

New information emerges about Flint's decision to switch to untreated water

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More information is surfacing about the April 2013 decision to cut off Flint's source of treated drinking water in order to move to a yet-to-be-built pipeline. Examination of uncovered documents, combined with the thousands of newly-public emails released by Governor Rick Snyder, are beginning to shed light on the economic interests behind the switch, which was promoted by high-level state officials and politically connected businesses.

Snyder has released batches of internal emails over the last several days in hopes that his new "transparency" will diffuse the political crisis. He told reporters last week, "I'm kicking myself every day," for failing to "connect the dots" earlier. Even as he was issuing his umpteenth insincere apology for the catastrophe, *Detroit Free Press* reported Monday that the governor could have declared a state of emergency in Flint months earlier than he did. In a November 13 email from a state police official, Chris Kelenske, the deputy state director of emergency management and Homeland Security, to a close Snyder aide, Kelenske said "the Governor can declare at any time for any reason."

After more than a year of ignoring citizen complaints about the water and slandering scientists who were issuing warnings about dangerously high levels of lead, on October 1, 2015, Snyder grudgingly acknowledged that there were problems with Flint's water. On October 6, 2015 he provided the funds to switch back to the Detroit Water and Sewerage Department (DWSD) pipeline.

The use of the Flint River as a water source led to almost 100,000 people, including some 27,000 children, being poisoned and resulted in an outbreak of Legionnaires' disease in which nine people died. Up until October 2015, local, state and federal officials worked might and main to prevent any public acknowledgment of the health danger.

It is remarkable to note the consistency of the campaign of deception by high-placed officials who insisted the water was safe. Even after that lie was exploded at the end of last summer, Snyder presented a narrative at his State of the State address on January 19, that "This crisis began in the

spring of 2013, when the Flint City Council voted 7-1 to buy water from the Karegnondi Water Authority."

The *Detroit Metro Times* examined that meeting in an exposé over the weekend. Legal documents and a video of the City Council proceedings revealed several important facts:

- Flint was under the authority of a Snyder-appointed emergency manager, Ed Kurtz. A vote by City Council was not required to make the decision to contract the Karegnondi Water Authority (KWA), and should the vote be against it, it could be overruled. The video shows that certain council members were skeptical about being asked to hold a vote on the proposal at all.

- Councilman Sheldon Neeley stated he became convinced a vote was necessary when he learned of a state regulation that if it "was a bad decision or a poor decision then the state could be held liable for that decision and have to recoup the costs to the residents of the community." According to the *Metro Times*, the purpose of the City Council vote was to use the body as the scapegoat in the event of a disaster.

- Michigan Treasurer, Democrat Andy Dillon, who played an instrumental role in the decision to force Detroit into bankruptcy, had already approved Flint's severing the decades-long relationship with the DWSD to provide drinking water. It is also a fact that as state treasurer Dillon, a former investment banker, had oversight powers over the state's emergency managers and had to approve major financial decisions.

- The study by engineering consultants Tucker, Young, Jackson and Tull (TYJT) that was contracted by Dillon himself, and rejected the financial viability of the switch to KWA, was not provided to council.

- Rather than the TYJT study, council was provided with a response to it drafted by Rowe Engineering, the company that was hired to begin construction of the KWA pipeline and make adjustments to the Flint Water Treatment Plant.

While the *Metro Times* article gives the local Democrats a pass neither the City Council nor then-Mayor Dayne Walling—who also held a seat on the KWA board—were

innocents. The video of the March 25, 2013, shows City Council members discussing a plan that relied on “blending” the water sources, i.e., combining KWA water (70 percent) with Flint River water (30 percent).

During the meeting City Council members question Genesee County Drain Commissioner Jeff Wright—also the CEO of KWA—about containing the costs of upgrading the city’s water treatment plant. The switch to the Flint River would require \$61 million in upgrades, Wright said, while treating Lake Huron water delivered by KWA would require \$7 million in upgrades, according to an account of the meeting in the *Detroit Free Press*. Blending the sources would lead to a cost in between the two amounts, Wright said.

City Council member Sheldon Neeley said, “he liked the idea of blending KWA and Flint River water as a cost-cutting measure and noted state DEQ official Michael Prysby said in a May 7, 2012, letter to the city that blending Flint River water and KWA water would be a viable option.

“If Flint took just 30% of its drinking water from the river, I don’t believe that we would need to have any additional softening, or anything like that, for that very low amount,” Neeley said. By having to purchase lower volumes over time from KWA, “that would be a better option for us to save costs.”

Under fire from outraged city residents over crippling high water rates, the local Democrats, despite reservations about the “suspect” motivations of the emergency manager and other state officials agreed to the switch to the KWA, accepting the claim that the move would save the city \$19 million over eight years, compared to continuing drawing treated water from the Detroit Water and Sewerage Department.

The City Council voted to contract KWA for a quantity of 16 million gallons per day (MGD), overwriting the proposal signed by Kurtz for 18 MGD. The city’s actual usage had been estimated at 10-11 MGD, with a peak of 15 MGD, according to figures provided by then-Public Works Director Howard Croft. Three days after the council’s vote, Kurtz signed a contract for 18 MGD, amounting to some \$1 million a year more than what the council approved.

Considering that the official line was that endorsing the KWA project was to save money for the city of Flint, the additional expenditure contradicted that narrative. Jeff Wright and Mayor Walling supported the 18 MGD commitment, while acknowledging that the lower amount would reduce construction costs—and therefore the cost borne by Flint—because the size of the pipeline would have to be reduced.

At the 18 MGD volume, KWA would be able to build a 72-inch pipeline. At 15 MGD, the pipeline would have to be

smaller, 54 inches. However, this would not suit the needs of the KWA.

The KWA was incorporated in 2010. Its website claims it “could save local residents millions of dollars in water costs over time” by avoiding future increases from the Detroit system. It goes on, “The pipeline will supply untreated water to the municipalities of the region, industrial customers, agribusinesses, rural agriculture developments, residential commercial light and heavy manufacturers.”

The KWA was established in response to perceived “business opportunities” in the region. Energy giant DTE had already committed to 3 MGD and other businesses, including General Motors and hydraulic fracturing operations were prospects for the KWA. Yet, the signing on of Flint, to commit to a third of its constructions costs, was necessary for construction to begin. That is why the signing of that commitment be Kurtz on April 18, three days after the Flint City Council meeting was the necessary step before construction could begin. The following June, the groundbreaking ceremony signaling the beginning of the pipeline’s construction was held.

But as the WWS reported in May 2014, “The decision by Flint to break ties with the DWSD and embark on its own independent water system serves an example of the irrationality of the rule of financial interests over the allocation of public resources.” The KWA pipeline parallels the DWSD pipeline from Lake Huron—only six miles to its North (see map). Yet the Detroit pipeline provides treated potable drinking water and has more than enough capacity to handle Flint’s needs for years to come.



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