

6 November 2019

Governor Gretchen Whitmer
P.O. Box 30013
Lansing, Michigan 48909

Dear Governor Whitmer:

We are the Eagle Lake and Crooked Lake Associations and adjacent sister neighborhoods of Texas Township in Kalamazoo, Michigan. We desperately need your help with our ongoing flooding crisis. **We urgently request that you act as necessary to reverse the recent decision by the Michigan Department of Environment, Great Lakes, and Energy (EGLE) (formerly Michigan Department of Environmental Quality) to lower our pumping rate and thereby restore the original pumping rate granted in our original EGLE permit. Without such restoration, our project to mitigate area flooding likely will end in failure.** Our associations represent several hundred flood affected lake resident homeowners in addition to several other hundreds of flooded homeowners in Texas Township. The most recent decision made by EGLE to arbitrarily lower the permit pumping rate has caused Texas Township water levels to rise again. So, once again Texas Township residents are faced with millions of dollars' worth of additional property damage, as well as, additional irreparable harm and habitat destruction to our local lake wetlands and trees.

Specifically, on 25 September 2019, EGLE mandated a reduction in pumping from 2,000 gallons per minute to 1,000 gallons per minute, with the accompanying threat of additional pumping reductions for our existing EGLE permit. This permit allows pumping from Eagle and Crooked Lakes (lakes without natural outlets) into a wetland area that drains into Bass Lake which has a natural outflow. The EGLE decision was based on downstream monitoring that noticed "stress" on approximately 20 acres of wetland vegetation. The EGLE rationale is apparently focused on potential, unrealized damage to wetlands that are "immediately downstream of the pumping" while at the same time seemingly ignoring the actual, ongoing damage to wetlands "upstream of the pumping". In addition, EGLE appears to be largely unconcerned about thousands of mature trees that have died due to continuous upstream flooding conditions. Without question, there will be additional significant mature tree losses, if flooded water is not pumped at a rate of 2,000 gallons per minute.

However, far more important than the tree loss or wetland stress, EGLE is ignoring the plight of hundreds of residents who have lost homes or are spending millions to protect them from flooding conditions. While being overly cautious in anticipating worst-case scenarios of what might happen "downstream", EGLE is now responsible for failing to provide adequate relief for residents living in already "severely flooded upstream" areas in Texas Township. It seems to us, that residents of Texas Township are experiencing a relentless, enduring crisis that State officials are deliberately ignoring. Please see Enclosures 1-6; they document the extent of the ongoing damage and summarize what we are doing to overcome this unending, local catastrophe.

It is now time for the State of Michigan to take action to protect the homes and property of residents that are in Texas Township. We desperately need this recent arbitrary EGLE decision overturned and our pumping rate of 2,000 gallons per minute reinstated to protect our homes and property. We believe the testimony at a recent Texas Township Task Force meeting by environmental scientist Dr. Dale McLaughlin (Enclosures 7-8) refutes the rationale for the EGLE decision to reduce the pumping rate.

In sum, EGLE must be forced to reconsider the reasoning behind reducing the pumping rates and must consider the continued overall impact to areas upstream that are already flooded. We certainly do not want to cause flooding of anyone's home or property damage for residents that are downstream. However, records being maintained by Kalamazoo County and Texas Township officials have been rigorously kept during the months of pump operation, and they clearly show that the system can handle this rate of flow. To allow the hundreds of upstream property owners to continue to suffer property destruction, emotional stress and financial loss at the possible cost of some vegetation in a small wetland area is unmerited and unjust.

Please help us, Governor Whitmer. We extend to you a personal invitation to please come visit us and see firsthand our situation. We are confident that if you visit our Township, you will see our request is not unreasonable. At the very least, we are asking for your direct intervention to re-instate the 2,000 gallon per minute pumping rate.

We sincerely thank you for your attention to this matter,

Amy Coon, President of Eagle Lake Association

Jim Roberts, President of Crooked Lake Association

Nick McLaughlin, Task Force Lead, Pine Island Lake

Dian Latora, Task Force Lead, Pine Island Subdivision

Marc Rose, Task Force Lead, Vineyards Neighborhood

Enclosures:

1. Pictures of Texas Township Devastation
2. Pictures of Texas Township Wetland Comparisons
3. Crisis Background Summary
4. Details and Impacts of Recent EGLE Decision
5. Damage Cost Assessment
6. The Long-Term Permanent Solution
7. Thoughts on Wetland Impact by D. McLaughlin
8. Resume of D. McLaughlin - 10-24-2019

The enclosed documents, including letters, pictures, reports, charts, graphs and maps have been compiled from many sources, all of whom are involved in one way or another with the on-going flooding crisis in Kalamazoo County's Texas Township. During the weeks it has taken to compile the information being presented, the impact of the flooding has continued, and unfortunately, the level of the flood waters has actually increased. Additional information and documentation about our situation is available on the Texas Township website WWW.texastownship.org under the heading FLOODING CRISIS. Also, we wish to express sincere thanks to Texas Township and Kalamazoo County officials for support rendered during our crisis.

The next meeting of the Texas Township Flood Advisory Committee, which includes representatives from the lake boards, as well as representatives from Texas Township, the Kalamazoo County Board of Commissioners, the County Road Commission, the County Drain Office, the engineering firm of Prine&Newhof and EGLE is scheduled for 10:30am, Thursday, 21 November, at the Texas Township Office. If your schedule permits, we would encourage and welcome you to join us, and have a chance to view first-hand the severity and impact of the flooding crisis, and have an opportunity for dialogue with affected residents.

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