



MEETING SUMMARY OF THE CHARTER TOWNSHIP OF TEXAS FLOODING TASK FORCE MEETING HELD ON AUGUST 20, 2020

Via Zoom

A meeting of the Charter Township of Texas Flooding Task Force was held on August 20, 2020, commencing electronically via Zoom at approximately 10:30 a.m.

1. INTRODUCTIONS

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

- Engineer Tom Wheat, Prein & Newhof
- Engineer Tom Smith, Prein & Newhof
- Kyle Alexander, EGLE
- Jeff VanBelle, Deputy Drain Commissioner
- Travis Bartholomew, RCKC Deputy Director
- Keshia Dickason, Senator McCann's Office
- Christine Morse, Kalamazoo County Commissioner
- Nick McLaughlin, Pine Island Lake
- John Casper, Bass Lake
- Amy Coon, Eagle Lake Association
- Jerry Robbins, N Eagle Lake Association
- Jim Roberts, Crooked Lake Association
- Russ Walters, Crooked Lake Association
- Len Bosma, Eagle Lake Association
- Dian Latora, Pine Island Development
- Marc Rose, Vineyards Development
- Jennifer Jermalowicz-Jones, RLS
- Texas Township Trustee Nick Loeks
- Texas Township Trustee Tim Brown
- Texas Township Superintendent Julie VanderWiere
- Texas Township Supervisor John Hinkle

2. SHORT TERM PROJECT UPDATE

Supervisor Hinkle reported that Kyle Alexander, EGLE, had another zoom meeting to attend and needed to provide his update first.

EGLE PUMPING RATE REDUCTION

Kyle Alexander stated that last week EGLE required a rate reduction to 1000 gpm due to the wetlands exhibiting negative impacts. Kyle Alexander reported that since March 20th, when the pumping rate was increased to 2000 gpm out of Crooked Lake, the pumps had been running for 147 days at that rate. There have been 423,326,000 gallons of water pumped out of Crooked Lake. GEI started documenting stresses in the wetlands on June 4th this year and these stresses did not occur in the control sites until two months later. On an average Site 5 is 7-8 inches higher and Site 3 has been approximately 3 inches higher. EGLE needed to reduce the rate during the remainder of the growing season to mimic what is naturally occurring in the system. Once the growing season is over, EGLE plans to allow incremental increases to the pumping rate similar to last year, if the system responds as it did last year.

Nick McLaughlin asked if Kyle Alexander could be more specific about the stresses that have been observed.

Kyle Alexander responded that the Township posts the GEI reports on their website on the Flood Page. On the June 9th report, GEI indicated that Site 4 had red maple trees that did not leaf out and appeared to have stunted growth but there was robust growth in the control sites. The receiving waters started showing stress in June this year, but it was not until July last year.



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Nick McLaughlin commented that the control sites were also showing stresses.

Kyle Alexander responded that they are now starting to see signs of stress in the control sites but their concerns are based on what started in June/July. They would like to give the wetlands a break during the dry season, as last year the wetlands could not recover.

Nick McLaughlin stated that the clock is ticking, and we have limited time. Would EGLE take that into consideration?

Kyle Alexander responded that EGLE does take that into consideration. He stated that they are talking with the Township about heavy rain events and increasing the rate to allow some additional relief during those times. EGLE has asked the Township to provide a proposal.

Russ Walters inquired about operating at a reduced rate during the growing season, how long does that last?

Kyle Alexander responded that he would need to defer to Derek on when that is, but it is usually done in October. However, we need to be careful about the fauna as well. Last year we saw ground water pretty stable. If ground water levels remain stable, we will allow increases in the pumping rate.

Russ Walters inquired if the reports were similar to last year or are there invasive species being impacted?

Kyle Alexander responded that they are similar to last year. We are not basing it completely on this as we started out with higher levels. This is a balancing act- we have allowed pumping at the max rate for 147 days.

Jerry Robbins commented that he appreciates everything that has been said and that EGLE is protecting the environment. He lives on N. Eagle Lake Drive and we have trees dying from what has happened. There are more trees dying now. He said he sent an email to Derek asking about the correlation of the control sites and the monitoring sites noting that just because "A" and "B" are showing the same thing, it doesn't mean one makes the other happen.

Kyle Alexander commented that EGLE could have required more data points but they didn't because of the emergency status.

Jerry Robbins asked if the permit extension had been approved.

Kyle Alexander responded that it had not formally been approved yet, however there is no reason not to approve it.



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Jim Roberts stated that he was on Crooked Lake last night with RLS and there is a lot of Eurasian Milfoil. He advised that they will need to do a weed treatment on Crooked Lake and will need to shut off the pumps for 5 days. He inquired if EGLE would allow an increase in the rate to make up for the pumps being shut down.

Kyle Alexander responded that Jennifer Jones could submit a plan with the details and EGLE will consider.

Jim Roberts commented that they are thinking about treatment next week Wednesday.

Kyle Alexander commented that the rate EGLE is controlling is out of Crooked Lake. You as a Task Force can ask the Township Board to change the rate out of Eagle Lake.

Jim Roberts commented that we are in a mini drought. Buckthorn is invasive and was listed as being stressed. Is the drought having an effect on the wetlands?

Kyle Alexander responded that he did not know for sure as things are still super saturated.

Jennifer Jones commented that they have a lot of maples on their own property in Ottawa County that are showing stress. She advised that they may want to check if the stresses are more wide spread.

Kyle Alexander responded that they are going by the GEI reports. The red maples did not leaf out. The GEI report shows significant differences with the control site and the monitoring sites.

Leonard Bosma commented that he hoped in EGLE's deliberations they keep in mind why we are pumping. I know we are basing it on the impact to the wetlands, but I implore you to consider the impact on the residents as well. Please keep this in mind.

Kyle Alexander responded that it is not lost on us at all. We know why we are pumping, and we are seeing some significant improvements.

Leonard Bosma stated that the residents are worried about the winter and what that will bring.

Kyle Alexander responded that is why EGLE is talking with the Township about increasing during significant rain events.

EASEMENT UPDATE

Julie VanderWiere stated that Jim Roberts is in the process of purchasing the Fleck Property in Bentwood and that he is willing to provide an easement for that property until June 1, 2021. The Bentwood Shores Association property is still an issue that we are trying to work through.



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Julie VanderWiere thanked all of the property owners that provided the easements originally because we would not be where we are at now without those. She also thanked Jim Roberts for purchasing the Fleck Property and allowing the easement extension.

Amy Coon commented that they are trying to meet with the Bentwood residents. She has reached out to Kris Newby and has asked for a meeting, which may be scheduled for Monday. She also thanked Jim Roberts for purchasing the Fleck Property.

3. STATUS OF FLOODING

Amy Coon (Eagle Lake) reported that the level is steadily declining and has been following the projected path. She does not know how the scaled back pumping will effect the decline though. The measurements have been going in the right way.

Dian Latora (Pine Island Development) also reported that they are steadily going down as well. From the highest point they are down 24-30 inches. We are hopeful that pumping can continue.

Marc Rose (Vineyard Development) reported that things are good. The dry spell has helped for sure. The Drain Office is finishing the project.

Jerry Robbins (N. Eagle Lake Drive) reported that they have had flooding with the heavy rains. We are supposed to have a Drain Office project to drain into Eagle Lake. He asked if Jeff VanBelle was able to comment on where the status of that project was.

John Casper (Bass Lake) reported that Bass Lake is doing well. They are 1-2" lower since pumping rate was cut back. He would like to know the lasting effect of Eurasian Milfoil treatment.

Jennifer Jones responded that she has recommended the use of Diquat, which takes 24 hours to take effect and will be totally gone within 72 hours.

Nick McLaughlin (Pine Island Lake) reported that he is hesitantly delighted. They have reached a new low point and they are lower than they were last year going into the winter. He is also encouraged that we are moving closer to being able to pump in the winter.

Jim Roberts (Crooked Lake) reported that they are down 32 inches from the highest point. CLTA board voted unanimously to extend the easement to continue pumping. The Bentwood issue is completely separate from CLTA.



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4. DRAIN COMMISSION UPDATE

Jeff VanBelle reported that he was out on Eagle Lake last week and he talked to some of the property owners. They reported that their sump pumps are running less. When Eagle Lake's WSE gets 900 or below they will be able to construct the N Eagle Lake Drain project. The project is fully designed and ready to go to bid. Once we get closer we will put it out to bid.

In Vineyard we did not want to get into dewatering with that project. The Contractor is going to mobilize and hopes to complete the project by the end of September. He apologized to the residents for the disruption in the road.

Jeff VanBelle also commented that he is cautiously optimistic but is concerned about the fall rains.

Lake Level Report

Jeff VanBelle stated that the report is still a draft and not ready for release as there are some things that still need to be changed. DNR Fisheries provided comments and they are responding to those now. The Attorney for the project advised not to release the draft study. Covid-19 has delayed the responses and the review of the comments as well as in person court has not resumed yet.

He stated that Commissioner Morse helped to answer the question about having to go back to the County Board to petition the Court. It has been determined that it does not have to go back to the County Board because they provided the authority to petition the court in their proclamation.

He then stated that if they can get comments from EGLE on a solid footing they will be able to get a court date.

Jerry Robbins stated that he appreciates Jeff VanBelle's efforts and asked if Jeff could provide a summary on what the N Eagle Lake Drain Project is and what residents are involved in that district.

Jeff VanBelle commented that was really outside of the Task Force purview. He will give Jerry Robbins a copy of the plans and Jerry can disseminate to his neighbors.

Leonard Bosma also asked Jeff VanBelle about the draft Lake Level Study and his comment that it had changed significantly. Is that due to EGLE comments?

Jeff VanBelle responded that DNR Fisheries has come out against this project but they do for all of them. EGLE is the regulatory authority on this project. We are trying to minimize impact with DNR and EGLE during court and would like to get their questions answered before going to court.



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Leonard Bosma asked if the court date was dependent upon the completion of the report and what is the estimated time?

Jeff VanBelle stated it will take 45 business days for a court date but there is a backlog due to Covid-19. The Prosecutors are working through this though. We still think we can get in on the docket in our time frame.

Leonard Bosma then asked Tom Wheat if he felt we were still on schedule for the long term project?

Tom Wheat responded that yes we still seem to be on schedule. We did get comments back from EGLE. They want more information on downstream impacts. We need to know from Fahey-Schultz how much information is needed on the Lake Level Study and how much is needed for the permit application.

Leonard Bosma thanked Jeff VanBelle, Tom Wheat, Tom Smith and the Township for their diligence on the long term solution.

Christine Morse commented on the issue going back to the County Board. She stated that they did everything according to statute and she is confident that we are good to go. The downstream impacts however we need to be cognizant that there may be people organizing downstream against this project. There are residents in the City of Kalamazoo that think we are flooding them.

Tom Wheat responded that they did put together some data using flows and plotted graphs showing there is insignificant impact. This information was provided to James Baker.

Christine Morse stated that is it important to get that information out and maybe provide some education on it to help with the public outcry. We need to make sure we are covering all of our bases.

Jim Roberts commented that last night that Ronnie from RLS stated that Jeff VanBelle did a similar project in Decatur.

Jeff VanBelle responded that it was a successful project that had both augmentation well and an outlet. The long term impacts will be significantly less unless there is a large event. The City needs to be the lead on this and we will assist them in any way we can.

Jim Roberts commented that Jeff VanBelle's project was a success. Len thanked people earlier, we don't want to forget about thanking Bass Lake residents as well for being good neighbors.



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5. COMMENTS/QUESTIONS

None

The next Task Force Meeting has been scheduled for Thursday September 24, 2020 at 10:30 a.m.

Submitted by Superintendent Julie VanderWiere
September 1, 2020