

DATE: January 15, 2021

TO: Long Lake Property Owners & Residents

FROM: LLCA Water Quality Committee

RE: Status & Update of the Permit Request to Bring Overflow Water North from Crooked Lake

BRIEF SITUATION DESCRIPTION: As many of you are already aware, due to the flooding of the last 3-4 years, in Michigan and in particular Barry County, our Drain Commissioner has been seeking a permit to bring water from flooded Crooked Lake, 4 miles south, through the chain of lakes and ultimately through Long Lake. After more than a year of paperwork, surveys, and testing, the permit HNR-EXFE-SV4Z9, 08-Delton Rd-Delton, has received draft approval status per EGLE (*Michigan Department of Environment, Great Lakes, and Energy; formerly DEQ*), with final approval pending for January 22, 2021. The draft period allows the Drain Commissioner (*permit applicant*) time to read the permit and possibly negotiate points with EGLE regarding the terms stipulated within the permit.

THE WATER QUALITY COMMITTEE for Long Lake was formed by the LLCA in June 2020 specifically to monitor the permit process for bringing the water north. For several months our team has been reading and tracking a plethora of information, making phone calls, writing letters, and establishing communications with EGLE in representation of the Long Lake community. In that short amount of time, we feel that the Long Lake interests have been duly advocated, and in some cases we have had notable success.

1. **ADDED:** Filter added specifically for Zebra mussel elimination (at water exiting infiltration basin, entering Delton Marsh): This was not being considered when our team formed in June. We were able to highlight and add prevention for this highly invasive threat to our lake. The filter required has very small screening (≤ 40 microns) to extract Zebra mussel larvae from the water, and it's inclusion was being avoided due to cost of ~\$400K. It is now included in the approved plan.
2. **ADDED:** Aquatic vegetation filter with a self-cleaning air burst (at Cloverdale Drain outlet): This was agreed to be added at our request to decrease contamination from invasive weeds that we currently treat our water for, like Carolina Fanwort (Cabomba), at our own expense. Even though we treat for these and other weeds, the quantity of waters that will be passing from Cloverdale Lake to Long Lake will be substantially increased, requiring a greater degree of preventative measures. Some parts of the chain of lakes are infected at 100%, while our lake is currently maintaining 13% Cabomba, with our major infestation area at the inlet from Cloverdale Lake. Cabomba is an example of a weed that is difficult to impossible to eradicate once it is present, so the risk is real.
3. **REDUCED INPUT & OUTPUT CULVERTS:**
 - A) Input culvert from Cloverdale Lake into Long Lake was **reduced** from the originally proposed 36", downsized to 24", and will reduce the maximum amount of water that could enter our lake during high water periods in the spring.
 - B) Output box culvert at north end out of Long Lake was **reduced** from a 6'x4' to a 4'x4' to lessen the amount of water outflowing from Long Lake during dryer periods.
 - C) We still have some concerns on the final controls during both high and low water times and continue to work on that.
4. **DELAYS FACILITATED:** The permit approval was delayed a total of 6 times while our team was actively monitoring the documentation being submitted by the Drain Commissioner and the engineering firm. During our involvement we were actively engaging EGLE team members with the concerns for our lake and making them keenly aware that we were interested and vigilant. EGLE personnel were always gracious and appreciative for our watchful eyes, as there are more than 300 documents under their review just for this one proposal. EGLE hours are reduced due to COVID-19.
5. **INTEGRATED COMMUNICATION:** Our Water Quality team interacted as opportunities arose with key stakeholders from many aspects and avenues, exploring our options to curtail the plan, including:
 - Communicated with EGLE on a regular basis, written and verbal
 - Communication with personnel from the DNR who are invested in the area, and this project, via EGLE.

- Kept open communication with our neighbors to the north who manage the Shultz Lake and Dam, where the Southwest Michigan Land Conservancy, US Fish & Wildlife and Ducks Unlimited have made large capital investments in restoring and preserving the habitats of this area and remain caretakers.
- Hosted a live Facebook interview with Jim Dull in July 2020, allowing Q&A from viewers online.
- Consulted with an independent hydrologist to review the engineering plan and tour the area with Jim Dull & members of our team to garner outside perspective.
- Consulted with a lawyer to explore our legal options.
- Kept contact with Hastings Banner as a source of information flow.

COSTS TO LONG LAKE PROPERTY OWNERS: Technically our lake residents can only be charged for the portions of this project that are a direct improvement to our own lake. And MDOT has previously agreed to pay much of the expense for our improvements, since they directly benefit from us taking on water to alleviate the M43 flooding as needed for the past couple of years. At completion of the project there will be a Day of Review held by the Drain Commissioner which is an opportunity for the public to review the apportionments (or percent of total) levied onto individual parcels within the Cloverdale Drain District. At this time we have no idea what it might be. Suffice to say that the Crooked Lake residents are paying for a majority of the costs of this project.

We also expect to apply for a legal lake limit in 2022, which may cost a one-time fee of <\$150/parcel. Moving forward we may require more funding if there are legal actions that need to be pursued on behalf of our lake community. If this were to be required collective donations would be requested.

3 WAYS WE ARE COMMUNICATING TO LONG LAKE RESIDENTS ABOUT THIS PERMIT APPROVAL:

1. **EMAIL** – Full draft permit is attached to the email for your review, and other links included below.
2. **POSTAL MAIL** – NOTE: if you receive postal mail and would like a paper copy mailed to you, please contact our team using the contact information at the bottom of this letter.
3. **VIDEO/PHONE CONFERENCE** To reinforce the information we are sending, we will be hosting an **LLCA Community Q&A on Zoom on January 24th at 2pm.** Connection information below:

<u>ZOOM/SCREEN VIDEO - MEETING LINK</u>	<u>PHONE AUDIO-ONLY CONFERENCING</u>
No need to have ZOOM loaded, just click on the link & open in chrome or other browser if prompted https://us02web.zoom.us/j/5188817512	<u>CALL:</u> 1-929-205-6099 and when asked, key in <u>MEETING ID:</u> 518 881 7512

NOTE ABOUT PHONE AUDIO-ONLY CONFERENCING: For those who have not used Zoom, it is worth noting that *you do NOT need a computer or a camera to join the meeting.* You can have a **land line phone** and use this telephone number and meeting password to participate on an audio basis, basically as a conference caller.

PLEASE EMAIL QUESTIONS that you may already have for the Q&A on January 24 to LLCAwaterqualitycommittee@gmail.com. It would be beneficial to receive questions in advance, but you can also ask them on the ZOOM/CONFERENCE CALL.

We will continue to keep you informed by email. If you have not yet filed your email with the LLCA, please do so now on our website at long-lake.org.

INFORMATION: Access more information at our Long Lake website: long-lake.org, Water Quality or EGLE website <https://miwaters.deq.state.mi.us/nsite/map/results/detail/-7259561614848068580/documents>

<u>ATTACHED TO EMAIL</u>	<u>INCLUDED WITH POSTAL MAIL</u>
Long Lake Objection Letter to EGLE, 1/13/2021	Long Lake Objection Letter to EGLE, 1/13/2021
Background information on Local Flooding	Background information on Local Flooding
Draft Permit from EGLE	Engineering Plans for Long Lake Inlet & Outlet

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