

ENVIRONMENTAL CONCERNS COMMITTEE

SEPTEMBER 19, 2018 MEETING MINUTES

Community Room, City Hall
245 W. South St., Kalamazoo, MI 49007

MEMBERS PRESENT: Paul Manstrom, Chair; Matt Fletcher; Vice Chair; Mary Claire Griffith; Lauri Holmes; Gail Walter; Aaron Wright

MEMBERS EXCUSED: Phil Dietrich

CITY STAFF: Malissa Drzick, Staff Liaison; Amy Thomas, Recording Secretary

GUESTS: David Anderson, City Commission Liaison

1. CALL TO ORDER

- Mr. Manstrom called the meeting to order at 4:30 p.m. and advised that David Kroening is now an associate member of the ECC.

2. APPROVAL OF MINUTES (August 15, 2018)

- Under Natural Features Protection, change "Commissioner" Wright to "Mr." Wright for consistency.
- **Mr Fletcher, supported by Mr. Manstrom, moved approval of the August 15th minutes as amended. With a voice vote the motion carried unanimously.**

3. APPROVAL OF AGENDA

- There were no changes to the agenda.

4. ANNOUNCEMENTS

- Ms. Walter extended an invitation to everyone at the meeting to attend the Peregrine Pale Ale Release Party to be held on Tuesday, September 25th, from 5 to 7 p.m. at Bravo Restaurant. They will be serving a specialty beer they created called Peregrine Pale Ale. A portion of the profits from the sale of the beer will go to the Audubon Society to support the Peregrine Falcons.
- She also invited people to participate in the active surveillance on campus regarding bird/building collisions during fall migration. If anyone would like to assist with the surveillance, she can put them in touch with the right individuals. The survey is scientifically driven and includes specific days and specific buildings.
- Ms. Griffith inquired if the honors college students would receive volunteer hours for participating in the survey.
- Commissioner Anderson offered to answer questions before he left for another appointment.
- Ms. Holmes mentioned there was a sense of urgency regarding the letter she and Mr. Wright drafted about the Vermeulen property. She suggested getting Commissioner Anderson's input.
- The Vermeulen property is located at the southeast corner of Stadium Dr. and Drake Rd., across from the former K-Mart building. It extends back to the Asylum Lake Preserve.
- The City planners have stated that the Natural Features Protection Overlay will not be in effect in time to protect this natural feature. Ms. Holmes mentioned that some preservationists questioned how a rezoning could go into effect for the Vermeulen property without the Natural Features Protection Overlay also being in effect. This is one of the most outstanding natural features that exists in Kalamazoo.
- It appears that the committee in charge of writing the overlay has not been meeting over the summer.
- Mr. Manstrom mentioned there might be some legal issues with applying the overlay after the property has been sold; the property was sold before the overlay was created.
- Commissioner Anderson suggested putting these concerns at the top of the memo and making the title of the memo clear and simple. Most people are not familiar with the Vermeulen property. The memo could refer to the property at the corner of Stadium and Drake proposed for rezoning.
- He also suggested copying the City Manager on this memo so he knows the City Commission received the information.

5. COMMENTS BY OTHERS ON NON-AGENDA ITEMS

- None

6. NEW BUSINESS

New ECC Member Applications

- Brandi Crawford and Joe Bower were present to discuss their applications to fill vacant seats on the ECC.
- Mr. Bower lives in Kalamazoo but commutes to Lansing where he does fundraising for a Non-profit organization called the Michigan Environmental Council. He worked for the Kalamazoo Institute of Arts (KIA) for ten years.
- He has always been interested in the Environment. He wrote an article for Audubon Magazine regarding light pollution and birds and about similar issues in Toronto regarding bird collisions. He is interesting in revisiting that topic and learning about what's going on now.
- Brandi Crawford stated that she worked as a Paralegal until she started to experience some health issues. She has always been interested in environmental issues and is currently focusing on air pollution. She is no longer a part of the Douglass Neighborhood Association. She has been directing people to Katie, the City's Neighborhood Activator, who can get grant money to help the neighborhood.
- She spoke with Monica from Michigan Environmental quality about air pollution. The ozone levels in southwest Michigan are significant so she did some research with the EPA to determine the source of some of the pollution. She asked Monica if it would be possible to get air scrubbers installed on the factories that are creating the pollution.
- Ms. Crawford made a complaint regarding the pollution generated from Graphic Packaging. She developed asthma when she was living within three blocks of Graphic Packaging.
- She saw an article about air pollution in Kalamazoo and inquired if the City can do its own air testing.
- The EPA is changing how they are organized and they are trying to lower the limits for companies who are polluting. She thinks there are not enough regulations with the EPA and MDEQ. She is wondering if the ECC can help change that.
- Mr. Fletcher mentioned that the ECC has recently been dealing with a turn-over in membership. It would be helpful for the applicants to commit to at least one, three-year term and attend the meetings. Ms. Crawford and Mr. Bower advised they would be willing to do that.
- Mr. Bower stated that he does have some restrictions. He is enthused about the work he does in East Lansing with the DEQ. He works at home one day per week. Attending the ECC meetings isn't an issue but he is out of town on a regular basis. He inquired regarding the time commitment beyond the meetings.
- Mr. Manstrom stated that commitment beyond the ECC meetings is strictly voluntary. Some of the work is done by e-mail. Some of the ECC members attend Planning Commission or ALPMC meetings, etc and report back to the ECC. Attending the ECC meetings is the most important thing. Notifying Mr. Manstrom of an anticipated absence is required in order to be counted as an excused absence.
- Mr. Bower asked the ECC members why they were on the Committee and what an advisory board does. Mr. Wright stated that the ECC advises the City Commission regarding environmental concerns.
- The ECC had been keeping up to date regarding EPA superfund sites; the Committee is in the process of obtaining current information about those sites. One of the ECC's recent accomplishments was getting the City and Graphic Packaging talking about the odor issue near Riverview and Paterson. Also, the City's Master Plan names the ECC as one of the bodies involved in creating the Climate Action Plan.
- Mr. Fletcher mentioned that City employees provide some of the presentations to the ECC and the ECC can provide feedback regarding their concerns. Ms. Holmes stated that serving on the ECC for several years has given her a better perspective of environmental issues.
- None of the ECC members expressed any concerns about the applicants. Mr. Wright mentioned that it would be good to have someone from the Northside Neighborhood serving on the Committee.
- **The ECC members voted unanimously to recommend to the City Commission the appointment of Joe Bower and Brandi Crawford to the ECC.**

7. PRESENTATION BY GAIL WALTER REGARDING BIRD-FRIENDLY BUILDING DESIGN.

- Ms. Walter stated that her presentation is based on information from the American Bird Conservancy. She offers continuing education credits for certain groups who attend her presentation.
- The American Bird Conservancy is a 501 C3 active in the Americas. Their goal is to try and build capacity for birds by halting extinction, protecting habitat and eliminating threat. Bird/building collisions fall under the "threat" category.
- Ms. Walter is veterinary pathologist. She got involved with bird-friendly building design because of a Peregrine Falcon she helped rescue that she later found dead at the base of the University of Michigan School of Medicine building in downtown Kalamazoo. What you see reflected in a window is what a bird sees; they think the reflection is real.

- Birds are important because of what they do for humans, such as habitat regeneration by moving seeds around. They also consume insects that destroy food crops or spread disease. There are over 50 million bird watchers so birds are also important economically.
- It is difficult to get accurate figures regarding bird mortality. It's not always about birds flying into buildings or glass. If there are carcasses on the ground there will be predators and that affects the number. There are approximately one million bird deaths annually (mostly song birds) in the United States due to bird/building collisions; only cats are more of a hazard to the bird population. Most of the birds that die are songbirds. Birds migrate at night but they normally collide with buildings during the daytime when they are foraging.
- The problem is that birds don't see glass. Primates have eyes in front of their face and they see in the direction they are going. Birds have eyes on the side of their head; their depth perception is not as good as ours.
- Birds also have a different ability to see wave lengths. Some bird species can see into the ultra violet range. Bright lights at night disrupt that and put them at risk.
- We can't see glass any better than birds do but we learn cues and concepts. We see exit signs, window frames, door handles etc. that they don't see.
- The Apple Headquarters building in California is like a big glass donut. During the first month the building was open for business, they called 911 three times because people hit the glass so hard they needed medical attention.
- At the Ford Foundation in Manhattan, there are shrubs in the atrium. This is an attractive hazard to birds. At different times of the day, the windows can look different. It can look like a passage way to a bird.
- An organization called FLAP (Flight Awareness Action Program) provided a picture from Toronto of a collection of birds that died (during a one-year period) after colliding with buildings.
- Lights at night are disorienting and disrupt birds' ability to navigate and sense the magnetic field. At the 911 Memorial in New York that is monitored by the NYC Audubon Society, birds in a beam of light circle and circle until they collide or collapse. Lights can be shut off for a period of time to allow the birds to disburse.
- Landscaping around buildings causes more bird/building collisions than the orientation of the building. Glass corners in buildings are confusing for birds because they are looking through two layers of glass to see the vegetation. Birds follow channels and collide with glass walls or doors.
- Green roofs are generally good for birds but bring birds closer to buildings, which is not good.
- Open atriums are also a challenge for birds. It is hard for birds to fly straight up to get out of an atrium and they crash into the windows.
- The Bronson Hospital parking deck is partially open; other areas of the parking structure have windows. There are windows along the stairwell for light and for the safety of people but this can create a hazard for birds.
- Mr. Fletcher mentioned that people want glass & court yards. He inquired about resolving issues with existing buildings.
- Ms. Walter stated that birds can easily navigate through small and dark spaces. Birds have a good sense of their own body size. The average song bird is about 2" top to bottom and about 4" side to side.
- Testing has been done in Pennsylvania with birds flying in a test tunnel. There is netting in front of the windows at the end of the tunnel so the birds don't hit the windows.
- Scientists experiment with patterns on windows to see how effective the pattern is at preventing bird collisions. Dots and stripes on windows help the birds see the windows.
- At the University of Minnesota in St. Paul there were glass panels installed under railings. Ten days later, 40 birds hit the glass in a three-hour period of time. Pieces of bird tape were installed approximately 4.3" apart to prevent further fatalities. Five years later, there have been no more bird collisions and the tape is still in place.
- Patterns must be visible to be effective. Screens are also helpful. White tape on the outside is easier to see than inside. Horizontal and vertical lines are effective. Blinds on the inside also help. If there is still a strong reflection on the outside there could still be issues.
- San Francisco was the first City to create standards in 2008 regarding bird-friendly buildings. There are LEED (Leadership in Energy and Environmental Design) pilot credits available. More birds hit the lower three floors after foraging so that zone is weighted differently than the rest of the building. Opaque CollidEscape helps eliminate bird collision and helps prevent glare.
- Many colleges have made a commitment to bird-friendly designs. At the Bronx Center for Global Conservation, 50% of the glass is supposed to have bird-friendly features and monitoring. Louvers over windows create a pattern and prevent birds from hitting the windows.
- Ornilux Glass has a uv pattern in it with bright, blue-green colors that birds can recognize. Many song birds can see it but it is not visible to raptors.
- Features helpful for birds are helpful in a lot of other ways. Reducing exposure to glass, incorporating signals in/on glass and minimizing the use of glass are strategies helpful for preventing bird fatalities.

- The custom-fritted glass at the Arcus Center in Kalamazoo is effective but expensive. Cut vinyl retrofits can be added to windows. A local company called Wraps N Signs makes window perforations which are similar. Acopian Bird Savers has a product with an outside linear pattern.
- There are two classes participating in a bird study with the intention of getting a resolution for WMU.
- Temptra paint on the outside of windows will last for months. Some bird tape can't be applied to Plexiglas because air bubbles form under the tape. Glass windows can be cleaned as usual after the tape has been applied.
- The pilot credit for bird-friendly buildings has only been available within the past five or six years. Large architectural firms sometimes are not aware of that. There is a brand new LEED version since 2011 and there are resources through the American Bird Conservancy.
- Mr. Manstrom mentioned that there are no retrofits at Kalamazoo College. Ms. Walter suggested dealing with the problem areas first. Mr. Fletcher mentioned that employees who work in the building or with the grounds crew would likely know the problem areas.

8. UNFINISHED BUSINESS/UPDATES

Natural Features Protection Update

- Mr. Manstrom met with Christina Anderson who advised that the Overlay is on hold for now. City staff is currently reviewing rezoning documentation; they will resume work on the overlay in a few weeks. They overlay committee hasn't met since June.
- Ms. Holmes inquired if some pressure or assistance could be provided to the Planning Department. Mr. Manstrom suggested providing to Ms. Anderson a copy of the ECC memo to the City Commission regarding the Vermeulen property.
- Mr. Fletcher stated that specific places were not discussed when the Master Plan was rewritten. This sounds like someone is trying to push this project through. Mr. Wright concurred and advised that is why the ECC wants to express their concerns in a memo as follows: "The ECC unanimously requests that the City Commission consider an assertive public position on ensuring that a robust and enforceable natural features overlay protection is applied to the property abutting the northwest corner of the Asylum Lake Preserve. Allowing commercial development of this property without increased environmental protection, beyond what is currently in place, is sure to cause irreparable harm to the esthetic beauty and ecological health of the Preserve."
- **Ms. Holmes, supported by Mr. Wright, moved to send to the City Commission, with a copy to the City Manager and Planning Department, the memo drafted by Ms. Holmes and Mr. Wright expressing the ECC's concerns about the proposed development on the Vermeulen property. With a voice vote the motion carried unanimously.**
- Mr. Manstrom will communicate with Christina Anderson about the memo. Mr. Wright will provide the reworded memo to Mr. Manstrom and he will forward it to the ECC. Ms. Drzick will look into the process for providing the memo to the City Commission.
- The rezoning will require at least three public meetings. It could take about eight months to go through the rezoning process.
- Ms. Holmes mentioned that the future land use map was approved by the City Commission. The developer would have to fill in the area by the lake and there is concern regarding what might be used to fill that space. Run off from the car wash is a concern due to its proximity to Asylum Lake.
- Mr. Fletcher suggested reaching out to James Baker and Rob Bauckham regarding these concerns. Ms. Drzick confirmed that run-off from car washes is an environmental concern.

Kalamazoo Air quality

- Mr. Wright drafted a one-page letter (a cease and desist request) for review by the City Attorney. He will request that the City Attorney print the letter on City letterhead and provide it to Adam Data Solutions (source of the air quality data), Wall Street 24/7 and USA Today (entities who made the article available to the public) and radio station WRKR who has a link to the article alleging that Kalamazoo has some of the worst air quality in the country. The information in the article is unsubstantiated and could cause damage to Kalamazoo's reputation.
- Mr. Wright will resend the draft letter to the ECC, which can be approved via e-mail if there are no objections from the ECC.
- **Mr. Wright, supported by Mr. Fletcher, moved to send the approved letter drafted by Mr. Wright, pertaining to air quality in Kalamazoo, to the City Attorney. With a voice vote, the motion carried unanimously.**
- Ms. Drzick was not aware of any recent meetings between the City of Kalamazoo and Graphic Packaging regarding air quality issues.

Climate Action Plan Update

- Mr. Manstrom was informed that the City intends to hire a replacement for Sarajo Shipley rather than hiring a consultant to help develop the Climate Action Plan.

Neighborhood Plans/Deer Deer Issues

- The Oakland/Winchell Neighborhood is developing their Neighborhood Plan and they are asking for help with the deer population issue. People in that neighborhood are divided on the subject. Mr. Manstrom provided an e-mail response to their concerns.
- Mr. Wright mentioned there was no evidence presented to the ECC in the past to show any serious harm resulting from the deer population. Lyme disease and Chronic Wasting disease were mentioned as potential issues. There were no viable solutions presented to the ECC to resolve the complaints about the deer population.

2017 Annual Report

- **Mr. Fletcher, supported by Mr. Wright, moved approval of the 2017 ECC Annual Report as presented. With a voice vote, the motion carried unanimously.**

PFAS Update

- Ms. Drzick advised that the DEQ wants PFAS regulations in place by the end of October but approved methods for dealing with PFAS are still being developed.
- Parchment residents now have safe water to drink. The City of Kalamazoo is still partnering with the City of Parchment twice a week regarding the water quality analysis. Water testing will be turned over to Parchment at some point. Updates will be provided as more information becomes available.

Allied Paper Superfund Site Update

- Mr. Manstrom mentioned that the EPA website is current and informative. It appears that not much has happened since the last time the ECC was provided with an update.
- Mr. Fletcher suggested that Eric Kemmer from the City's Economic Development Division might be able to provide information about the Allied site.
- The EPA website has information about work to be done in 2019 regarding Portage Creek and the Kalamazoo River. The landfill at the Allied Paper site is still in the design phase and they are anticipating that project will start in 2020.

9. NEW BUSINESS

ECC Member Terms - A look Ahead

Postponed

10. SUB-COMMITTEE REPORTS:

Tree Committee

- Mr. Dietrich reported to Mr. Manstrom that Todd Pryor, the City's Forestry Supervisor and Staff Liaison to the Tree Committee, was killed in a motor cycle accident in August. The Tree Committee has not met since that time.
- The remaining agenda items were postponed to the next meeting.

11. Adjournment

- The meeting adjourned at 6:40 p.m.

Respectfully submitted,



Recording Secretary