

# ENVIRONMENTAL CONCERNS COMMITTEE

## June 19, 2019 MEETING MINUTES

**MEMBERS PRESENT:** Paul Manstrom, Chair; Phil Dietrich, Vice Chair; Joe Bower; Eric Brown; Sharon Dever; Ian Magnuson; Scott Schmidt; Gail Walter; Kevin Weller; Aaron Wright;

**EXCUSED ABSENCES:** Mary Clare Griffith; Wayne Bond (ECC Associate Member); Lauri Holmes (ECC Associate Member)

**STAFF:** Jean Talanda, Staff Liaison; Amy Thomas, Recording Secretary

**OTHERS:** Bobby Glasser (ECC Associate Member); Jim Melliush, Winchell Neighborhood Resident

### **1. ROLL CALL (Excused Absences)**

- Mr. Manstrom completed roll call and determined that a quorum of members was present.

### **2. APPROVAL OF AGENDA:**

- Ms. Dever will report on the river clean-up under unfinished business.
- Ms. Walter, supported by Mr. Magnuson, moved approval of the June 19, 2019 ECC agenda as submitted. With a voice vote, the motion carried unanimously.

### **3. APPROVAL OF MINUTES (May 15, 2019):**

- There were no changes to the Minutes.
- Mr. Dietrich, supported by Mr. Bower, moved approval of the May 15, 2019 ECC Minutes as submitted. With a voice vote, the motion carried unanimously.

### **4. ANNOUNCEMENTS:**

- Mr. Manstrom announced that the Southwest Michigan Sustainability Forum will take place on June 20<sup>th</sup> at the KVCC Culinary School.

### **5. COMMENTS BY OTHERS ON NON-AGENDA ITEMS**

- Jim Melliush stated that he has lived on Sheffield Dr. in the Winchell Neighborhood for 42 years. For the first 20 years there were no issues with deer. He counted 15 deer in the neighborhood last year.
- Approximately 80% of people he contacted in the neighborhood said they have had issues over the last two years with deer damaging ground cover and bushes, etc. The Oakland Dr. Winchell Neighborhood and other groups are trying to get limitations established. They want the deer to stay in the woods and not damage yards and landscaping.
- Discussion followed regarding the lawsuits in Ann Arbor that occurred after a deer cull. The Nature Center has conducted deer culls but that facility is out in the country. Deer get diseases that spread to the herd, such as Chronic Wasting Disease. There doesn't appear to be a safe solution to the deer population problem. Mr. Manstrom will send information to Mr. Melliush via e-mail.
- Mr. Wright referred to a study done a few years ago by a local group of students, regarding the deer population, to figure out if there is a general number regarding the definition of "over population" and what harm might occur to the deer or the community. Thus far, there have been no definitive answers. The study would need to be repeated to increase the validity of the findings. The DNR had numbers on their website but that information is gone now; there is no number to use as guidance.
- Spray repellent or cut up soap are temporary solutions. If there is a heavy rain or snow you have to repeat the treatment. The smell becomes familiar to the deer and then it doesn't bother them anymore.
- Bird feeders were mentioned as a major attraction to deer. People need to be educated regarding what can be done to keep deer out of the residential neighborhoods.
- It was suggested that the ECC could invite someone from the DNR to speak at another ECC meeting. There was some question as to whether any studies had been done regarding issues with diseases in urban deer herds.
- Mr. Melliush suggested having the Neighborhood Associations approach the City about the deer issues. He offered to do a poll, if there was a consensus that it might be helpful. Mr. Manstrom mentioned that this is a regional issue. Development to the west is pushing the deer population to the east.
- Mr. Brown stated that he is impressed with the ECC associate members and their credentials. He offered to switch seats with one of them if that would be helpful to the Committee. Mr. Manstrom mentioned that Ms. Holmes made a

similar offer in the past but she became a valuable member of the group. Mr. Manstrom's term will be over at the end of 2019 and that seat will be available.

## **6. UNFINISHED BUSINESS/UPDATES/DISCUSSION:**

### **Natural Features Protection Overlay Update (NFP Review Board, Vermeulen Property Rezoning).**

#### **Climate Action Plan**

- Mr. Glasser is now a member of the NFP Overlay Review Board, which met once to come up with a plan. The Review Board will meet twice per month. They have not had any cases to review yet. They will look at the overlay and the review process.
- The NFP Overlay Review Board meetings are open to the public and will be preannounced. The Board members are biologists, ecologists, scientists, property managers, etc. There are more details on the City of Kalamazoo website.
- Mr. Manstrom stated that the NFP Overlay was passed as written by the City Planners. The NFP Overlay district map was also approved and that covers all three parcels of the former Vermeulen Property.
- The planning staff advised that Mr. Tehrani did not provide an application yet. A rezoning would require three public hearings, one at the Planning Commission and two at the City Commission, before Mr. Tehrani could apply to the Zoning Board of Appeals for an exemption from the NFP Overlay.
- Mr. Glasser stated that the NFP Overlay Review Board will continue to look at the overlay and its slim tracks of land along water bodies. The Board will also look at the mechanism for soliciting and petitioning to have properties incorporated into the overlay. There are already legal limits but the Review Board needs to know what qualifies and can be incorporated into overlay.
- The developer claims he was misled and has documentation to prove it. The Future Land Use Map in the City's Master Plan shows those parcels with a commercial zoning designation. The developer knew about the process he would have to go through to rezone the property. That property was also designated for future commercial use in the previous Master Plan.
- Mr. Magnuson inquired if the NFP Overlay covers WMU property. Ms. Dever indicated that WMU does not have to follow the rules in the overlay.

### **Kalamazoo Sustainability and Climate Action Plan (MSU Class Presentation)**

- Mr. Manstrom stated that the first meeting is Monday. There are two meetings scheduled in July and one in August. Some of the working groups were created by SaraJo Shipley. They will try to work with the Master Plan. Mr. Magnuson offered to forward the list, which is available to the public.
- Jamie McCarthy offered to provide updates to the ECC. She will probably have more details next month.
- Mr. Magnuson referred to the MSU class presentation and advised that two major issues were discussed. A new green house gas inventory needs to be made. The last one was four or five years ago. The main focus was heating in the City of Kalamazoo for individual houses. A certain percentage of housing is renter occupied and that reduces the incentive to do upgrades.
- There was a study advising that fresh foods were not available but that is outdated information from prior to the opening of the Midtown grocery store, etc. They also talked about solar efficiency and renewing the City of Kalamazoo's membership with ICLEI (International Council for Local Environmental Issues.) They make data public as initiatives are adopted. The City of Kalamazoo has not been a member of ICLEI for five years or so.

### **Kalamazoo Air Quality**

- Mr. Manstrom will work on sending a memo to the City of Kalamazoo regarding Graphics Packaging this month. Mr. Wright reported that he had no updates; he is still waiting for a response.

### **Bird Safe Building Design Update**

- Ms. Walter stated that surveys were done this spring at Kalamazoo College and Western Michigan University walkways and the College of Health and Human Services. Birds that flew into the windows were picked up and passed along to Sharon Gill. Bird tape will be applied to Haenicke Wood Hall this summer.
- The Falcons on the Fifth Third Building fledged. The report in the Kalamazoo Gazette was not very accurate. All the birds stayed air-born, they are not in rehab or in a freezer.
- There are plans for the new apartment buildings at WMU to have bird safe glass.

### **Kalamazoo Water Quality Update**

- Ms. Talanda stated that there is renewed interest in looking for PFAS at the landlocked Georgia Pacific parcel near the Kalamazoo River. She was not sure about the depth of the wells at that site. City staff put together information, from

the contaminant source inventory which was done two years ago, regarding sites in the wellhead protection zone. That information was sent to the State of Michigan. City staff is continuing to look for sources of PFAS.

- Mr. Magnuson referred to an article on Twitter stating that the State of Michigan will be changing lead testing requirements. Ms. Talanda advised that EGLE (Environment Great Lakes and Energy) is hoping to make changes but she was not sure when that would happen. City staff will post lead and copper information at [protectyourwater.com](http://protectyourwater.com).
- Mr. Glasser mentioned that action levels from the EPA are hard to enforce as an actual mcl (maximum concentration level). The lead and copper rules are more statistical than enforceable. If a number of samples in different locations exceeds the action level, there might be a problem. The rules don't require a water fountain to be red tagged (not usable) if the levels are exceeded in that one location.
- Ms. Talanda stated that lab samples aren't that precise. They can provide an average but there are many factors to consider. Each lab has a different standard procedure. Seventy parts per trillion is the EPA recommended action level for PFAS but most labs can't get to that level of accuracy.
- There were workshops at the AIPG Conference regarding PFAS and lead. They know so little about PFAS so it is hard to say if anyone knows what the number should be. Research shows that 70 parts per trillion is probably a good number to use with regard to science but politics would be different.
- The action level might prompt action before there is enough information to make a decision. The action level might be accompanied by recommendations on what could be done to minimize damage, such as provide more ventilation, do more testing, or stop ingesting something that has bio-accumulated PFAS, etc.
- Ms. Talanda advised there are no good studies regarding the health effects of PFAS. There are indications of health effects in some cities where PFAS is known to be present in large quantities. Ingestion of PFAS might pose a lower health risk than touching things with PFAS.
- Ms. Dever attended a PFAS town hall meeting in Parchment. They were trying to figure out the strongest correlation to possible health risks. They said they had enough data from an area in Ohio to get an idea of what the health effects are. There were five strong correlations to different health risks.

#### **Allied Paper Superfund Update**

- Mr. Manstrom had nothing new to report. He will ask Jamie McCarthy to provide an update at the next ECC meeting.

#### **Potential Subcommittees for Overview of Specific Topics and Issues.**

- Mr. Manstrom suggested the following topics for possible subcommittee discussions: air and water quality, Allied Paper and Graphic Packaging, etc., salination of Woods Lake, compost, litter, NFP Overlay, wildlife protection, sustainability and the Climate Action Plan.
- Ms. Dever, Mr. Brown and Mr. Weller expressed interest in being on a waste management and litter prevention subcommittee. Mr. Manstrom suggested considering what influence the ECC might have in making improvements.
- Mr. Weller observed litter below a no parking sign. He suggested putting no littering signs below the no parking signs. His daughter came up with original art work that he would like to put in the View From the Curb publication that the City sends to residents. He would also like to review the current City ordinance regarding littering and discuss possible ways to increase penalties and enforcement for littering.
- Mr. Magnuson suggested talking about cigarette butts also. It appears that most smokers don't view discarded cigarette butts as littering.
- Mr. Brown stated that the NCSL (National Conference of State Legislatures) has information on a state by state basis. He questioned if the penalty for littering in Michigan is not enough. Local police have more serious crime to deal with than littering. Additional signage and public awareness might have a positive influence on the culture.
- Ms. Dever mentioned that cigarette butts were the #1 item found by the river and in the river; 327 cigarette butts were counted during a recent clean-up. Other items were also counted and reported. A total of 266 lbs. of trash was retrieved - 178 lbs. from the river and 88.2 lbs. by the river. She would like to gather data from different locations and report monthly on her findings.

#### **Review of Unresolved Issues (Woods Lake Salination Issues; Deer Overpopulation)**

- Mr. Glasser, Mr. Wright and Mr. Manstrom offered to serve on a water and air quality subcommittee. Mr. Manstrom felt that salination issues regarding Woods Lake had not been resolved during prior conversations. This would be a topic for the newly-formed sub-committee to discuss.
- Mr. Wright commented that the lack of biodiversity and the decline of large, predatory animals over time might be more of a concern than deer eating someone's Hostas. If someone brought data to show that Chronic Wasting Disease or other issues might be causing harm to the deer or human population, then there might be a reason to do something about controlling the deer population.

- Ms. Walter mentioned that deer browse causes loss of habitat for birds and other species, which can also have a negative impact on the ecosystem.
- Mr. Manstrom stated that the ECC made recommendations ten years ago regarding the deer population. It appears that the City Commission did not follow through with the recommendations. Two years ago, representatives from Neighborhood Associations, the DNR and the Nature Center attended ECC meetings to provide information regarding the deer population. The ECC provided a communication to concerned parties stating that the ECC didn't have a solution at that time. He offered to forward the DNR Deer Management plan from 2016 to the ECC members.

## **7. NEW BUSINESS**

### **Presentation on use of ECC Shared Google Drive Folders**

- The link to the Google drive was provided in an e-mail to the ECC. (<https://drive.google.com/drive/folders/0B8MDxk0vqRQKOEJhQWZHLUlfODQ?usp=sharing>).
- You need a g-mail account to access the Google drive and the ECC documents, which include information about deer population. ECC members can add information on the shared drive as soon as they have permission to do so.
- Discussion followed with regard to the possibility of the ECC Google documents being subject to a FOIA request. Mr. Manstrom advised that the ECC asked that question in the past but they did receive an answer. He will ask the City Attorney's office.

## **8. SUBCOMMITTEE REPORTS:**

### **Kalamazoo/Michigan Environmental Council**

- Mr. Manstrom, Mr. Bower and Mr. Weller attended the legislative breakfast earlier this month. State Representative Jon Hoadley provided a presentation.
- Mr. Bower attended a meeting of the Kalamazoo Environmental Council, which includes groups such as the Asylum Lake Preservation Association, the Watershed Council, The Audubon Society, the Sierra Club, the Nature Center, etc. They are at a crossroads at this point and trying to decide what to do with this organization. He hopes to have more information in the future.

### **Planning Commission**

- No report.

### **Tree Committee**

- No report.

### **Asylum Lake Policy & Management Council**

- No report.

### **Parks & Recreation Advisory Board**

- No report.

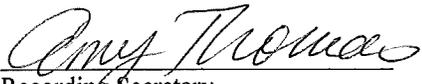
### **Wellhead Protection Program Committee**

- Ms. Talanda reported that catch basins for Woods Lake on Parkview Ave. were rechecked and they are in great shape. An assessment was done and pictures were taken of retention ponds. As time allows, she will reach out to the Parks and Recreation Department to request tree trimming in areas that are overgrown. The assessment was done in response to comments from residents about overgrown vegetation.
- Mr. Schmidt visited the waste water treatment facility as part of the program that was presented during Public Services week.

## **9. ADJOURNMENT:**

- The meeting adjourned at 6:10 p.m.

Respectfully submitted,

  
Recording Secretary



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4610 Lilac Ln - 2



4610 Lilac Ln - 3