

ENVIRONMENTAL CONCERNS COMMITTEE

OCTOBER 17, 2018 MEETING MINUTES

City Hall Community Room, 241 W. South Street, Kalamazoo, MI 49007

MEMBERS PRESENT: Paul Manstrom, Chair; Joe Bower; Brandi Crawford; Phil Dietrich; Gail Walter; Aaron Wright

EXCUSED ABSENCES: Matt Fletcher, Vice Chair; Mary Clare Griffith; Lauri Holmes

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

OTHERS: Ian Magnuson, guest.

1. ROLL CALL (Excused Absences)

2. APPROVAL MINUTES (September 19, 2018):

- Changes to the Minutes were e-mailed from Ms. Walter and Ms. Griffith.
- **Mr. Wright, supported by Ms. Walter, moved approval of the September 19th Minutes as amended. With a voice vote, the motion carried unanimously.**

3. APPROVAL OF AGENDA:

- Add a discussion about rescheduling the November meeting, which is currently scheduled on November 21st, the day before Thanksgiving.
- **Mr. Dietrich, supported by Mr. Wright, moved approval of the Agenda as amended. With a voice vote, the motion carried unanimously.**

4. ANNOUNCEMENTS:

- Ms. Walter announced that there will be a Bird Safe Building Design program at WMU on November 13th.

5. COMMENTS BY OTHERS ON NON-AGENDA ITEMS:

- Mr. Magnuson stated that he is from Battle Creek but currently lives in the Vine Neighborhood in Kalamazoo; he works for the United Way. He was in the international studies program at WMU and has lived in Detroit and Germany. He was in a masters program at MSU in public policy.
- While he was at MSU he developed an interest in environmental planning at the local level, which was the topic of his capstone project. He noticed while doing that project that Kalamazoo doesn't have a Climate Action Plan.
- Mr. Magnuson suggested using simplified language and being consistent with the title of the plan; there are different names for the same type of document (Climate Action Plan, Sustainability Plan, etc.). This can cause confusion and might make it more difficult for a plan to be adopted.
- About 14 Michigan cities have adopted Climate Action Plans. There are basically three types of Climate Action Plans: 1. A basic Climate Action Plan, which focuses primarily on environmental issues. 2. A triple, bottom-line planning Climate Action Plan, which includes social issues. 3. The most comprehensive version would be a Sustainability Climate Action Plan, which builds in political issues and infrastructure. This has been the most commonly used plan in Michigan.
- Political issues and infrastructure can be included in the triple, bottom line plan. This type of plan has not been used as much as the other two but might gain in popularity because it is the easiest version to explain to people. It was developed in the corporate world and appeals to different political dimensions.

6. UNFINISHED BUSINESS/UPDATES:

City of Kalamazoo Master Plan and Climate Action Plan

CAP Update

- Mr. Manstrom mentioned that the City staff person who started working on the CAP was looking at doing just a City Plan at the basic level. Her thought was that a more comprehensive plan would require regional cooperation.
- Some climate-related topics are included in the City's Master Plan. As an example, the Director of Public Services provided a presentation earlier in the year regarding flood mitigation.
- Mr. Wright provided a brief history of what has happened so far with the CAP. The staff person who was in charge of creating the CAP left for a new job. The City is working on hiring someone for that position.

Neighborhood Plans/Deer Issues

- Mr. Manstrom stated that the Oakland Winchell Neighborhood looking for solutions to the deer overpopulation issues. He advised them as to why the ECC has not been able to make any recommendations. The Neighborhood Plans will be incorporated into the City's Master Plan.
- There has been an issue with what to do about deer carcasses on private property. The City has a contractor to remove animal carcasses from the right of way.
- Mr. Wright mentioned that people have expressed concerns about harm to deer and people due to deer overpopulation. The ECC has not been presented with evidence of an increase in deer/car accidents or Chronic Wasting Disease, etc. Some residents in the Winchell Neighborhood are upset about the deer eating vegetation in their landscaping.

Natural Features Protection Overlay Update

ECC Memo to City Commission

- The memo from the ECC stating concerns about development of the Vermeulen property was forwarded to the City Commission and the City's Community Planning and Development Department.
- The Asylum Lake Policy and Management Council (ALPMC) is putting together a similar memo. The Asylum Lake Preservation Association (ALPA) has also created a memo but it was unclear as to whether or not it has been sent.

Vermeulen Property Update

- Ms. Drzick has flagged incoming e-mails with regard to upcoming City Commission meetings pertaining to the Vermeulen property. She will forward any updates to Mr. Manstrom for distribution to the ECC.
- The developer is supposed to meet with neighborhood groups on October 30th to discuss concerns regarding the proposed development. A location for that meeting has not yet been determined.
- The first meeting at the Planning Commission for rezoning of the Vermeulen property is scheduled for the 1st Thursday in December.
- Mr. Manstrom stated that the Planning Commission can ask the developer to reformulate his plan if they feel that is necessary. Or, they can recommend approval of the rezoning to the City Commission. The public is welcome to attend these meetings.
- Ms. Drzick suggested looking into the potential impact of the development (car wash) on nearby City well fields. The City opposed a portion of a development by WMU of another area nearby through concerns regarding the well fields. They did a natural features overlay for that area to protect the ground water. She will send a map showing the location of the well fields (near the soccer fields across Parkview).
- Car washes are a contributor to PFAS contamination in the drinking water; PFAS is in the wax or other spray chemicals that are used. If the storm water from the car wash is not contained properly, the PFAS could contaminate surrounding areas.
- Mr. Bower requested details about the overlay. Ms. Drzick advised that there are EPA guidelines stating that a certain number of acres around a development must remain undeveloped to protect the ground water. The overlay would contain details about what was done to protect the area from environmental concerns. The Natural Features Overlay would provide environmental protection in addition to what is provided in the zoning ordinance.
- Requirements of the overlay and zoning ordinance would have to be satisfied by the developer before the site plan could be approved.
- The City Planner advised that the Natural Features Overlay could not be applied only to the Vermeulen property. It would be applied to all areas of the City where there are natural features to protect. The City Planner also advised Mr. Manstrom that the Michigan Supreme Court has not been agreeable with environmental restrictions put on developments by municipalities.
- Mr. Wright stated that the ECC sent a request last month to City staff urging them to finalize the overlay before voting on the rezoning of the Vermeulen property.

Progress by City on NFP overlay

- Mr. Manstrom advised that he was not aware of any recent meetings regarding the overlay.

Kalamazoo Air Quality

ECC Memo to City Attorney

- Ms. Drzick forwarded the ECC memo regarding air quality concerns to the three City Attorneys and the general City e-mail, which is accessible to the general public. She hasn't received any feedback yet.

- Mr. Paquin had confirmed that the City Attorney's office would deal with this type of issue.

Update by City on Graphics Packaging and City Meetings

- Graphic Packaging was asked to look into their waste treatment process. They agreed to do a pilot study to look into how they process their waste. The weather is cooler now and the aroma is not as noticeable. The aroma is different than aromas from the water treatment facility. Ms. Drzick will request an update at the next waste water staff meeting.
- Ms. Crawford inquired if the City can ask Graphic Packaging to use air scrubbers on their smoke stacks. Monica from the DEQ suggested using air scrubbers. Mr. Wright stated that the aroma doesn't come from the smoke stacks. The aroma comes from the large, open-air vats of sludge where the cardboard is processed.
- Ms. Drzick indicated that enforcement would need to take place at the federal or state level, not at the City level. Graphic Packaging reports their own air quality measurements to the DEQ, unless there is a complaint, and then the DEQ would investigate.
- Mr. Magnuson suggested determining what the smoke stacks are used for. They could be cooling stacks which might emit only water vapor. They could be used by a generator or for on-site production. He mentioned a lawsuit involving a steel factory that added air scrubbers as part of a settlement.
- Ms. Crawford referred to a study she saw, which stated that Kalamazoo County was graded "F" for asthma. Certain zip codes were identified as having a bigger issue with asthma. She inquired if someone was designated to speak with the DEQ and EPA about environmental issues. Her concerns are not just about the aroma but about pollutants. According to her research, Graphic Packaging is one of the biggest polluters in Kalamazoo. Mr. Bower mentioned that non-profit organizations were designated to proceed with the lawsuit on the foundry.
- The ECC was not aware of the air quality issues; they have been focused on the odor. Ms. Crawford advised that the study showed 25,000 parts per trillion was the limit on allowable emissions. Graphic Packaging and Pharmacia Upjohn were reporting over 100,000 parts per trillion. Monica advised some companies under report. The DEQ can't do anything unless they get more complaints.
- Ms. Crawford will forward research she has on air quality. The EPA and DEQ are two years behind in their reporting. Some of the studies she found are current. She referred to a lawsuit by New York state which is aimed at states in the Midwest which they think are contributing to high ozone levels. They place some of the blame on the EPA and regulations which might not be strict enough.
- Jean Talanda, the Environmental Programs Manager, will be filling in as staff liaison to the ECC during the summer of 2019, while Ms. Drzick is away on maternity leave.

2017 Annual Report

- Mr. Manstrom stated that the 2017 Annual Report was finished. Ms. Drzick forwarded it to the City Commissioners and filed it in the shared drive. Updates need to be made in the shared drive.

Bird Safe Building Design

Peregrine Falcon and WMU Study Updates

- Students did the last data collection on Monday for the collision/migration study. When they come back from mid-term break they will put the data together. Ms. Walter has been finding more than a bird a day at the CHHS building.
- The Campus Awareness Event, A Birdseye View of Campus Collision/Mortality, is scheduled for Nov. 13th at the Fetzer Center auditorium at 5:30 p.m. Students will present their data and there will be other presentations at that time. The presentation is open to the public.
- There are now two federal acts that have been introduced in the house and senate requiring federal buildings to be safe from bird/building collisions. There is a link with a form to fill out with comments.
- Discussion followed with regard to the new Exchange building in downtown Kalamazoo. Ms. Walter was not aware of what the final design will be for that building.
- The Peregrine Pale Ale at Bravo Restaurant had great reviews; they raised \$75.00.

PFAS update

Update by City

- The water source was officially switched over for the City of Parchment. The City of Kalamazoo corrosion control is working and the water is considered safe for consumption. The DEQ is still requiring aggressive sampling of the water; Ms.

Drzick is doing the water testing. Water filters have been provided to Parchment residents with lead pipes. The City of Kalamazoo will continue to provide filters until the lead services are replaced.

- The City of Kalamazoo found non-detect levels in most of their distribution points and stations. Stations 14 & 18, one in Milwood and one down the road, had detectable PFAS levels. One was eight and one was eleven, the action level is 17 parts per trillion.
- The City of Parchment still owns the water pipes in the City of Parchment; the City of Kalamazoo is supplying the water. The City of Kalamazoo has an aggressive lead replacement program; Parchment doesn't. Parchment was mandated to do a lead and copper study.
- If you have a lead service, you have to prove that any water change is not disrupting the pipes or causing lead or copper leaching or an issue with bacteria.
- The City of Kalamazoo has partnered with the City of Parchment to do the testing. The water is currently provided on a wholesale basis. If it becomes retail, the City of Kalamazoo will do the lead service replacement.
- The testing is done at three stations which provide water to Parchment and three sites in the City of Parchment. There are four bacteriological sites just for Parchment.
- Waste water is still being monitoring. The plastic plated production facility has been shut down. They have their own treatment process with a carbon trailer. That and Parchment were the main contributors to PFAS in the waste water so the levels are down now. There is still no method for treating PFAS in the waste water.

Allied Paper Superfund Site

Update by Paul

- Mr. Manstrom stated that construction on that site is scheduled to start in 2020 and last two years. He put the EPA Record of Decision on the shared site.
- Ms. Drzick will contact Bruce Merchant, former Deputy Director of Public Services, to inquire if he is willing to speak to the ECC regarding the Allied site. He is a consultant for the Allied site.

7. NEW BUSINESS

ECC Member Terms

- Ms. Holmes and Mr. Fletcher's terms will be over at the end of 2018. Mr. Manstrom's term will be over at the end of 2019.

January Officer Elections

- The election of officers for the ECC will take place in January.

Reschedule November ECC meeting.

- Mr. Manstrom suggested combining the November and December ECC meetings to a date after Thanksgiving. Ms. Drzick will book the space.
- **Mr. Wright, supported by Mr. Dietrich, moved to combine the November and December meetings and hold the next ECC meeting on December 5th. With a voice vote, the motion carried unanimously.**

8. SUBCOMMITTEE REPORTS:

ECC Sub-Committee Assignments

The sub-committee assignments are as follows:

- Planning Commission (Mr. Fletcher and Mr. Manstrom)
- Asylum Lake Policy and Management Council (Ms. Holmes)
- Wellhead Protection - Mr. Manstrom suggest having John Paquin provide updates regarding wellhead protection a couple times a year at the ECC meetings. Ms. Drzick will follow up with Mr. Paquin.
- Kalamazoo Environmental Council. Ms. Walter stated that the KEC doesn't meet regularly per Kay Chase. Their primary function is the candidate forum. Ms. Chase will forward updates to Ms. Walter as updates become available.
- Park and Recreation Advisory Board (Mr. Wright). Mr. Wright didn't attend the last meeting but there was nothing of issue at that meeting, per the minutes from that board.
- Tree Committee – (Mr. Dietrich) Mr. Dietrich stated that the Tree Committee has not met since Todd Pryor (City of Kalamazoo Forestry Supervisor and Chairperson to the Tree Committee) passed away in August.
- Climate Change Coalition – Mr. Manstrom stated that Nora Gimpel from the ECC used to report to the ECC about this group. She resigned from the ECC earlier this year.

- **Planning Commission**
 - **Kalamazoo Environmental Council**
 - **Tree Committee**
 - **Asylum Lake Policy & Management Council**
 - **Parks & Recreation Advisory Board**
 - **Wellhead Protection Program Committee**
 - **Other Organizations We Should be Monitoring?**
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- The sub-committee reports were postponed to a future meeting.

9. ADJOURNMENT:

The meeting adjourned at 5:55 pm

Respectfully submitted,



Recording Secretary