (i.e., property) owner(s) from improper seizure, including mineral rights registration and activity notification.
- A policy that any proposed state changes to taxes for mining shall not result in any loss of local revenues or local authority.
- Legislation that will require oil and gas drillers to pay impact fees to counties, cities, villages and townships across the state.

TIMBER MANAGEMENT (SHARED WITH AG. & TOURISM)

MAC supports:

- State and federal timber management standards that provide for maximum yield, the highest timber quality and reforestation.
- Preservation of wildlife habitats.

ENVIRONMENTAL HEALTH

MAC supports:

- Full state funding or provision for reasonable cost recovery for county health department Environmental Health Division activities carried out on behalf of the state.
- Full state or federal funding for non-community well monitoring and testing.
- State and federal funding for a coordinated state/local initiative to combat the harmful effects of PFAS in groundwater.

ENERGY RELIABILITY AND SAFETY

MAC supports:

- The construction of a tunnel to house a new line 5 pipeline across the Straits of Mackinac to allow for the safe transport of the fuels necessary to heat our homes and fuel our vehicles, so long as the monitoring and maintenance of the tunnel can ensure the protection of are adequate to protect our natural resources and waterways.
- A robust analysis of possible methods to safely transport and provide necessary energy sources to meet Michigan's needs.

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HIGH WATER/SHORELINE EROSION

MAC supports:

- Coordination of resources with pertinent state and federal departments such as the US Army Corps, US EPA, Department of Environment, Great Lakes, and Energy, National Weather Service, Michigan State Police, and others.
- Funding from the state to offset losses to public infrastructure
- EGLE quickly providing private property owners with permits to safely and properly protect their property from shoreline erosion damage.

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