



MEETING SUMMARY OF THE CHARTER TOWNSHIP OF TEXAS FLOODING TASK FORCE MEETING HELD ON OCTOBER 11, 2018

A meeting of the Charter Township of Texas Flooding Task Force was held on October 11, 2018, commencing at approximately 10:30 a.m. at the Texas Charter Township Hall.

1. INTRODUCTIONS

Supervisor John Hinkle opened the meeting, thanking everyone for taking the time to attend and inviting the Task Force members to introduce themselves. The following members of the Task Force were present:

- Senator Margaret O'Brien
- Representative Brandt Iden
- Kalamazoo County Commissioner Dale Shugars
- Engineer Tom Smith, Prein & Newhof
- Engineer Tom Wheat, Prein & Newhof
- Derek Haroldson, DEQ
- Jeff VanBelle, Deputy Drain Commissioner
- Dan Moyle, Road Commission of Kalamazoo County (RCKC) Chairman
- Travis Bartholomew, RCKC Deputy Director
- Kendra Gwin, City of Portage Public Services Director
- Mike Corfman, Kalamazoo County Emergency Management Director
- Jordan Bentley, Restorative Lake Sciences
- Jim Roberts, Crooked Lake Association
- Russ Walters, Crooked Lake Association
- Amy Coon, Eagle Lake Association
- Dian Latora, Pine Island Development Representative
- John Casper, Bass Lake Representative
- Mark Rose, Vineyard Development Representative
- Texas Township Trustee Nick Loeks
- Texas Township Trustee Tim Brown
- Texas Township Superintendent Julie VanderWiere
- Texas Township Supervisor John Hinkle

2. FLOODING STATUS

Dian Latora (Pine Island Lake) reported that the water around Pine Island Lake was down 2 inches, but the recent rains brought it back up.

Mark Rose (Vineyards) reported that the retention basin at the Vineyards is full. Everyone that has had flooding has had a basement dewatering system installed.

Amy Coon (Eagle Lake) reported that the water is currently ½ inch lower from the highest water mark. Eagle Lake Association along with their Lake Management Specialist wrote a letter to Senator Margaret O'Brien and Representative Iden urging assistance with the flooding around the lakes. They collected nearly 400 signatures for this letter and provided it to the Senator and Representative at the meeting.

Jim Roberts (Crooked Lake) asked to first provide some information about the Bentwood Shores development to quell some rumors about a gully being filled in preventing the flow of water from Crooked Lake to the wetland. He stated they did bring in some fill but due to the original height of the land, the lake would have to raise another 3' before water could flow from Crooked Lake to the wetland. He advised that the current level of Crooked Lake is ½ inch from the highest point.

3. DEQ PERMIT CRITERIA AND TIMELINE

Derek Haroldson explained the role of the DEQ. If water is going to be discharged to the wetland, it would require a permit. He provided a handout that detailed the processing time line for the required permit and the summary and criteria for it to be issued.



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Mr. Haroldson explained that this probably would require a wetland permit. DEQ would need 30 days to determine if the application is complete and would then require a Public Notice providing 20 days for comments. The Township is allowed 45 days to respond. If someone requests a public hearing, DEQ would have to post for the public hearing and hold the hearing before a decision on the permit can be made.

A permit for Inland Lakes is about the same process. DEQ determines what relief is going to be provided and weighs any environmental impacts. They will determine if there are feasible and prudent alternatives and also consider what effects this will have on the receiving wetlands. The In-land Lakes Permit also requires 20 days to receive comments and a public hearing if requested.

Senator O'Brien asked if there is a way to expedite the process.

Mr. Haroldson stated that DEQ will do their best to expedite and the timelines provided are the maximum time period each step can take. The timeline is largely dependent on how soon DEQ received the permit application. This application process is very complex, as it involves many wetlands and properties. December is probably the earliest the permit can be issued for the short term solution.

Derek Haroldson advised that the culvert work could be a separate permit, as it is through the Transportation Department in DEQ.

Senator O'Brien asked if we can hold a public hearing automatically and do it within the 20 day comment period. Mr. Haroldson advised that a public hearing notice could be issued at the same time the public notice is issued.

Commissioner Dale Shugars asked if Mr. Haroldson has worked with this type of crisis before. Mr. Haroldson advised that he had not, but he has been in contact with DEQ officials currently working on the flooding issue on Crooked Lake in Delton.

Commissioner Shugars asked if there was anything that we are missing?

Mr. Haroldson advised that it comes down to a physical solution. Commissioner Shugars asked about states where flooding is typical that seem to have the ability to fast track solutions. Why can't we develop one as well?

4. RCKC CULVERT REPLACEMENT ON 8TH STREET

Supervisor Hinkle reported that RCKC has agreed to replace the culvert between the wetland and Bass Lake on 8th Street ahead of their road project next year. They are waiting on the proper sizing of the culvert from DEQ and Prein & Newhof.

Mr. Bartholomew advised they are working with DEQ for the culvert sizing. They need to determine the bank full width and have completed some survey work. They are in the process of completing the permit application for the DEQ. The hold up may be the manufacturing of the culvert which has to be wider. 8th Street will have to be closed for 2-3 days during the replacement, and they are on schedule to get the culvert in by November 15th.

Trustee Brown asked how the culvert is being sized and what kind of relationship RCKC has with DEQ, asking for assurances that the project will be moved along. Mr. Bartholomew advised they have a good working relationship with DEQ and are close to getting the permit. He is confident RCKC will meet the deadline. Mr.



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Bartholomew encouraged everyone to sign up for RCKC Connect to receive updates about the project as well as the schedule.

Commissioner Shugars stated there is no connection between Eagle Lake and Crooked Lake and asked what is going to happen with Eagle Lake.

Tom Wheat, Prein & Newhof, responded that there are two projects. The long term project involves the FEMA Mitigation Grant and likely the Drain Commission and will take 2-3 years to complete. The Short Term project involves pumping water from Crooked Lake to the wetland and over to Bass Lake. We are working with DEQ for this project and have to hire a Water Quality Engineer. The short term project is a different permit than the long term project.

Mr. Wheat stated that, right now, Prein & Newhof has run some models, but they are not complete. The short term project will cost \$1,000 per day to pump. We need a height level of confidence pumping will work and also need to show that no environmental impacts will occur with pumping. The Township Board has authorized the signing of a contract for the Water Quality testing.

Tom Smith, Prein & Newhof, provided further information on the status of the Flood Study. They have preliminary results; however, groundwater flow is very complicated and difficult to define the parameters. The soil and aquifer are both included in the development of the results.

Right now, we are focusing on the short term solution. The short term numbers can be used to determine the long term numbers. In the development of the long term solution, several options have been reviewed. The solution must include a positive outfall, which we have at Bass Lake; the other locations we examined do not that the attenuation. The best solution is to the North East.

Len Bosma asked what the normal level of Crooked Lake is and if it could be lowered a little more than normal to help Eagle Lake?

Jim Roberts stated that Crooked Lake is currently 36" above where they would turn the pump on.

Derek Haroldson stated that in 1982, Eagle Lake had a legal established High Water Level of 898.

Tomb Smith reported that as of 1 week ago, the lake levels were:

Eagle – 902
Crooked – 897.3
Bass- 881.7

Russ Walters stated that Crooked Lake has spent a great deal of money for testing lake quality. They could provide that information to help speed up the process. He also questioned if there were any weather issues could prevent the project.

Jeff VanBelle, Deputy Drain Commissioner, asked if anything could be done to Bass Lake to help get closer to the 3000 gallons per minute (gpm)?



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Tom Wheat advised that Rota-Kiwan is already looking at replacing the culvert at the outlet from Bass Lake. We could replace the culvert.

John Casper (Bass Lake) stated that Bass Lake is the highest it has been in over 20 years.

Aaron Collins (Rota-Kiwan) stated that they have to clear beaver dams every day on the outlet for both Bass Lake and Scouters Pond. We may need to look at replacing downstream culverts as well.

Tom Smith advised that Eagle Lake will come down if Crooked Lake comes down. This does not eliminate the possibility of flooding from a lot more rain. He also advised that the long term project should be phased.

Tom Smith explained the Short Term Project:

- Pumping- they are modeling 1000, 2000 and 3000 gpm (gallons per minute). They are creating models to show the effect for each on Bass Lake
- 3000 gpm would increase Bass Lake 1 ½ ' and this may not be feasible.
- Might need to replace the outlet on Bass Lake to decrease the effect on Bass Lake

The modeling Tom Smith is working on shows the draw-down of Crooked Lake taking 90 days at 3000 gpm to get Crooked Lake to normal level. He explained that the impact to the other areas (Eagle Lake, Pine Island and Duck Lake) will have a lesser draw down as expected. 180 days at 3000 gpm will draw down Eagle Lake, Pine Island and Duck Lake approximately seven tenths of a foot. He advised that we need to try to get numbers to 3000 gpm if at all possible.

Jim Roberts stated that Crooked Lake already has Phase III electric for their pump. This would pump 1000 gpm.

ROAD BLOCKS

- If DEQ finds the pumping will have an unacceptable effect on wetlands, they won't approve the permit. We need to determine what is in the water of both lakes and need to get a baseline for them including invasive species and a plan to prevent the transfer.
- The protection of the wetland is important for both the temporary solution and the long term solution.
- Derek Haroldson advised that the alternatives are limited ,but environmental, riparian rights and downstream impacts will be considered. MDOT, City of Portage and Kalamazoo will need to weigh in.
- Derek Haroldson advised the environmental study has to be contemporaneous and from scratch. The lake samples must be taken at the same time.
- Jim Roberts inquired if a temporary easement will be required for pumping? Derek Haroldson advised that an easement would be required because they will need to know where it goes.
- If a permit is issued, there will be controls in place to ensure when pumping will have to be stopped.
- The pumping will be from Crooked Lake to the stormwater drain, which will go to the wetland so it will not be pumped over the road in Bentwood.

5. FEMA GRANT

Supervisor Hinkle stated that the Township still needs to determine how both the short term and long term solutions will be funded.



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Tom Smith advised that in order to complete the BCA (Benefit Cost Analysis), we need to have all of the data. If you haven't filled out the damage survey, complete it and submit it right away. Once we have all the data, we will determine which way to submit the BCA for the FEMA Mitigation Grant.

Tom Smith advised the FEMA Grant has nothing to do with the Flood Plain or with requiring Flood Insurance.

Jeff VanBelle asked if it would help to have damage estimates from the City of Kalamazoo. Tom Smith advised that it is most important to have data from those people with damaged living areas, which includes walk out living spaces.

Commissioner Shugars stated this only shows the damage now; it does not show long term if this continues and there is damage to infrastructure. People have health and safety issues. We need to be looking at real costs vs what could potentially occur.

Tom Smith advised they may be out surveying houses and may need additional damage information.

Trustee Brown stated he spoke to Congressman Upton about the crisis. He also suggested that the additional cost of electric to run the basement pumps should be included.

Commissioner Shugars asked what are the short term solutions for Eagle/Pine and Duck Lakes?

Tom Smith stated there could be significant costs to pump these lakes as well because there is no easy connection like there is for Crooked Lake.

6. COMMITTEE MEMBER COMMENTS

Jeff VanBelle stated RCKC is working on the culvert on 8th Street. He has also provided Prein & Newhof a copy of the Crooked Lake Delton DEQ permit to assist with their permit application.

The Drain Commission is surveying Latora's property to determine easement area for drainage. He further stated that he is concerned that 1000 gpm is not enough, and there is not much difference between 1000 and 3000 gpm. Eagle Lake is the most impacted and needs a positive outlet that they do not have. These are the best solutions without the positive outlet.

Representative Iden thanked Derek Haroldson and DEQ for being responsive. He has personally seen the damage, and people feel government has abandoned them. We need to direct resources to resolve this issue. He asked that we all please continue to make this a top priority.

Commissioner Shugars thanked everyone around table, the residents and DEQ for working to resolve the issue.

Senator O'Brien thanked Amy Coon for the letter. She stated that two weeks ago, marching orders were given and taken seriously. DEQ understands the seriousness of this issue, and she is confident we can get a solution expedited.

Dian Latora thanked the Drain Commission for efforts in Pine Island.



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Len Bosma stated that Eagle Lake also has had lake sampling done by Restorative Lake Sciences that could be helpful for the permit process.

Mark Rose stated that we should be prepared for a lot of angry people for lack of results.

Amy Coon asked if the study will indicate the cost of the project? She asked if the Township has the money to pay for the project? If Eagle Lake is not being pumped as well due to cost, what is that cost?

Jim Roberts stated that, based on Commissioner Shugars statement, homes have a lot of moisture already and will need to be torn down. There are also septic and health and safety issues that need to be taken into consideration.

Trustee Brown thanked Supervisor Hinkle and Superintendent VanderWiere for the work being done to resolve the issue. He stated that there are very few options available.

Russ Walters thanked Township for the weekly update and asked if the timeline could be put on the website?

Dan Moyle stated he is confident RCKC can meet the timeline.

Travis Bartholomew advised that RCKC will look at the 12th Street culvert and will also contact MDOT for downstream impact.

Mike Corfman stated he is a resident here in Texas Township; his heart is here. There are a lot of moving parts that will need to be balanced.

Tom Wheat stated he appreciates the meetings to be able to hear the other points of view. This is a community effort.

Tom Smith appreciates people being quick to provide needed information.

Derek Haroldson stated he appreciates being part of the process. DEQ is used to being poked and prodded, and they will continue to be at the table.

John Casper stated that people on Bass Lake are concerned about invasive species and pesticides and hydrocarbons. He asked if we could test for pesticides and hydrocarbons as well. He also advised that Bass Lake can't take any more water either. There currently aren't any known invasive species in Bass Lake. Tom Smith advised that we can add a mesh screen to help reduce the invasive species.

Supervisor Hinkle thanked everyone for attending and working through this serious issue. The next Task Force Meeting was scheduled for November 1, 2018 at 10:30am.

Submitted by Superintendent Julie VanderWiere
October 29, 2018