



**Minutes of the
Environmental Affairs Advisory Board
Wednesday, February 7, 2024
Avon Lake Public Library, McMahan Room**

The meeting was called to order at 6:30 p.m. with Chair Naumann presiding and 22 others in attendance.

I. Welcome/Attendance/Review of Minutes

Present: Chair Sam Naumann; Co-chair Jen Miller; citizen members Rita George, Kayla Goodwin, Amy Oliver, Marty Patton, Terry Robison, Malachi Witt, and Terry Wyrock; industry members Barb Hall (proxy for Mike McCormick, Applied Specialties) and Scott Cameron (Charah® Solutions); Ward I Councilman and ex-officio member Rob Shahmir; and Deputy Clerk of Council Ramona Boggins.

Also Present: Avon Lake Public Library guest speaker Laura Ploenzke; Planning and Zoning Manager, representing the Community Development Department, Kelly La Rosa; Ward III Councilwoman Amy Gentry; and residents Tom Cizmar, Melissa Cole, Robert Haas, Katelynn Hall, Doug and Janice Miller, and William Zimmerman.

Absent: Industry members Tom Sulzer (Avient™), Michelle Hall (Ford Motor), and Ron Spears (Lubrizol Corp).

Approval of Minutes: The November 8, 2023, and January 3, 2024, meeting minutes were unanimously approved as prepared and published.

II. Administrative

There was one vacancy on the Board, but since Mr. Shahmir was elected as Councilman in Ward I, two vacancies needed to be filled. Last month, the Board welcomed two new citizen members, Amy Oliver and Malachi Witt.

III. Residential Accountability

Co-chair Miller has been working with Laura Ploenske to bring environmental programs to the Library. The next one on February 13 is on [stormwater](#), with guest speaker Dan Bogoevski from the Ohio Environmental Protection Agency (EPA).

- *The Sustainable Libraries Certification Program*, featuring Laura Ploenzke, M.L.I.S., Adult Services Librarian, Local History and Genealogy Specialist.

Ms. Ploenzke is involved in the American Library Association's Sustainability Team, and they have endorsed the [Sustainable Libraries Initiative](#). It began in 2014 as a group of volunteer librarians in southern New York who were concerned that libraries were not addressing climate change, so they created a program that all libraries could follow. Avon Lake Public Library is one of only two libraries in the state and one of six in the country that has officially enrolled in this initiative, and it takes one to two years to complete the 12 steps. The team will consist of five or six members who will address all parts of the Library, including financial, land use, and jobs, to name a few. A core part of the program involves partnerships, and that is already being fulfilled with the partnership Co-chair Miller has with the Library, but there are additional opportunities. Ms. Ploenzke would like to reach out to EAAB when she gets to that step, to possibly work together, strengthen the partnership, and create new ones.

IV. Industrial Accountability

- Environmental Industry Reports

Charah® Solutions: Mr. Cameron reported they are continuing demolition and have the approved permit to install (PTI) from the EPA for the tie-in for stormwater. The old coal pile run-off pond is now a stormwater retention pond, cleared through the City Engineers and EPA. They're also continuing demolition in the old B-house, which consists of eight original boilers; they're on the sixth one now and will continue to work west. Next, they'll go into the A-house, which is boilers nine and ten.

Mr. Shahmir wanted to know an approximate timeline for when the filtration would be put online.

- Mr. Cameron said it's a separate section, not for the coal pile runoff. They ran a test and sent samples out; they didn't discharge. The samples all came back well below limits, so they'll begin discharging next week.

Mr. Shahmir wanted to know if they took samples at the same rate that Charah® will be flowing into the lake.

- Mr. Cameron said they sampled the outlet of the system, and there was a significant amount of decrease across the system. Charah® sampled what they will be required to by their permit; low-level mercury, oil, grease, TSS, and pH.

Specifically, Mr. Shahmir wanted to know if the flow coming out of the other end was at the rate they will discharge or at a lower rate.

- Mr. Cameron replied that it was at the rate they will discharge.

V. New Business

- 1) Northeast Ohio Resilient Cities and Counties Leadership-and-Learning Cohort (Kelly La Rosa)

Ms. La Rosa invited the EAAB Board members to the Ohio Resiliency Cohort, funded by the Cleveland Foundation, to help communities in Ohio who already have sustainability plans, find out why they've been "sitting on the shelf," and help them get things implemented. Avon Lake will be part of a larger cohort that will have paid consultants to help with the process of trying to implement a project and complete it. The online kickoff event is February 27. There, Ms. La Rosa expects to learn about the Cohort, what it intends to teach its members, and how it intends to help prioritize projects.

Chair Naumann asked how many Board members were expected to participate.

- Ms. La Rosa said whoever was interested; she wasn't given a limit. There will be online meetings every three weeks. There will be two in-person meetings. You are off in the summer, at which time you would work independently. The consultants may do a site visit, possibly in the fall.

Mr. Witt asked if this was an organization the City of Avon Lake was involved in already.

- Ms. La Rosa said no, it has just been created; the online kickoff event is February 27. She further shared that she represents the Community Development Department for the City and is also the Planning and Zoning Manager. When commercial development or large subdivisions come to our Community, she and several other departments review those plans; she puts together reports that are presented to the Planning Commission. Her responsibilities include the Comprehensive Plan, where sustainability could be more integrated.

Mr. Witt thanked Ms. La Rosa for helping him tie everything together.

Action: Chair Naumann said he would look for an email from Marisa Kellogg of Local Governments for Sustainability, formerly the International Council for Local Environmental Initiatives ([ICLEI](#)), and forward it to the Board. Also, he could set up a call for EAAB to collaborate since it's within the scope of the Board.

Chair Naumann shared that Council President Marty O'Donnell approved a temporary budget of \$5,200 for EAAB to use in 2024.

At the January meeting, members were asked to come up with three ideas/areas of focus for 2024. Some of the shared ideas follow:

- 2) Mr. Witt shared that his focus has been and continues to be the Power Plant.
 - a. He searched for permits and leases and gathered information.
 - b. He met with the Ohio Department of Natural Resources (ODNR) and the U.S. Army Corps of Engineers.
 - c. He researched and did things outside of and between EAAB meetings.
 - d. He is getting ready to make a recommendation to Council so action can occur on an objective he'd like to see accomplished, that everyone is safe.

Chair Naumann said this was a good example of coming up with a centralized theme or focus and thinking about what the tactical first step is going to be. The intent is not for

each member to come up with a focus and tactical steps and run with it by themselves. Collaboration is needed. He's hoping the Board can get to a point where each person has a sense of ownership over one of the initiatives, and tactics therein, and the members can be the coordinators of those initiatives between each meeting. Then, at these monthly meetings, everyone can see progress and review, bring questions, vote for budget expenditures, and more.

- 3) Mr. Robison shared focus areas related to education on recent issues:
 - a. Coyotes;
 - b. Stormwater;
 - c. Benefits of the Urban Forest (he's on the Tree Commission);
 - d. Road Salt;
 - e. Power Plant Cleanup - He is trying to find information and videos on other cities' experiences with that, having to do with science and pollution; and
 - f. High-school student participation in the [Environmentally Speaking](#) series; topics resulting from a past survey.

In response to Mr. Robinson's road salt topic, Co-chair Miller shared that she is working on getting an *Environmentally Speaking* guest, [Joe Reitz, to inform everyone about brine](#).

Mr. Cameron asked for an update on the high-school student involvement. He shared why he became interested/involved in environmental issues; the coal runoff from the mines made the river so bad that he couldn't swim in it as a child. That made a big impact on him. He thinks it's important to get the younger residents involved; correctly educated, not misinformed; willing to investigate, not believe something just because they heard about it; and nurture them at a younger age.

- Chair Naumann agreed with Mr. Cameron and said it has been factored into the EAAB budget for \$750 towards an internship program in Avon Lake City Schools.
- 4) Councilman Shahmir shared that he met with Superintendent Joelle Magyar to discuss interfacing with the program and donating additional funds.
 - a. The plan is to fund one student per year to do an environmental project that would be publishable and presentable at a national conference.
 - b. If EAAB donates to the Avon Lake City School Foundation, the money could be granted based on a stipulation to that program.
 - c. His Council salary is going to different entities in the Community. Roughly \$2,000 per year will go to the City School Foundation, which will be directed to this program.
 - d. One student will be selected annually based on a thesis written about what they want to do and why.
 - e. The Board will select the recipient of the scholarship funds based on specified criteria having been met and then work closely with the student, mentoring, nurturing, and guiding them through the system/process.
 - f. The result will be a project that is related specifically to Avon Lake and published.

- g. Between his contribution and EAAB's \$750, he thinks EAAB can start a program and hopefully get industry members to contribute as well.

Action: Chair Naumann requested that Councilman Shahmir and Mr. Robison collaborate on the education initiative topic and report back at the next meeting.

- 5) Co-chair Miller shared that she and Ms. Ploenzke had discussed doing more hands-on programs next year, including a few ideas:
 - a. Native planting, partnering with the Garden Club, and getting the City to donate a plot of land to use; offer sign-up options for volunteers.
 - b. Addressing improper recycling (a Michigan city puts gold stars on the bins that do it correctly, and it inspires residents to be better); Kimble contract renews in April and maybe we can try something like this.
 - c. Communicate to HOAs and developers what EAAB is working on and educate them on ways they can help the environmental movement.

Action: Mrs. Oliver offered to collaborate with Co-chair Miller about contacting the HOAs. Chair Naumann would like an update at the next meeting about the progress.

Ms. La Rosa suggested adding developers to that idea and offered to get a list of them to Co-chair Miller.

- 6) Mrs. George wondered how EAAB might better market itself to the Community to make its presence more well known. She said all the initiatives are fantastic, but if people don't know you exist or what you do then you're not going to be successful.
 - a. Suggested working with Co-chair Miller, using 30-40 second vignettes on social media sites and Avon Lake's City page, all free resources, discussing various topics, such as:
 - i. Invasive species;
 - ii. Erosion; and
 - iii. What's happening in different aspects of the City.
 - b. Looked at introducing all the things EAAB does so the Community can better understand and provide public input and attendance to meetings.
 - c. Circed back to [Joe Reitz's involvement](#) in the [NEO-PIPE Program](#), suggesting [starting with the basics](#) and then adding on.

Action: Mrs. George, Co-chair Miller, and Mrs. Oliver, who has a marketing background, offered to collaborate on this initiative. Mrs. Goodwin, a great social media resource, will assist when possible.

Mr. Witt liked these ideas and said it would be great to have an EAAB "brand" that's recognizable, setting it apart from typical Avon Lake messages, establishing consistent, branded messaging taking it to the next level. Mrs. Goodwin mentioned there is money for this in the budget and it's a good opportunity to put some really good things out.

- 7) Mr. Patton is thinking about developing a testing program for the youth/young adults to randomly sample and survey the shoreline of Lake Erie.
 - a. Getting tests kits from the EPA;
 - b. Federal entities; and
 - c. Avon Lake Regional Water.

Would be a subtle way to test the shoreline without being blatantly obvious.

Possibly partner with students at The Ohio State University's [Sea Grant](#), who work with [Stone Lab](#) already.

Chair Naumann agrees that the involvement of youth is critical, and an internship and/or other engagement with the students is vital. Maybe the PTA can become involved, as well, to encourage and promote volunteerism and dissemination of information about these programs.

Mr. Cameron added that some of the aforementioned agencies offered free test kits about ten years ago for rivers, lakes, well water, stream water, and homes. He couldn't remember if it was the EPA or ODNR but suggested contacting them to see about getting donations for the Board to distribute. He further suggested the use of GPS data, possibly something like [environmental monitoring](#), being used to map the time, date, and coordinates of the samples taken. If enough people participate, the entire Lorain County shoreline could be mapped.

Action: Mr. Cameron offered to check with his contacts at the EPA to see if they offer test kits and will reach out to Mr. Patton when he has an answer. He does not have any contacts at the ODNR.

- 8) Mrs. Goodwin referred to [Clean Up Avon Lake Day](#), which she participated in last year and wanted to do again this year on Saturday, May 18, 2024.
 - a. She has received emails from people at [Vestolit](#) asking about events or projects that they may be able to volunteer for, such as water cleanup.
 - b. She has also had people reach her via Facebook for the same reasons.

Co-chair Miller said Celena Crytzer, in Public Works, is taking over the cleanup event. Chair Naumann mentioned a few other key events that Mrs. Goodwin could represent EAAB's presence at, such as Big Trucks and [Shred Day](#). Anyone participating might wear EAAB shirts, set up a table with information, and answer questions about what EAAB does and has plans to do.

- 9) Mr. Wyrock shared that on Tuesday, March 19, at 7 p.m. he and his wife Diana will be speaking at the Library in the [Environmentally Speaking Series, Helping Monarch Butterflies to Thrive](#).
 - a. Passing out monarch butterfly kits and brochures from the State of Ohio;
 - b. Showing how to raise monarch butterflies, which are close to extinction;
 - c. Getting as many people as possible to be involved so they can multiply the number of butterflies every year; and
 - d. Inviting a few knowledgeable members of the Avon Lake Garden Club.

- e. Chair Naumann would like to work with Mr. Wyrock on this.

Co-chair Miller shared that Mr. and Mrs. Wyrock participated in a [podcast with her on November 10, 2023](#), and it is the most popular podcast, to this date, that's been done in the past three years.

- 10) Chair Naumann spoke with Council two weeks ago, and again yesterday at the Planning Commission, to revisit the [Comprehensive Plan](#) for the City.
 - a. There is a gap in the area of sustainability;
 - b. City officials are open to the idea of working as a team to bring about a study on how sustainability can be better encapsulated in the Plan.
 - c. He plans on meeting with Ted Esborn, the Community Development Director, about a potential approach and what that would look like.

Action: Chair Naumann plans on sharing details resulting from his meeting with Ted Esborn at the March EAAB meeting.

Mr. Shahmir asked Mr. Witt about his discussions with ODNR, the issue of a land lease, and subsequent discussions with the U.S. Army Corps of Engineers and ODNR as it pertains to the sampling of the sediments.

- Mr. Witt said he met with ODNR at the end of January. Prior to that, he researched how to investigate and test around the shoreline. (There's been discussion and interest in the City obtaining greenspace along the shoreline.) However, Avon Lake Environmental Redevelopment Group (ALERG) is not allowing work on the property.
- Mr. Witt discovered that there's a [Submerged Lands Lease](#) allowing them to put structures in the water and operate them from the plant; it also functions as private property. No work is permitted in that leased area; it is restricted. They recommended speaking with the U.S. Army Corps of Engineers, because on a federal level there are possible permits that could be acquired.
- He learned from Biologist and Compliance Officer David LaPut at the Army Corps of Engineers, Buffalo District, that there is a [Nationwide Permit 6](#) that allows survey activity, under certain guidelines. It is a federal permit, so if lower levels of government sign off on it, it supersedes and allows anyone in EAAB to conduct work without getting permission from ALERG or ODNR because they would have already signed off in concurrence with the Nationwide Permit No. 6. As long as EAAB is acting under this permit, we can do whatever work, testing, and/or assessments we want.
- The Submerged Land Lease comes with liabilities and responsibilities of the property. If the City were to acquire that area, it's required that the Land Lease be transferred to the City. Now the City would become responsible for whatever is there. At the end of the lease, it has to be returned back to its original state, and all the structures have to be pulled out and replaced. If there are environmental issues present, remediation would be required at whatever the cost. There are concerns for potential issues, such as health risks, that come with the purchase of the property.

- At the last Community Improvement Corporation (CIC) meeting, ALERG stated that they would not allow the City to do their due diligence until after they had agreed to a price and an agreement, or contract. However, data is needed to ascertain what is on the property and in the water. If it is discovered that millions of dollars of remediation are required, that would affect the price the City would pay for the property. [Verdantas](#), or another environmental consultant, could assist the City with an environmental risk assessment or other environmental work, under the authority of the Nationwide Permit No. 6. They would be familiar with the permit and be able to also assist the City with building a work plan, project plans, estimates, and an action plan.

Mr. Shahmir projected an image of the greenspace by the Power Plant.

The approximate boundary of the land lease could be viewed from the photo taken from the ODNR offices. Mr. Shahmir said whoever picks up the greenspace picks up the land lease area; they go hand in hand. ALERG currently owns that land lease until they sell the property. The new owner will assume ownership of the land lease and everything with it. The City can now conduct sampling based on EPA protocol and under the Nationwide Permit No. 6. to analyze everything before considering purchase of the property.

Ms. Gentry asked what the justification was for not having been allowed to conduct sampling and research of the area. Mr. Witt said it's private property. Ms. Gentry said that's not a justification, and we all know it's just not right.

Mr. Patton tried to gain clarity. He said they are asking for the City to parcel out each property. If the parcels do not include the shoreline, only the middle property that they are making very attractive for the City to get, the City would still be responsible for the whole shoreline. If the City parcels the property and there are buyers, then they'll let the City do some sampling?

- Mr. Shahmir said they divided it up into eight parcels; the greenspace is the eighth parcel, which the City and Lorain Metroparks are interested in. *Pointing to the map on the screen*, others are low-risk parcels. There are hot areas and areas he considers having fairly "vanilla" environmental issues, if any, which will have a low cost for cleanup. Hot areas will have a high cost for cleanup, which is the area of interest, and goes along with the land lease. If you get rid of it, you get rid of your liability. What's left is the "vanilla".
- If there's any purchase, there would be an assessment. However, no one is talking about the sediment, which is critical to the long run. If you want to use the beaches and develop the shoreline, you need to understand what you've got and the costs. \$300,000 was given through a grant to the City. Part of it is now being used for another environmental assessment, but part of it is still available. The City is pushing for and hoping to utilize an environmental consultant to perform the necessary sediment sampling. The land lease goes all the way into the shoreline, which would be the responsibility of whoever owns that coastal area.

Mr. Cameron said there is a cost to that annual fee for the land lease.

- Mr. Shahmir said it was \$1; Mr. Cameron said it was more than \$1 and thought it was thousands of dollars; and Mr. Witt said it was \$500 and depends on the land use. If the land use changes, if it becomes a tourist attraction, for example, then ODNR reassesses. The cost was higher until 2019, when it was reassessed.

In talking with ODNR, Mr. Witt said he verified the conditions of the land lease and its expiration, which is a rare occurrence (happened only once because of a bankruptcy and payment couldn't be made for the lease). The land lease does not just disappear.

- Mr. Shahmir said if the City or Metroparks purchase it, that's a "forever" purchase and a "forever" lease.

Mr. Patton wanted to know if the water intake was on the bottom left.

- *Mr. Shahmir pointed to an area on the map.*

Action: Mr. Witt said he would email and/or post on Google Docs the recommendation he is working on to present to Council.

Mrs. Oliver asked what happens next with the official recommendation to Council.

- Mr. Shahmir said he plans to present it to Council and then requested that Mr. Witt attend the meeting to give a synopsis of what the strategy is.

Motion: Mr. Patton moved to adjourn. It was seconded by Mrs. George. Motion passed.

The meeting was adjourned at 7:43 p.m.

Respectfully yours,

/s/ Ramona Boggins

Ramona Boggins, Deputy Clerk of Council