



**Detroit Water and Sewerage Department
Office of the Deputy Director and Chief Engineer**

735 Randolph Street, Detroit, MI 48226
313-267-8000 • detroitmi.gov/DWSD

March 25, 2002

Latisha Johnson, District 4 Council Member
2 Woodward Ave, Suite 1340
Detroit, MI 48226

Re: Sale of Property at 19015 Van Dyke

In response to questions in your March 16, 2022 memo regarding the “Sale of Property at 19015 Van Dyke”, DWSD concurs with the letter responding to these questions submitted by the Oakland-Macomb Interceptor Drain Drainage District (OMIDDD) submitted March 15, 2022 (attached for reference).

In summary, DWSD prior to the formation of the Great Lakes Water Authority (GLWA), had an agreement (2009; amended in 2012, 2014 and 2019) with OMIDDD to perform all maintenance and capital improvements for the Northeast Sewage Pump Station (NSPS) and the North Interceptor East Arm (NIEA). The NSPS and NIEA serve OMID; the NIEA only has OMID flows from 8 Mile to Meldrum. The agreement for maintenance and capital improvements was developed because OMID is solely responsible for the costs associated with these facilities. The City of Detroit, nor other member partner communities of the GLWA bear any cost for the assets which serve OMIDDD.

OMIDDD does not operate the NSPS or any flow control gates on the NIEA. The property for which the easement is requested is for the installation of the power and control cabinets for this gate. This is not a sale of the property at 19015 Van Dyke; ownership remains with the City of Detroit. The easement grants access for the installation and maintenance. All activities during construction will be coordinated with and approved by GLWA. At the end of the construction period, all assets will be turned over to GLWA and will be operated by GLWA in accordance with the agreement between OMIDDD and GLWA. This construction project does not alter contractual agreements between OMIDDD and GLWA related to contract capacity, i.e. flows that OMIDDD may discharge to the NSPS.

Sincerely,

Palencia Mobley, P.E.
Deputy Director and Chief Engineer
Detroit Water & Sewerage Department

Cc: Gary A. Brown, Director, DWSD
Debra Pospeich, Chief Administrative Officer and General Counsel, DWSD
Sam Smalley, PE., Chief Operating Officer, DWSD
Suzanne Coffey, P.E., Interim Chief Executive Officer, GLWA
Todd King, P.E., Field Services Director, GLWA



Oakland-Macomb Interceptor Drain Drainage District

Latisha Johnson
District 4 Council Member
2 Woodward Ave.
Suite 1340
Detroit, MI 48226

RE: Sale of Property at 19015 Van Dyke

Dear Ms. Johnson:

The purpose of this letter is to more fully respond to the number of questions your office has in the attached memo to Mr. Antoine Bryant, Director of Planning & Development for the City. The questions were in regard to the Oakland-Macomb Interceptor Drain Drainage District's (OMIDDD) request for the City of Detroit (City) to grant an approximately 10-foot-wide permanent easement located at 19015 Van Dyke. The easement is needed to provide a location in which to place a power and controls cabinet for a new sluice gate as part of the North Interceptor-East Arm (NI-EA) OMID Contract 2: PCI-18 & PCI-19 Rehabilitation Project. The gate will provide necessary flow control diversion for the OMIDDD to be able to apply a fully circumferential spray lining along an approximately 800-foot reach of pipe within the NI-EA in proximity to Mack Ave. and Gratiot Ave. The existing tar coating has deteriorated in this region and the underlying concrete pipe is experiencing hydrogen sulfide corrosion.

This request was originally brought before the Planning & Economic Development Committee on June 24, 2021. It was clear from that meeting from questions and comments by both council members and the public at-large that the following needed to be done:

- Develop an improved project understanding of work within the NI-EA
- Provide additional community outreach
- Secure approval of the project from the Detroit Water & Sewerage Department (DWSD)

These points are expanded upon below:

Develop improved project understanding

We have developed the appended project flyer which provides more background on the OMIDDD and the two projects we are working on within the NI-EA. The projects are titled NI-EA OMID Contract 1: PCI-4 Rehabilitation (Contract 1) and the aforementioned NI-EA OMID Contract 2: PCI-18 and PCI-19 Rehabilitation (Contract 2). The sole purpose of the two projects OMIDDD has undertaken within the NI-EA is to perform rehabilitation of the interceptor to prolong its useful life. The addition of the gate structures within the NI-EA OMID Contract 2 project will also allow for system redundancy in the future. It is important





Oakland-Macomb Interceptor Drain Drainage District

to note that we are not adding any additional flow as part of these projects, which we understand is of substantial concern to the City and its residents. Further, there have been existing contracts between DWSD and now the Great Lakes Water Authority for Oakland County and Macomb County flows since the 1970s to our understanding. As of late, when OMIDDD formed in 2009, a new contract was developed between OMIDDD and DWSD to continue flow conveyance. This contract was then modified in 2019 to allow the OMIDDD to maintain the NESPS and the NI-EA to be able to facilitate the aforementioned projects. GLWA still operates these assets under lease from the City and, accordingly, OMIDDD does not assert ownership over the NESPS nor the NI-EA; they are still City assets.

Provide additional community outreach

After the initial June 24, 2021 meeting, OMIDDD participated in a Tuesday August 31, 2022 community outreach webinar held by DWSD in which the NI-EA was discussed, and we fielded questions regarding the Contract 1 and Contract 2 projects. After attending the webinar, it was our understanding from communication with the Department of Neighborhoods and Councilman Scott Benson's office that no further outreach with the community was needed at this time. Moving forward, prior to construction, we will be issuing letters to neighborhood residents informing them of the project and who to contact with questions or concerns. Please note that this was done for the local businesses within the Contract 1 project zone at Outer Drive and Van Dyke. We are also willing to attend further community outreaches as needed as the project progresses.

Secure approval of the project from the DWSD

While at the time of our initial easement request we had attained GLWA approval for Contract 2 project, we did reach out to confirm with DWSD that they had no objections to the Contract 2 project either. Both Sam Smalley, P.E. and Palencia Mobley P.E. confirmed this on behalf of DWSD.

Now that we have provided some preliminary background on OMIDDD, the NI-EA projects and our previous efforts we have made toward this easement request since the June 24, 2021, meeting, we would like to respond to your questions more directly below.

1. Why is Oakland-Macomb Interceptor Drain (OMID) being given authority permanently over a City-owned asset that controls sewerage flow and thus affects sewerage collection within our boundaries?

Through a 2019 agreement with the Great Lakes Water Authority (GLWA), the Oakland-Macomb Drain Drainage District (OMIDDD) has only been given authority to maintain the Northeast Sewage Pumping Station (NESPS) and the North Interceptor-East Arm (NI-EA) infrastructure. GLWA still operates both the NESPS and NIEA. Flow control will be coordinated and approved by GLWA during the NI-EA OMID Contract 2: PCI-18 and PCI-19 Rehabilitation (Contract 2) Project. The





Oakland-Macomb Interceptor Drain Drainage District

gates will then be handed over to GLWA and, by extension, become a City asset upon conclusion of the project.

2. How much did it cost the City of Detroit to build this regulatory gate?

Based on the documents we have reviewed, the original cost of the PC-663 gate situated within the NI-EA at 7 Mile and Van Dyke was approximately \$4,000,000 in 1994. The current cost estimates to rehabilitate and automate the gate is approximately \$2.5 million.

3. When was this gate built?

The PC-663 gate was built in 1994.

4. If approval of this proposal allows OMID to control sewerage flow to the east side via the interceptor under Van Dyke or to direct it to the west side via the interceptor under Seven Mile, how do they make that decision when they have no information on conditions in the larger collection system or responsibility for the consequences of their decisions?

Coordination of sewage flow diversion will be conducted under approval and direction of GLWA. Flow diversion will only occur on dry-weather days when GLWA grants approval to do so.

5. Why is it advantageous to the City to effectively give away this asset?

The City is not giving away any assets as part of this project. The improved PC-663 gate and new 7 Mile adit flap gate will be transferred to GLWA at the conclusion of the project and thus, by extension, become an asset of GLWA & the City. The Contract 2 project is also being funded 100% by OMIDDD. Further, the addition of these gates provides future system redundancy where GLWA could divert flow for emergencies, inspections and future work that can be accomplished in a more cost-effective manner since there is more work time.

6. Is there any way that this asset could be operated by OMID, in its current condition or a modified condition, that would be disadvantageous to the City or its residents?

During construction, flow diversion will be coordinated through and approved by GLWA under dry-weather conditions. The gates will not be operated in any way to compromise the City or its infrastructure. GLWA will retain sole operation of the gates at the conclusion of the project.





Oakland-Macomb Interceptor Drain Drainage District

- 7. Isn't it reasonable to assume that when extreme storm conditions occur, whether in a year, a decade, or a lifetime from now, that OMID will operate this regulatory valve to the advantage of their residents and businesses even if it overwhelms our neighborhoods with their sewerage?**

Use of the gates for flow diversion to for the purposes of this project and for future projects/inspections will only be done during dry weather flow under the direction and approval of GLWA. GLWA will retain sole operation of the gates at the conclusion of the project.

- 8. Why is this matter being handled solely by P&DD and not DWSD?**

It is our understanding that GLWA has jurisdiction over the NI-EA and the relief sewers required for construction, maintenance and operation through an agreement with the City. However, through Councilmembers' request, we have also sought and acquired DWSD's approval of this project.

Additionally, OMIDDD is requesting a permanent easement for the power and controls cabinet needed to operate the PC-663 gate. The City is the entity that has title to the subject property, not DWSD or GLWA, and thus is the proper legal entity having jurisdiction where granting easements are concerned. It is our further understanding that Detroit City Council referred this matter to the Planning and Economic Development Committee as this committee has jurisdiction over City property involvements.

- 9. What effect does this decision have on DWSD and GLWA operations?**

The intent is for this project to be coordinated with other GLWA and/or DWSD projects so as to not negatively impact ongoing construction work or operations.

- 10. What is the relationship between OMID and the Oakland-Macomb Interceptor Authority (OMIA)?**

The Oakland-Macomb Interceptor Authority referenced is actually the Oakland-Macomb Interceptor Drain Drainage District (OMIDDD). OMIDDD has a three-panel member Board, with Commissioners from the Oakland County Water Resources Commissioner's Office and the Macomb County Public Works Office and a representative from the Michigan Department of Agriculture and Rural Development. The OMIDDD is the governing body for the Oakland-Macomb Interceptor Drain (OMID).





Oakland-Macomb Interceptor Drain Drainage District

- 11. The OMIA currently has a large project inside Detroit on East Outer Drive at Van Dyke. Their above-ground structure covers the Outer Drive median and three traffic lanes and is a block long. It has been there for over a year, but the public has not been given any explanation as to what OMIA is doing to our City-owned interceptor. It also appears that OMIA has been given control of the sewerage lift station behind the Northeast Water Treatment Plant and uses locks to keep DWSD employees out. Has the City agreed to give OMIA control of that station and other sewerage lines that emanate from the Northeast site? If so, when did City Council approve that?**

We would like to note that we did provide notice of construction letters to the businesses and residents within the immediate proximity to the work site at Outer Drive and Van Dyke and secured all required City of Detroit and other permitting to conduct the work. However, now that we have connected with the Department of Neighborhoods and other City governing bodies, we will work with the appropriate entities to ensure sufficient public outreach has been made for future projects.

With respect to the NESPS, the 2009 Wastewater Service Agreement between OMIDDD and the City (through DWSD) started the process of OMIDDD performing work at the site. Subsequent amendments in 2012 and 2014 between the City and OMIDDD formally authorized OMIDDD to undertake work needed at the NESPS. Most recently, through a 2019 agreement between OMIDDD and GLWA, which was approved through the GLWA Board, provisions in the 2014 Amendment were reinforced and further authorized OMIDDD to conduct capital and major maintenance projects to maintain the NESPS and the NI-EA subject to the approval of GLWA.

Currently, the OMIDDD is administering the NESPS Pumping and Electrical Upgrades Project onsite. This project entails the complete replacement of pumps, motors, switchgear, transformers, process piping and other ancillary mechanical and electrical equipment that has outlived its useful service life. GLWA still operates these assets under lease from the City. The OMIDDD does not assert ownership over the NESPS nor the NI-EA; they are still City assets, but they are paid for 100% by OMIDDD and are not "Common to All" system assets. The OMIDDD has been provided gate access via State Fair for personnel and contractors to use for project and maintenance purposes. GLWA still has access to the site via the Northeast Water Treatment Plant gate to the north.

- 12. How does this connect to the gate at 19015 Van Dyke?**

The shaft construction referred to in Question #11 is for slip-lining the first 1700 feet of pipe immediately downstream of the NESPS under the NI-EA OMID Contract 1:





Oakland-Macomb Interceptor Drain Drainage District

PCI-4 Rehabilitation Project. The PC-663 gate at 19015 Van Dyke is further downstream along the NI-EA from the Outer Drive and Van Dyke shaft site (away from the NESPS) and is unrelated to this work.

13. Does the approval of the easement give control over this regulatory valve and rights to operate, maintain, modify or reconstruct it, or has that been previously done?

The 2019 Agreement between OMIDDD and GLWA allows the OMIDDD to undertake various construction projects to improve and maintain NI-EA assets subject to the approval of GLWA. GLWA operates the NESPS and the NI-EA and will have ultimate control over the PC-663 gate. The easement only allows OMIDDD to be able to construct the power and control cabinet on the subject property and run power to the cabinet from a nearby alley. This easement will be assigned to GLWA at the conclusion of the project.

14. Why is this eternal, when we cannot predict the character and potential abuse that could occur by future OMID leaders?

Flow diversion will entirely be under the direction and approval of GLWA during construction. The PC-663 gate will then be transferred to GLWA at the conclusion of the project. The only “eternal” portion is the property where the easement is needed. Since OMIDDD is contractually tasked with the maintenance of the system, the easement ensures that there is access to the facilities whereby OMIDDD can fulfill its contractual obligations. The easement will be assigned to GLWA at the conclusion of the project.

15. What other OMID or OMIA activities exist within Detroit?

Currently, only the NI-EA OMID Contract 1: PCI-4 Rehabilitation project (shaft at Outer Drive and Van Dyke for slip-lining), the OMID Contract 2: PCI-18 & PCI-19 (in which PC-663 will be modified) and the NESPS Pumping and Electrical Upgrades Project are the only projects OMIDDD is undertaking within the City.

We trust this letter and appended flyer sufficiently answers the questions and concerns you have raised regarding the OMIDDD, the NI-EA projects and ultimately OMIDDD's request for permanent easement at 19015 Van Dyke. At the upcoming March 17, 2022 meeting, we have prepared a presentation that we believe addresses many of the questions posed herein for the benefit of the Planning and Economic Development Committee and public at-large. Should the committee allow our presentation, we would be happy to present and answer questions at its conclusion. In the interim, should you have further questions regarding this letter or subject matter, please contact Joel Brown, P.E. at brownjt@oakgov.com or 248-410-4908.





Oakland-Macomb Interceptor Drain Drainage District

Sincerely,

Sid Lockhart, P.E.
Deputy and Special Projects Manager
Water Resources Commissioner's Office
Oakland County

Stephen Downing
Construction and Maintenance Manager
Public Works Commissioner's Office
Macomb County

cc: Brian Coburn P.E., OCWRC
Joel Brown, P.E., OCWRC
Joe Colaianne, Esq., Clark Hill
Larry Gilbert, P.E., NTH Consultants, Ltd.
Saju Sachidanandan, P.E., NTH Consultants, Ltd.
Abdulnasser Almadhoun, P.E., NTH Consultants, Ltd.
Fritz Klingler, P.E., FK Engineering Associates
John Michalski, Applied Science, Inc.
Todd King, P.E., GLWA
Biren Saparia, P.E., GLWA
Palencia Mobley, P.E., DWSD
Sam Smalley, P.E., DWSD

Attachments (2);

1. Memorandum titled "Sale of Property at 19015 Van Dyke" dated March 11, 2022 (sic)
2. OMIDD flyer titled "OMIDDD: Northeast Sewage Pumping Station and North Interceptor-East Arm Rehabilitation Project"





City of Detroit
Detroit City Council - District 4

MEMORANDUM

DATE: March 11, 2021

TO: Antoine Bryant, Director Planning & Development

FROM: Latisha Johnson 
District 4 Council Member

THROUGH: President Pro Tempore James Tate, Chair, Planning & Economic Development

SUBJECT: Sale of Property at 19015 Van Dyke

This memo is to request answers to the following questions regarding the sale of the property at 19015 Van Dyke.

1. Why is Oakland-Macomb Interceptor Drain (OMID) being given authority permanently over a City-owned asset that controls sewerage flow and thus affects sewerage collection within our boundaries?
2. How much did it cost the City of Detroit to build this regulatory gate?
3. When was this gate built?
4. If approval of this proposal allows OMID to control sewerage flow to the east side via the interceptor under Van Dyke or to direct it to the west side via the interceptor under Seven Mile, how do they make that decision when they have no information on conditions in the larger collection system or responsibility for the consequences of their decisions?
5. Why is it advantageous to the City to effectively give away this asset?
6. Is there any way that this asset could be operated by OMID, in its current condition or a modified condition, that would be disadvantageous to the City or its residents?

7. Isn't it reasonable to assume that when extreme storm conditions occur, whether in a year, a decade, or a lifetime from now, that OMID will operate this regulatory valve to the advantage of their residents and businesses even if it overwhelms our neighborhoods with their sewerage?
8. Why is this matter being handled solely by P&DD and not DWSD?
9. What effect does this decision have on DWSD and GLWA operations?
10. What is the relationship between OMID and the Oakland-Macomb Interceptor Authority (OMIA)?
11. The OMIA currently has a large project inside Detroit on East Outer Drive at Van Dyke. Their above-ground structure covers the Outer Drive median and three traffic lanes and is a block long. It has been there for over a year, but the public has not been given any explanation as to what OMIA is doing to our City-owned interceptor. It also appears that OMIA has been given control of the sewerage lift station behind the Northeast Water Treatment Plant and uses locks to keep DWSD employees out. Has the City agreed to give OMIA control of that station and other sewerage lines that emanate from the Northeast site? If so, when did City Council approve that?
12. How does this connect to the gate at 19015 Van Dyke?
13. Does the approval of the easement give control over this regulatory valve and rights to operate, maintain, modify or reconstruct it, or has that been previously done?
14. Why is this eternal, when we cannot predict the character and potential abuse that could occur by future OMID leaders?
15. What other OMID or OMIA activities exist within Detroit?

Oakland Macomb Interceptor Drain Drainage District



Northeast Sewage Pump Station and North Interceptor East Arm Rehabilitation Project

This flyer has been developed to provide members of the public a better understanding of what the Oakland Macomb Interceptor Drain Drainage District is and the construction that is taking place in the North Interceptor East Arm.

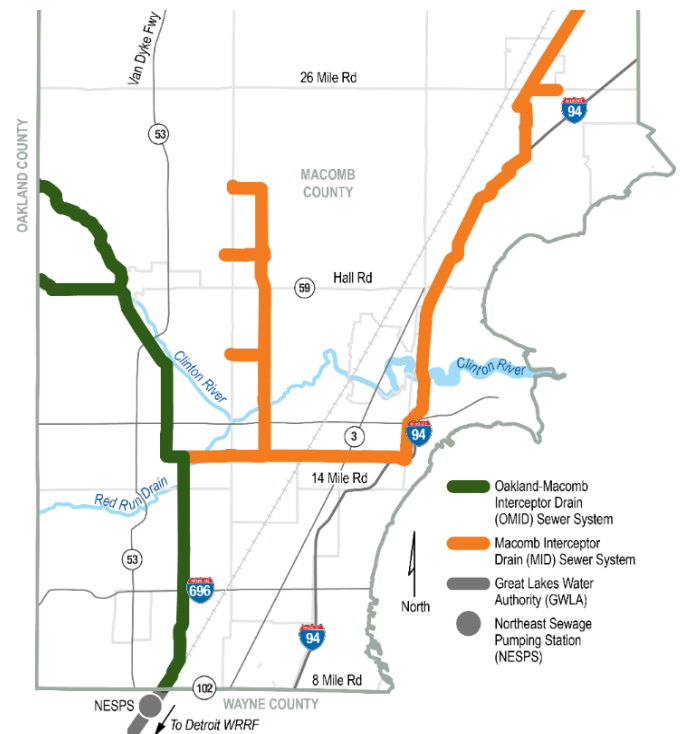
What is the Oakland Macomb Interceptor Drain Drainage District?

In 2009, Oakland and Macomb Counties in Michigan formed an inter-county drainage district, the Oakland-Macomb Interceptor Drain Drainage District and entered into an agreement with the City of Detroit to own, operate and manage sewer interceptors, pump stations, and appurtenances, originally constructed by the city in those counties (see *Figure 1*). This system is collectively referred to as the Oakland Macomb Interceptor Drain. *Note:* Macomb County also established the Macomb Interceptor Drain Drainage District, which controls the Macomb Interceptor Drain that feeds into the Oakland Macomb Interceptor Drain near 15 Mile Road and Dodge Park in Sterling Heights.

The Oakland Macomb Interceptor Drain Drainage District has spent the last decade rehabilitating this infrastructure. Subsequent agreements with the city and now the Great Lakes Water Authority incorporated the Northeast Sewage Pumping Station and the North Interceptor East Arm sewer that solely serve the drainage district but are located within the city limits of Detroit.

These subsequent agreements allow the drainage district to maintain and improve these two assets, while Great Lakes Water Authority still maintains operational control of these assets under lease from the city.

Figure 1: Oakland Macomb Interceptor Drain System Map



What is the North Interceptor East Arm?

The North Interceptor East Arm is a very large interceptor sewer, ranging from 17' 6" to 8 foot in diameter, that conveys the drainage district sewage flow from the Northeast Sewage Pumping Station at 8 Mile Road and Van Dyke Avenue all the way to the Detroit Wastewater Recovery Facility at Jefferson Avenue and the Rouge River. Over the past 40 years, there have been agreements between Oakland and Macomb counties and the Great Lakes Water Authority to convey flow to the Detroit Wastewater Recovery Facility. With respect to maintenance, the portion the drainage district is responsible for maintaining is between the Northeast Sewage Pumping Station and Mack Avenue and Gratiot Avenue (see Figure 2).

The interceptor was originally constructed by the city in the early 1970s. Recent condition assessments demonstrated the need to rehabilitate portions of the North Interceptor East Arm to ensure its longevity well into the future. As such, the drainage district is planning to install a new series of state-of-the-art lining techniques that will further protect the sewer from the highly corrosive effects of the wastewater environment.

The lining is needed in two locations, immediately downstream of the Northeast Sewage Pumping Station and at Mack Avenue and Gratiot Avenue where the Mt. Elliott sewer enters the North Interceptor East Arm. To facilitate these repairs, two projects have been developed, which are explained further below. These projects are collectively estimated to cost \$45 million and are one-hundred percent funded by Oakland and Macomb communities.

Contract 1: Sewer Lining at Outer Drive and Van Dyke Avenue

Work began in early February 2021 with the construction of an access work shaft located in the median of Outer Drive, just east of Van Dyke Avenue. This location will be the major visible construction operation, in addition to smaller repairs on existing sewer manholes located in the

Figure 2: North Interceptor East Arm System Map



Van Dyke Avenue pavement, south of Outer Drive. Sewer lining operations will proceed from the shaft in which the upstream 17' 6" sewer will be lined from the Northeast Sewage Pumping Station to 1,700 feet downstream.

This is a challenging, long-term project that will extend well into year 2022 and will require traffic patterns that may at times seem restrictive but are truly required for both pedestrian and driver safety. The project is planned for active work to proceed during day-time hours only, and primarily on regular business workdays in order to help maintain the existing pleasant environment of the neighborhood.

We are also requiring the contractor to provide and operate appropriate ventilation and odor control equipment that is designed to maintain a fresh air atmosphere at the jobsite and eliminate nuisance issues that occasionally have arisen from underground projects.

Contract 2: Sewer Lining at 7 Mile Road, Van Dyke and Mack Avenues

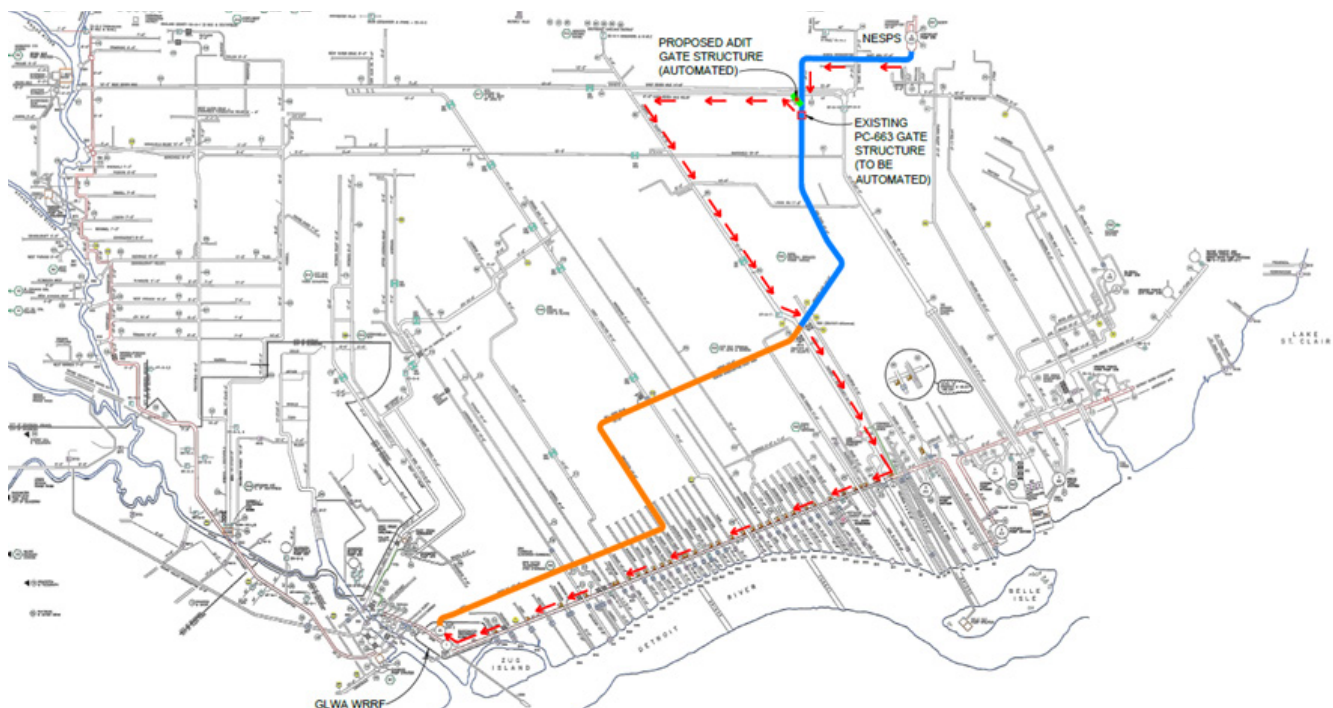
This work is still in the planning phase with construction expected to begin in early 2022 and be complete by the end of 2024. There will be two visible construction areas. One area will be located at 7 Mile Road and Van Dyke Avenue and the other will be at Mack Avenue where the actual sewer lining will occur. The 7 Mile and Van Dyke location is needed to construct two flow control gate structures.

These structures will allow the Great Lakes Water Authority to be able to divert flow to the Detroit River Interceptor during dry weather for the drainage district to then be able to perform the spray lining at the downstream Mack Avenue location in the dry (see *Figure 3*). As part of this effort, a permanent easement is needed on a nearby parcel of land that is owned by the city.

A small cabinet will be constructed on this easement in proximity to Van Dyke Avenue to allow the Great Lakes Water Authority to control the gate structures. These structures will be handed over to the Great Lakes Water Authority and ultimately become a city asset at the conclusion of the project. Once the flow control gate structures have been installed, lining will then take place at the Mack Avenue location. At this time, the drainage district is still working with the appropriate agencies to finalize the traffic control and site layouts.

The drainage district has very challenging and innovative projects to construct, and we are determined to do our best to maintain an open, sensitive relationship with the communities impacted by these activities. We appreciate your understanding and cooperation in helping to preserve our valuable public infrastructure.

Figure 3: North Interceptor East Arm Flow Diversion Map (red arrows)



Purely Resourceful 