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May 30, 2008

Dr. Michael Treisman, President
Tpheris Israel Chevra Kadisha Congregations
14550 Ladue Road
Chesterfield, MO 63017

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RE: Lake and Dam at Entrance to Synagogue

Dear Dr. Treisman,

I received a copy of the letter addressed to you by Mr. Irvin Zwibelman on behalf of the Park Board of the Village of Green Trails Subdivision. Following is some information pertaining to the reconstruction of the dam for your information and which I certainly feel you should forward to Mr. Zwibelman and other interested parties. Since Mr. Zwibelman's letter was addressed to you, I believe the reply to him should properly come from you as well.

Mr. Zwibelman states in his letter that the current lake level is several feet below its previous level. In actuality, it is only 1 foot lower than the previous level based on the elevation of the pipe that was the control structure prior to the Congregation's rehabilitation work based on our surveys used for the redesign of the dam. It may appear to be more because of the sloping banks, but assuming that control pipe was functioning, that is the fact of the matter. Or the lake may have been artificially higher than what it was designed for if the control pipe was blocked and not operating properly. I can't rule out that possibility. However, the elevation of the control pipe set what should have been the lake level prior to the Congregation's rehabilitation work on the dam and that level, as stated, is one foot higher than the current level.

Mr. Zwibelman also notes in the letter that the Congregation is responsible for maintenance of the dam which creates the lake. It is this maintenance responsibility that has resulted in the current situation. As you well know, the City of Chesterfield served the Congregation with a notice to fix what they saw to be a defective dam. The Congregation had no option but to comply. However, by complying with that order, the Congregation was obligated by law to follow current design criteria and regulations of the Metropolitan St. Louis Sewer District, which by extension also include current regulations of the Missouri Department of Natural Resources and the Federal Environmental Protection Agency. Without following those design criteria, a permit to rehabilitate that dam could not have been obtained and the Congregation would have been in violation of the notice from the City.

When the dam and lake were originally built in the 1970's, none of the current regulations pertaining to design of the dam and hydraulic systems to control normal storm flows, emergency storm flows, storm water quality and downstream channel protection were in existence. That allowed for construction of a dam and overflow structure that did not come close to meeting current requirements. However, as part of the Congregations efforts to correct the dam's deficiencies as directed by the City's letter, the entire storm water control system had to be redesigned so that it would meet current criteria of all of the affected agencies. This is what was done.

To the layman in may seem like an easy task to just keep the water level where is was. However, when all of the regulations that have to be met are introduced into the mix and with the distinct possibility that the previous lake level may have been artificially high if the control structure was not functioning properly, such is not the case. As your Engineer, we looked at all means practical to keep the lake level as close as we could to its previous level. The final design that was approved by the Metropolitan St. Louis Sewer District and which is what has been installed comes as close to achieving that as possible.

While the Park Board, and I also understand the Subdivision Trustees, are not happy with the fact that the lake level had to be lowered one foot from its previous design elevation in order to meet all of the current regulatory criteria, it is an unfortunate fact that this lowering of the lake could not have been avoided.

I hope that this letter, while not what Mr. Zwibelman had requested, provides the reasons why his requests cannot be met by the Congregation.

Sincerely,



David A. Colvin, P.E.

President

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