



## MEETING SUMMARY OF THE CHARTER TOWNSHIP OF TEXAS FLOODING TASK FORCE MEETING HELD ON SEPTEMBER 26, 2019

A meeting of the Charter Township of Texas Flooding Task Force was held on September 26, 2019, commencing at approximately 10:30 a.m. at the Texas Charter Township Hall.

### 1. INTRODUCTIONS

In Supervisor Hinkle's absence, Trustee Nick Loeks 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:

- Engineer Tom Wheat, Prein & Newhof
- Derek Haroldson, DEQ
- Travis Bartholomew, RCKC Deputy Director
- Jack Levy, Sen McCann District Manager
- Clare Todd, Bass Lake Representative
- Aaron Collins, Bass Lake Representative
- Kalamazoo County Commissioner Christine Morse
- Dan Moyle
- Gerry Robbins, N Eagle Lake Dr. Representative
- John Casper, Bass Lake Representative
- Amy Coon, Eagle Lake Association
- Jim Roberts, Crooked Lake Association
- Russ Walters, Crooked Lake Association
- Dian Latora, Pine Island Development Representative
- Mark Rose, Vineyards Representative
- Texas Township Trustee Tim Brown
- Texas Township Trustee Nick Loeks
- Texas Township Superintendent Julie VanderWiere

### 2. FLOODING STATUS

Jim Roberts (Crooked Lake) advised that Crooked Lake is currently at 17.75 inches. The lake hasn't been going down because of EGLE and the Beaver.

Dian Latora (Pine Island Development) reported that we are the same as last month and are very concerned about the rain tomorrow. People are still pumping into the road. We are also worried about EEE with all of the standing water.

Mark Rose (Vineyards Development) advised that we are about the same as last month. Right now it is status quo.

Amy Coon (Eagle Lake) stated that with the rain and the pumps being off we are not seeing a good response.

Gerry Robbins (N Eagle Lake Drive) reported the culverts on the side of the road are flooded from the ground water. He talked to Jeff VanBelle and inquired when the drain project is going to happen. He also is concerned about EEE. The positive is that there are a lot of dragon flies right now and they eat mosquitos.

Nick McLaughlin (Pine Island Lake) echoed the concerns with the heavy rains and precipitation. Because of slowing the pumps, the levels are coming down slower. This makes the long term solution even more critical.



## MEETING SUMMARY OF THE CHARTER TOWNSHIP OF TEXAS FLOODING TASK FORCE MEETING HELD ON SEPTEMBER 26, 2019

### 3. Flood Mitigation Project Update

Derek Haroldson (EGLE) advised at the direction of EGLE if adverse impacts occur pumping shall cease or slow down. EGLE is making that call. It is clear that the wetlands are being impacted adversely. The pump rate has been cut down to 1000 gpm as of this morning. That rate is not based on anything. The water in the wetlands needs to come down. The tradeoff is that the 48 hour pump cessation is going to be waived. The next couple of weeks will be critical for monitoring downstream. Adjustments can be made depending on the results.

Derek reported that he has a permit application for the culvert replacement in Bass Lake. The Township has agreed to make bank full width which means we could issue as early as tomorrow if we get all of the information we need today.

Derek went on to say that we have been pumping for approximately four months now. Crooked Lake is down 19 inches from the start of pumping which is 43% of the permit goal. Eagle Lake is down 13 inches from the start of pumping which is 27% of the permit goal. We have made significant progress but it has come to the detriment of the receiving wetlands. This is why there is going to be a reduction.

Nick Loeks asked if there is concern about the water freezing after it exits the outlet.

Tom Wheat responded that it is going to be flowing. There may be minor issues but it will stay flowing. Any build up we will have to deal with. He further advised that Prein & Newhof just finished the new projections. Eagle will meet the goal in July and Crooked will meet the goal in April. But these were at 2000 gpm. We now will have to recalculate these projections with the new rate of 1000 gpm.

Tom Wheat inquired of Derek Haroldson if we will be able to increase back up to 2000 gpm in the spring?

Derek Haroldson responded that it is too early to tell that. 2000 gpm appears to be too much for the wetlands to handle. We could ask the Township to go lower if the wetland does not respond.

Jim Roberts inquired where the wetlands were showing stress.

Derek Haroldson responded that all of them are. It started in Bentwood, but now the woody & herbaceous species are affected now. This is not just normal. It is widespread, the soils are super saturated.

Jim Roberts inquired how that equates to the 200 trees that are dying in Crooked Lake that will never come back.

Derek Haroldson responded that they can't take the stance that the wetland will come back. EGLE can't do anything with the trees dying. This approach needs to be balanced.

Dan Moyle commented that if you fly over this area, all of the swales are showing signs of stress. Was that taken into consideration?



## **MEETING SUMMARY OF THE CHARTER TOWNSHIP OF TEXAS FLOODING TASK FORCE MEETING HELD ON SEPTEMBER 26, 2019**

Derek Haroldson responded that the degree of stress is far greater in this area. This can be correlated to the pumping, so it is not the same.

Russ Walters stated that the ground water is rising everywhere. How can that be equated to the pumping? Wetlands have to be getting the same from the subsurface waters.

Derek Haroldson responded that this is why we are monitoring the conditions.

Russ Walters inquired if the new culvert was readily available?

Tom Wheat responded that it was.

Gerry Robbins asked what impact does this have on our permit. This will cause a delay in the drawdown, will the permit be extended?

Derek Haroldson stated that the Township can ask for an extension for up to one year.

Gerry Robbins commented that we should be applying for an extension now.

Nick Loeks stated that the easements for the short term project expire at the end of December 2020.

Derek Haroldson responded when a request comes in to EGLE, they will evaluate it. Now is too early, but spring would probably a good time to see where we are at.

Gerry Robbins stated that he appreciates what Derek and EGLE have done. Everyone's comments are not founded or scientific-you should keep that in mind.

Derek Haroldson stated that they have job to do. This not textbook and we are trying to apply our best effort here. EGLE is all involved in this and the decisions are not being made in a vacuum.

Jim Roberts inquired how long EGLE anticipates it will take for the wetlands to recuperate.

Derek Haroldson responded that he does not know at this time, we will have to wait and see.

Jim Roberts commented that Maples should not be in wetlands. That wetland is not stressed. It will come back. It will take about a year to get back to 2000 gpm- the DEQ is being over cautious.

Derek Haroldson responded that the Township is paying professionals to monitor the wetlands. The stress is not just the red maple; it is the poison sumac and other adaptive plants that are all being impacted. There are acres and acres of wetland systems that wildlife live in. This needs to be balanced out. There is no equation; we are using our best professional judgement.

Russ Walters asked if there was any real chance that DEQ will allow us to go back to 2000 gpm.



## **MEETING SUMMARY OF THE CHARTER TOWNSHIP OF TEXAS FLOODING TASK FORCE MEETING HELD ON SEPTEMBER 26, 2019**

Nick McLaughlin inquired what options we have to get the water moving quicker out of the wetland.

Derek Haroldson stated that the beavers have been an impact and replacing the culvert should help.

Nick McLaughlin asked if we could hold off on the reduction until after the culvert is replaced.

Derek Haroldson responded that we are getting close to the October 1 deadline. We don't have a week's time to experiment. We need to see how the system corresponds.

Jim Roberts commented that if we had put the culvert in one month ago, would we be in the same situation? BSA has been asking for the culvert to be replaced for a long time now. Whose incompetence was that?

Derek Haroldson responded that they were not ready to issue the permit one month ago.

Gerry Robbins inquired when you say you want to see what happens in a couple of weeks. It seems like there is not going to be any change.

John Casper commented that Bass Lake has fared well. The Township is doing a good job shutting the pumps off when the levels are too high.

Aaron Collins commented that they have to clean out the culvert daily, sometimes twice a day.

Tom Wheat stated that until later in the summer, the culvert was working ok. We didn't need to replace it at first. The ground is saturated now and it is taking longer for water to get through the system.

Nick Loeks inquired how long it will take to install the culvert once it has been delivered.

Tom Wheat replied that it is a one day project.

Russ Walters inquired if there was a limit on how low the rate could be set for the pumps?

Tom Wheat responded yes. They are VFD pumps. Crooked Lake Pump struggled at 500 gpm, 1000 gpm seem to be running ok for now.

### **4. UPDATE FROM LONG TERM SOLUTION SUBCOMMITTEE**

Phil DeYoung reminded everyone that the Legal Lake Level Town hall meeting is Thursday October 3<sup>rd</sup> from 7-9pm at KVCC, Dale B Lake Auditorium and the petitions for the Legal Lake Level will be available for signatures.

Tom Wheat commented that they have determined a preferred route for the long term solution. We have at least made contact with everyone that will be required to give easements.



## **MEETING SUMMARY OF THE CHARTER TOWNSHIP OF TEXAS FLOODING TASK FORCE MEETING HELD ON SEPTEMBER 26, 2019**

Nick McLaughlin asked what was being done to get people there to the meeting.

Amy Coon replied that they are using signs, Facebook posts, and flyers as well the Township website, Flood Update, and Township Electronic Sign.

Nick Loeks shared that only the riparian property owners are able to sign the petition.

Russ Walters inquired if we had the pre-commitment agreement for the easements yet?

Tom Wheat responded that we did not have it yet but we will get them.

Russ Walters stated that he is concerned about opposition putting pressure on those people that need to sign easements.

Jim Roberts inquired if the petition required 66% land mass or 66% property owners?

Jeff VanBelle responded that it is 2/3rds of owners abutting the lake, according to the attorney that he has consulted.

Amy Coon commented that Brett Cummings that attorney if it was land mass or parcels and he was told per MCL 324 it was property owners. This means that a lone lot owned by 10 people would constitute 10 votes.

Christine Morse advised that she could ask County Corporate Council how it will be applied as it will be up to their interpretation.

Tom Wheat advised that Prein & Newhof will do the verification and will compare against the tax record. If we need to add another line for additional property owners we will do that.

Russ Walters requested that is clarified so we know where to spend our efforts.

Gerry Robbins stated that questions have been posed to him about the ground water levels beside the lake level. How will the ground water level be impacted by the horizontal well?

Tom Wheat responded that ground water will be affected by the LLL, it will be reduced.

Nick Loeks stated that it will be the Drain Office responsibility to maintain the LLL. There will be a letter of understanding between the Drain Office and the Lake Association for the operation of the augmentation pumps.

Jim Roberts shared that as he explains the permanent fix, people don't understand the horizontal well. Can Tom Wheat create a model for the Town hall meeting?

Tom Wheat responded that he was not sure that would work.



## **MEETING SUMMARY OF THE CHARTER TOWNSHIP OF TEXAS FLOODING TASK FORCE MEETING HELD ON SEPTEMBER 26, 2019**

Jeff VanBelle commented that once we are at the LLL, the long term solution will only be needed every once in a while. If we are in a drought it won't be needed to work at all.

Tom Wheat commented that horizontal wells are used all the time for dewatering, it will use head pressure.

Russ Walters asked if Tom Wheat would consider the audience when he presents the long term solution at the Town hall meeting.

Dian Latora inquired what will happen to the filtration system when we are done with it.

Tom Wheat explained that we will re-use the piping for the long term solution and will try to sell the filtration system.

### **5. FLOOD DAMAGE ASSESSMENT UPDATE SURVEY**

Nick Loeks shared that Assessor Gruizenga is asking everyone that has property damage caused by the flooding to complete an updated flood damage assessment survey. There is a link on our website for the survey and there will be paper copies at the Township Hall. There is a December 1, 2019 due date in order for the Assessor to utilize the information for the 2019 assessments.

### **6. QUESTIONS/COMMENTS**

John Casper inquired when the recent water quality test results would be available.

Julie VanderWiere advised that the Township had just received the report and will post it on the website shortly.

**The next Task Force Meeting was scheduled for Thursday, October 24th, 2019 at 10:30am.**

Submitted by Superintendent Julie VanderWiere