AGENDA

I. Call to Order Declaration of Quorum

II. Approval of Minutes from June 9, 2011 and July 14, 2011

III. Citizen Comment (Please sign in)

IV. Disposable Bags, L.Zoloth and J.Franklin (30 minutes)
   a. Recap of Work to Date
   b. Coordination with other groups (CGE, Central Street Business Association)
   c. Subcommittee Recommendations

V. Bikes and the Multi-Modal Transportation Plan, H.Bartling and E.King (30 minutes)
   a. Recap of Work to Date
      i. MMTP Research, City Staff Outreach, ATA coordination, one-on-one meetings, etc…
      ii. Transportation/Parking Committee
   b. City Information Request
      i. Bike Infrastructure Budget since 2008
      ii. Police Enforcement/Education
      iii. Number of Bike Spaces in Downtown
   c. Work Plan and Next Steps

VI. Stormwater Management, S.Besson (30 minutes)
   a. Recap of Work to Date
   b. Work Plan and Next Steps

VII. Strategic Plan Review, P.Finnegan and S. Besson (20 minutes)
   a. 2009 Plan Review
   b. Assignments and Next Steps

VIII. Ongoing Business/News (10 minutes)
   a. City Code Review (C.Caneva)
   b. Off-Shore Wind (K. Glynn)

IX. Open Discussion

NEXT MEETING – Thursday, October 13, 2011
MEETING MINUTES
Evanston Environment Board
Thursday, June 9, 2011
7:00 p.m.
Lorraine H. Morton Civic Center, 2100 Ridge, Room #2200

Members Present: Paige Finnegan, Susan Besson, Jill Franklin, Likwan Cheng, Ellen King, Laurie Zoloth, Hugh Bartling, Kevin Glynn

Members Absent: Anne Viner, Dan Cox, Suzanne Waller

Staff Present: Carl Caneva, Health; Ald. Colleen Burrus

Presiding Members: Paige Finnegan and Susan Besson

DECLARATION OF QUORUM
With a quorum present, Co-chair Paige Finnegan called the meeting to order at 7:14 p.m.

APPROVAL OF MEETING MINUTES – May 12, 2011
It was moved and seconded that the minutes of the May 12, 2011 meeting be approved. J. Franklin noted that H. Bartling was in attendance at the May meeting but was not listed in Attendees. A voice vote was taken and the minutes were approved as amended.

CITIZEN COMMENT

DISPOSABLE BAG UPDATE
Ald. Colleen Burrus addressed the board regarding the upcoming bag ordinance to go before A&PW on Monday, June 13, 2011. The Alderman planned to make a motion for information shared at the community meeting to be given to the board to draft an action plan to be presented to Administration and Public Works (A&PW) for October of 2011.

L. Cheng asked about the status of citizen involvement. A meeting was lead by Sustainability Coordinator Catherine Hurley to discuss the issue on May 24, 2011 (minutes and other information attached)

The Alderman requested the board review all materials and draft a proposal to be presented at the A&PW Meeting.

Chair Besson asked if A&PW could move this issue forward. L. Zoloto and J. Franklin indicated their interest in drafting the ordinance. S. Besson indicated any concerns about the board not wanting to take on the issue were an unfortunate miscommunication.

E. King indicated some confusion about the process and how the issue was brought to the board and subsequently A&PW.
Chair Finnegan explained the process of passing ordinances and policies. Board Members Franklin and Zoloft will lead the review of the plastic bag research materials and work on the proposal for the September meeting.

BIKES AND MULTI-MODAL TRANSPORTATION PLAN

E. King and H. Bartling attended a meeting of the Downtown Evanston organization. The owner of the building at 500 Davis St. is interested in providing bicycle parking. H. Bartling has reviewed the minutes of the Public Arts Committee, and has met with Jeff Cory, staff to the committee, regarding bicycle racks as art.

L. Zoloft stated there needs to be more education and additional bike lanes. There are concerns about safety and riding in streets with no lanes.

E. King has also talked with Students for Ecological and Environmental Development (http://groups.northwestern.edu/seed/) at Northwestern University, they are interested in collaborating on the downtown bicycle parking project.

H. Bartling indicated there was a meeting with city staff and the Active Transportation Alliance to address bike parking and lanes (Refer to May Meeting Minutes). City Staff (specifically Paul Schneider was mentioned) were very positive and looked forward to working with the board. He indicated concern there is no place to move forward.

K. Glynn asked if a process exists through which citizens can provide input on transit decisions, specifically in moving the Multi-modal plan forward. For example, is there a means to request a bike lane? Carl Caneva will research this.

STORMWATER MANAGEMENT

Board member Cheng indicated there are some scheduling issues moving forward on Stormwater Management. He spoke with Provost Linzer at Northwestern University and the Vice President of Research J. Walsh. Member Cheng will work with NU students on Sheridan Road Green Infrastructure issue. He reported Metropolitan Water Reclamation District proposed programs on Stormwater Management and are testing permeable surfaces.

BOARDS, COMMISSIONS, AND COMMITTEES TRAINING

C. Caneva updated the group on work plan guidelines (attached) and scheduling for the creation of the Environment Board’s work plan and subsequent presentation to the Rules Committee in September 2012. The intent of the plan is to achieve consistency in the City’s numerous boards and commissions while meeting the goal of advanced transparency. Chair Finnegan indicated that the League of Women Voters of Evanston has created a Handbook for Members of Boards, Committees and Commissions (http://www.cityofevanston.org/assets/Boards%20Commissions%20and%20Committees%20Member%20Handbook-final%2022ma.pdf) that can be found on the city’s website.
BOARD LEADERSHIP ELECTIONS

Chair Finnegan opened the floor to nominations. Ellen King, Kevin Glynn, and Laurie Zoloft nominated Chair Finnegan and Chair Besson to continue to serve as Co-Chairs. Voice vote passed unanimously, Paige Finnegan and Susan Besson will serve as Co-Chairs until the next election in June 2013 per Environment Board By-Laws.

OLD BUSINESS

COMPOSTING

C. Caneva indicated there was no news. He had communicated with C. Hurley that the nuisance ordinance as it stands could address many of the issues related to composting that have been discussed at the Board over the past several months.

GREEN BUILDING ORDINANCE

Revised ordinance will go before council on June 13, 2011. L. Cheng asked if non-commercial buildings are included. Chair Finnegan answered no. This ordinance covers only commercial buildings as defined in the City Code. However, this definition does include multi-family buildings with more than six units.

WIND COMMITTEE

K. Glynn reported that the Mayor’s Wind Farm Committee will present their recommendations to Council on June 20, 2011. The Committee Report (http://www.cityofevanston.org/government/boards_committees/WFC%20Review%20Document%20Post.pdf) can be viewed on the City’s Webiste. The State of Illinois has begun work to lease land on the lakefront. The city has to act in harmony with its residents and should foster a transparent relationship. K. Glynn stressed that the group is still in the discovery stages and its focus is to provide a response to the requests for information received.

K. Glynn indicated the wind farm would produce 100 Megawatts of energy and the City of Evanston uses 80 MegaWatts. There is a potential for the city to become an energy provider; however initial research on that topic are not favorable for the city becoming its own utility.

MILK CARTON RECYCLING

Tabled to July meeting.

OPEN DISCUSSION

H. Bartling, asked for an update on the status of the City Code revisions as the board had planned to follow-up with legal in April. C. Caneva indicated the revised code is being presented, title by title, to Council through September. He will provide the group with dates and titles to be discussed.

L. Zoloft discussed the "Help a Neighbor Day" program that planted 20 trees in Mason Park through a donation by Home Depot. The day is a collaborative effort with students from Evanston Township High School and Northwestern University’s Brady Scholars. She...
stated she would like to see an effort to grow a food forest. She asked if there were any efforts to address empty lots and plant gardens.

The Brady Scholars at NU have voted to address the Veolia Transfer Station as their next project. Leadership Evanston developed [http://www.dumptheevanstondump.com/](http://www.dumptheevanstondump.com/) as a platform for sharing information about this issue. The Brady Scholars will seek to remove Northwestern-generated generated from the Veolia site in an effort to force its closure.

Chair Besson asked about the status of water as a revenue source. C. Caneva indicated the city does have a want to raise revenue but there are larger issues. They city is researching the issue.

**ADJOURNMENT**

The meeting was moved and seconded to adjourn. A voice vote was taken and the motion was approved at 8:50 p.m., June 9, 2011.

Respectfully Submitted,

Carl Caneva

Division Manager Health
MEETING MINUTES
Evanston Environment Board
Thursday, July 14, 2011
7:00 p.m.
Lorraine H. Morton Civic Center, 2100 Ridge, Room #2200

Members Present: Paige Finnegan, Jill Franklin, Laurie Zoloth, Hugh Bartling, Suzanne Waller

Members Absent: Anne Viner, Susan Besson, Likwan Cheng, Ellen King, Kevin Glynn

Staff Present: Carl Caneva, Health; Catherine Hurley, Sustainability Coordinator

Community Members Present: Dick Peach, Keep Evanston Beautiful
Elizabeth Miller, Northwestern University
Michael Smith, Evanston Utilities Commission
Tanya Triche, Illinois Retail Merchants Association

Presiding Members: Paige Finnegan

I. CALL TO ORDER / DECLARATION OF QUORUM
   a. Meeting called to order at 7:07pm, No Quorum.

II. CITIZEN COMMENT

III. COMMITTEE REPORTS
   a. Stormwater Management, C. Hurley
      i. C. Hurley, Sustainability Coordinator, updated the group on
         Stormwater Management meeting on July 7, 2011, residents and
         city staff involved (handouts attached). Two primary issues
         discussed:
            1. Permeable Pavement: C. Hurley updated the group
               regarding a meeting with Public Works City Staff (Dahal,
               Schneider) and residents (Hal Sprague) regarding
               permeable pavement. Encouraging residents to choose
               green permeable alleys was the main topic. Chair Finnegan
               asked if the program was similar to the alley program in that
               the City of Evanston and the residents in the alley split costs
               50/50 (http://www.cityofevanston.org/public-works/alley-
               paving/) H. Bartling indicated it was the same. C. Hurley
               stated the main obstacles are cost due to the under layer
               being either clay or sand. In the process a soil boring is
               taken and the materials are considered after the assessment
               is complete. Chair Finnegan recommended that the group
               consider a cost split based on the incremental additional
               costs (permeable vs. standard) as opposed to a standard
50/50 split or that the City covers the additional costs due to the infrastructure savings as a result of less stormwater runoff. Board members agreed savings should also be described. Paul Schneider, City Engineer, identified as staff resource.

2. **Sustainable Parkways:** C. Hurley is working with staff to better understand the parkway planting program with regards to options and cost. Currently, residents can apply to manage small parkway triangles and plantings. There exist concerns about water intensive species being planted. Chair Finnegan asked about the Sheridan Road stretch being considered for permeable paving and sustainable planting. Paul Schneider and C. Hurley will work with Forestry Division to walk the area. There is a concern about the area of influence around existing trees. C. Hurley confirmed Sheridan road project (Emerson north past the Water Plant to Isabella) is not past the design stage. Chair Finnegan introduced Michael Smith, Chair of the Evanston Utilities Commission, Mr. Smith indicated the Utilities Commission is also interested in easing the burden of stormwater on the sewer system. They are open to working with the Environment Board to achieve the goals established in the Climate Action Plan.

b. **Disposable Bags**, L.Zoloth and J.Franklin
   i. Per a discussion with Ald. Burnus, Chair Finnegan indicated the Board is to move the plastic bag discussion forward; the Alderman indicated this could be accomplished without an ordinance but the Alderman voiced concern as to success without an ordinance. The board is expected to produce an update by the Administration and Public Works meeting on October 24, 2011.
   ii. Dick Peach (Keep Evanston Beautiful) and Elizabeth Miller (Northwestern Student) indicated they previously drafted an ordinance addressing the issue of plastic bags. Mr. Peach was concerned as he watched a similar ordinance fail in Seattle due to a lack of a public education campaign and his group decided not to go forward with the ordinance but to begin public education.
   iii. L. Zoloft gave a brief presentation regarding plastics (slides attached). She stated there is a concern with film (clear plastic wrappers) and bags, and their impact on the environment. Neither are easy to recycle due to economic limitations (film is considered dirty and difficult on the recycling machines). In 2007 the Solid Waste Agency of Lake County (SWALCO) proposed a statewide bag and film buyback bill, which was eventually defeated by the Illinois Retail Manufacturer’s Association (IRMA). SWALCO did pilot a 2 year (2007-2009) program whereby companies like Jewel and Dominick’s had collection stations. Tanya Triche, IRMA, indicated the plastics are collected and reformed into pellets for new bags or other uses (flooring being one). H. Bartling asked how much energy was involved with the recycling aspect. L. Zoloft stated concerns with the carbon footprint. The energy involved in recycling due to
transport and machine operation, but the goal was to get the bags off the streets. C. Hurley indicated there is a life cycle on paper and plastic in the white paper included in the packet and available at http://www.cityofevanston.org/sustainability/waste_reduction_recycling/White%20Paper%206.6.11.pdf. Tanya Triche, IRMA, stated the association has advocated for a statewide policy, no home rule, with a sunset, provision to be activated after 3 years. This would assist the industry in adapting to the new requirement. Post sunset IRMA indicated a home rule provision would be reconsidered. The concern being pilot programs have not been robust enough to make significant changes. SWALCO put the burden on the plastic bag manufacturers; create incentives to make more sustainable products (Extended Producer Responsibility). Illinois Senate Bill 102 (http://www.ilga.gov/legislation/fulltext.asp?DocName=&SessionId=84&GA=97&DocTypeId=SB&DocNum=102&GAID=11&LegID=&SpecSess=&Session=) is a resource.

iv. L. Zoloft and J. Franklin suggest a three pronged approach:
1. Work with SWALCO as a partner in the process and develop a matrix adopting the most effective policy.(Senate Bill 102)
2. Support Citizens to work toward ban on plastic and reduction of film and a plan to move toward 100% recycled paper bag
3. Make bags redeemable (example: Berkley, CA) customers pay 5 cents a bag. Funds not redeemed go to the city. Chair Finnegan asked if there would be one central collection site. L. Zoloft indicated yes the suggestion would be for one central location to take in the bags and sell to the recycling company. H. Bartling asked if Berkley is running the program as a revenue source or if it is subsidized by the City of Berkley. L. Zoloft indicated that she was unaware if the program produced revenue or was subsidized.

v. D. Peach stated that accounting for the redemption was a concern.

vi. J. Franklin stated the goal was to incentivize recycling and make it budget neutral to the City.

vii. Elizabeth Miller asked if the Berkley ordinance reduced use initially? L. Zoloft and J. Franklin indicated they did not know. L. Zoloft indicated this was akin to changing social norms.

viii. Chair Finnegan asked if SWANCC was involved at all? C. Hurley indicated there has been no discussion with SWANCC

ix. Chair Finnegan indicated the board was asked to address this from an Evanston standpoint. C. Hurley stated that because there have been media stories SWALCO and Evanston would be a great team to get others involved. C. Hurley stated the board could recommend a liaison with SWALCO for the recruitment of more communities and the drafting of a bill. Chair Finnegan spoke about a plastic bag committee with other stake holders to develop a state bill. L. Zoloft the goal would be towards a 100% recycled paper bag.

c. Bikes and the Multi-Modal Transportation Plan, H.Bartling

i. H. Bartling stated there is a pedestrian enhancement project to install a bike shelter and bike corral. There has been a proposal put
forth by City Staff for bike shelters tied into a larger program. City Staff (R. Dahal, S. Robinson, P. Schneider, C. Hurley) and Environment Board Members (E. King and H. Bartling), reviewed a site in front of Evanston Athletic Club entrance. The site will go before the transportation and parking committee; spots in front of Whole Foods and Tommy Nevins were also prime spots for corrals. Concerns were raised regarding lost revenue from the parking meters ($2500.00 lost per year per space). H. Bartling recommended an EEB member attend the next Transportation and Parking Meeting.

ii. Chair Finnegan asked questions about the process by which requests were made. C. Caneva stated he received an email that comments would be made at Transportation/Parking Committee. Questions as to whether Rajeev Dahal is on the committee, were bike corrals on Clark and Central before the committee. During the meeting it was confirmed Mr. Dahal is not part of the committee. The board will move forward by:
   1. Advocate for Environment Board Liaison for the Parking Committee. CF will speak to Ald. Burrus.
   2. Did Bike Corrals pass through the committee? C. Caneva will research.

IV. UNFINISHED BUSINESS
   a. Composting Update
      i. C. Hurley updated the board about the composting guide (attached). Used garbage containers (95 gallons) will be given to 250 people at the Recycling Fair July 23, 2011 9:00am-Noon at 2100 Ridge Ave. Funding received from energy efficiency grants. Staff in Public Works converted the wheel-less containers which have Compost written in yellow and holes drilled into them. The City is also looking into using unusable garbage containers for rain barrels. L. Zoloft indicated a table top composter given to residents in Berkley, CA; she requested C. Hurley ask Berkley how it is funded.
   b. Green Building Ordinance
      i. Chair Finnegan updated the board the ordinance passed through council.
   c. Off-Shore Wind
      i. Primary issue to the council is one seat on the Lake Michigan task force. It will be brought before council on July 18, 2011. This was considered the most time sensitive issue.
   d. Milk Carton Recycling (A. Viner)
      i. tabled
   e. 2011 US Conference of Mayors Climate Protection
      i. Evanston won smaller city for implementation of Climate Action Plan, link of 3 minute video to be sent out via email to board by C. Caneva. $10,000.00 will be issued to the City of Evanston to be given to a Not For Profit.
   f. Strategic Plan Review
i. Chair Finnegan updated the board and asked members to review the strategic plan.
g. CMAP Water Conservation Funding (C.Hurley)
i. C. Hurley updated the board regarding a June 29, 2011 memo to develop water conservation plan. Resolution passed to allow CMAP to provide technical assistance to the City of Evanston. C. Hurley will work with staff to facilitate meetings with community, electronic surveys.

V. NEW BUSINESS

a. C. Caneva updated the group on Veolia there was a hearing on July 14, 2011 for odors experienced by the neighborhood on June 14, 2011. Veolia was found libel and fined $125.00. There would be an additional hearing on July 28, 2011 for a separate odor ticket.
b. L. Zolofr requested information on the operation of a for-profit greenhouse in Evanston. C. Caneva and C. Hurley indicated resources could be found in the Economic Development Office.

VI. ADJOURNMENT at 8:51pm
NEXT MEETING – Thursday, September 8, 2011

Respectfully Submitted,
Carl Caneva
Division Manager Health
Plastic and Film in our Landfill

Presented by
Laurie Zoloth and Jill Franklin
Evanston Environment Board
July 14, 2011

While curbside recycling is working well, there is no market for plastic bags and film.
Film – the plastic that is in sheets.

2007 – SWALCO proposed a statewide mandatory take back bill
Defeated
New taskforce of supporters and opponents was created
2009 after the report, ran a pilot voluntary program which was successful

History of State wide Solutions

SWALCO reports it is successful and still in operation and wanted a statewide policy
Illinois Retail Merchants Association (IRMA) wants it to be voluntary only with a preemptions clause, no home rule
But this is not reducing the amount in landfills
Materials Recovery Facilities (MRF) do not want film
SWALCO went to EPR approach

Extended Producer Responsibility (EPR)

We suggest a three prong approach to the board
1. Work with SWALCO as a partner in a process – we are committed to the process, and to the relationship, and we will evaluate the product prior to endorsing it. Develop a matrix that will assess the proposal.

Transfers the burden to manufacturing plants of which there are 4 in the country.
A similar bill in Illinois for electronics, California has one for carpets, etc.
But Target and IRMA fought the Grey Bag.
2. Support citizen engagement to work toward a complete ban on plastic bags and a reduction in film, and a plan to move toward 100% recycled paper bag.

As in Berkeley, plastic bags would have a ‘worth’ (5 cents). Customers pay 5 cents a bag, which is redeemable. If a person recycles them at the RC, they get 5 cents a bag. Whatever funds are not redeemed go to the city. The city then sells them to the recycling company.
Evanston Environment Board:

Strategic Planning:
2009 Review and 2012 Planning

September 8, 2011
As set forth in the City Code (2–13–1), the Environment Board has 8 powers and duties.
The Board shall report to the Human Services Committee of the City Council, and shall periodically meet with the Human Services Committee to discuss the Board’s activities, goals and objectives.

- Status: Multiple Updates to City Council in addition to appearances on behalf of the GBO, IPM, and Backyard Chickens
Environment Board Powers & Duties

- To research, study and hold public hearings on environmental issues raised by the City Council, the Board, the City Manager, City departments, other governmental agencies or the public.

- Status: Available as a resources to all groups. Some examples include our work with the Backyard Chicken Group and the recent request from Ald. Burrus relating to a proposed Bag Ordinance.
Environment Board Powers & Duties

- To develop public awareness on environmental issues through hearings, meetings, newsletters, news media releases and cooperation with environmental education organizations.

- Status: Created GBO resource guide for Building Department; CGE liaison on Board; available as a resource to media and City Staff.
Environment Board Powers & Duties

- To serve as an environmental advocate for the residents of Evanston.
  - Status: Ongoing

- To develop policy recommendations on environmental issues for submission to the City Council, including, when appropriate, suggestions regarding implementation of policy.
  - Status: Ongoing
Environment Board Powers & Duties

- To serve as a resource for the City Council, Council committees, boards or commissions, the City Manager and City departments in addressing environmental issues, providing advice, research or technical assistance, as requested.
- Status: Ongoing
To keep itself informed about the activities of other City boards and commissions so far as these relate to environmental matters. The Environment Board may work jointly with the Energy Commission and other Evanston boards and commissions in addressing environmental issues which are of mutual concern, including, but not limited to, the development of a City energy policy.

Status: Ongoing
To serve as a liaison with other municipalities' boards or commissions to learn how they deal with matters of interest to the Environment Board and to share information pertaining to those matters. (Ord. 23–0–93)

- Status: Active Member in the Council of North Shore Environmental Commissions (CONSEC)
2009 Recap

- Developed a 3-year guiding principle
- Determined Focus Areas
- Assigned ‘sub-committees’
To support the implementation of Evanston’s Climate Action Plan through research, public awareness, and policy recommendations, and through coordination with other groups’ efforts.
The Environment Board and the ECAP

- Community-based document developed in 2008
- 6 focus areas
  - Transportation & Land Use
  - Energy Efficiency in Buildings
  - Renewable Energy Resources
  - Waste Reduction & Recycling
  - Forestry, Native Plants & Water Conservation
  - Outreach & Communications
- The Environment Board is referenced in 15 strategies
Environmental Sustainability – Evanston Strategic Plan

- **Goal #4:** Create and maintain functionally appropriate, sustainable, accessible high quality infrastructure and facilities.
- **Goal #5:** Protect and optimize the City’s natural resources and built environment, leading by example through sustainable practices and behaviors.
- **Goal #6:** Coordinate and influence transportation resources to provide an improved system that is safe, integrated, accessible, responsive, understandable, efficient, and meets the needs of all people.
Transportation and Land Use

- No specific references to the Environment Board
- Multiple references to the MMTP
  - Reduce the number of parking spaces provided in developments near transit
  - Provide spaces for bikes and car-sharing in new developments
  - Facilitate the installation of sheltered, secure bike racks
  - Full implementation of the City Bicycle Plan
Energy Efficiency & Buildings

- Green Building
  - LEED Silver for public and private new construction (done: GBO)
  - LEED EB or ENERGY STAR
- Reduce Outdoor Light Pollution
- Update Energy Code
- “Green” measures in City-funded affordable housing development
- Weatherization at the time of sale
Renewable Energy Resources

- No specific reference to the Environment Board
- Liaison on Citizens’ Greener Evanston’s Renewable Energy Committee
- Appointee to the Mayor’s Wind Farm Committee
Waste Reduction and Recycling

- Investigate a tax or ban on single-use plastic bottles and plastic bags in order to discourage use; support voluntary efforts to reduce use.
- Consider establishing a city-wide recycling rate for all construction and demolition projects.
- Consider a recycling requirement as part of City permits for special use, festivals, picnics, block parties, etc.
Food Production and Transportation

- No specific reference to the Environment Board
- Backyard Chicken Ordinance addresses the intent of this section
- To reduce food miles and support efforts to grow more food in Evanston
Forestry, Prairie and Carbon Offsets

- Support policies, ordinances and codes that incorporate the urban forest guidelines
- Support policies, ordinances, and codes that promote water conservation
- Encourage the community wide implementation of BMPs for stormwater management that uses the power of plants and soil to absorb and clean rainfall runoff.
Support and adopt a GHG reduction goal the extends beyond the timeline established by the Mayors Climate Protection Agreement

Integrate the initiatives and strategies outlined in the ECAP into future policies as relevant
Education and Engagement

- Support efforts to convene a summit of the six largest Evanston institutions and businesses to discuss and gain support for the ECAP
- Encourage summit participants to assign representatives to a working group that will be tasked with sharing resources, information, and strategies for implementing the ECAP
Focus Areas

- City Code
  - Review City Code for counter-indications to the ECAP

- Collaboration, Outreach and Engagement
  - Aldermanic Outreach
  - Eco-Exchange

- Board Processes
  - EB Awards
  - By-laws Update
Next Steps

- Revise Three-Year Guiding Principle
- Determine Future Issue Areas
- Facilitate Change
- Promote Transparency
Three-Year Guiding Principle (Revised)

To support the implementation of Evanston’s Climate Action Plan through research and policy recommendations.
2011–2012 Issue Areas

1. Complete Works In–Progress
   a) Code Review
   b) Plastic Bags

2. Meaningful Impact with Ongoing Issues
   a) Bikes and the MMTP
   b) Stormwater Management

3. Determine Next Areas of Focus
   a) Board Member Passion/Interest
   b) ECAP
2012 and Beyond

Questions, Comments, Ideas for Improvements, Next Steps?
August 19, 2011

Ms. Sallie Flynn
Illinois Environmental Protection Agency
Bureau of Land, Permit Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62974-9276

Re: Permit Modification Request: Veolia Solid Waste Transfer Station, Evanston, IL

Dear Ms. Flynn:

I am writing on behalf of the City of Evanston and its residents in opposition to the application of Veolia Solid Waste Management to modify its IEPA permit; specifically, in its modification request of June 22, 2011, Veolia seeks to expand the entrance to its site and to remove Special Condition #17 of its IEPA permit, relating to the applicability of local zoning.

The Bureau of Land Permit Section previously indicated that removal of the special condition regarding zoning would not affect the transfer station’s duty to comply with local zoning law because the Act itself, irrespective of any permit language, states that absent one of three exceptions that do not apply here, “the granting of a permit under this Act shall not relieve the applicant from meeting and securing all necessary zoning approvals from the unit of government having zoning jurisdiction over the proposed facility.” See 415 ILCS 5/39(c). The City shares this view, and we therefore object to Veolia’s attempt to remove the language that makes zoning compliance an explicit special condition of the operating permit.

We have already explained our position from a legal and practical standpoint to Veolia, in a letter that we forwarded to you as our initial response to the permit-modification request. For your convenience, I have again attached that letter as an appendix. Without reiterating the arguments already set forth, we submit the following additional points for your consideration:

- Although the specific application of local zoning laws to particular facilities has been challenged, the fundamental power of local authorities to apply their zoning laws to such facilities has not been questioned. See City of Elgin v. County of Cook, et al., 169 Ill. 2d 53 (1995) (denying challenge to zoning approval for...
pollution control facility and reaffirming the broad powers of home rule units to regulate within their borders, and deferring to the local zoning authority on the location of solid waste disposal facility).

- The Illinois Supreme Court has held in no uncertain terms that section 39(c) of the Illinois Environmental Protection Act does not preempt local zoning ordinances—for both new facilities and for "those seeking permits to modify existing facilities." Village of Carpentersville v. Pollution Control Bd., 135 Ill. 2d 463, 468-470 (1990). Veolia’s position is not only contrary to the plain language of the Act, but contrary to the construction of that statute by the courts.

- A special condition is not necessary to subject a pollution control facility to local zoning law, and the IEPA’s express incorporation of such laws obviates the need for a special condition. However, in this case, the continuous objections of the facility to the applicability of local zoning law necessitated the imposition of a special condition that removed any doubt. Removing the special condition would restore the status quo ante, where the transfer station refused to submit the City’s zoning authority. This past practice has demonstrated that the strictures of the Act itself, however clear, are insufficient to compel Veolia’s compliance with our zoning ordinance.

- Veolia wants the removal of Special Condition #17 because it shares the view of the Bureau and the City that the removal of the condition would adversely affect the City’s clear power over zoning.

- On August 8, 2011, our City Council passed an ordinance that imposes upon Veolia a reasonable fee for its operation of the solid waste transfer station. This legislation seeks to balance Veolia’s legitimate business interests with the environmental and quality-of-life impacts it imposes upon Evanston residents. I have attached a copy of the ordinance for your convenience; in particular, I draw your attention to the legislative findings set forth in the recitals. This analysis underscores the need for the City to remain unfettered in its enforcement of its reasonable, duly enacted zoning restrictions. Veolia’s attempt to be uniquely exempted among all Evanston businesses from these local regulations is anathema to home rule authority and the obligation of the State and local governments to protect their citizens’ health, safety, and welfare.

- The environmental and quality-of-life impact of a solid waste transfer station on a two-acre plot in a densely populated urban area cannot be overstated. Indeed, under current law, such a facility could be built only on a lot sized 25 acres or more. Moreover, the law prohibits pollution control facilities such as the transfer station from locating within 1,000 feet of residential property. See 415 ILCS 5/22.14(a).

- In fact, many of the statutory criteria underpinning the siting of pollution control facilities could not be satisfied by Veolia if it were subject to current laws; for example, the requirement that the facility be operated such that “the public health, safety, and welfare will protected”; and that it be designed to “minimize the impact on existing traffic patterns.” But the City should not be foreclosed from
reasonably regulating for the public health, safety, and welfare simply because the original siting decision took place before the current regulations and laws. Arguably, an older facility should be subject to more—not less—environmental scrutiny.

- Residents in the neighborhood have complained time and again about traffic, noise, and odor problems caused by the facility. For the safety and wellbeing of these residents, the City must not be hindered from asserting its full zoning powers. Even the appearance that the IEPA is relaxing standards applicable to the transfer station would send a disheartening message to these residents regarding their importance and value relative to a powerful international conglomerate.

- In particular, the expansive scope of Veolia’s operations at the station, which it now seeks to expand even further, have seriously affected the resident’s quality of life in the adjacent area. While these complaints have been registered for years, in particular during the August 8, 2011 Council meeting, residents expressed their frustration at the large trucks entering and exiting the facility, and how those trucks were rattling and shaking the walls of their homes. Residents in the adjacent area are forced to endure shaking walls, shifting foundations, and noisy truck traffic, such traffic which would only increase if Veolia were allowed to expand operations in its pursuit of profit. Traffic and the adverse impacts caused by these trucks have grown steadily worse as the station’s operations have expanded. If the permit modification were granted, it is distressing to think of what further impacts will result.

- Residents have expressed on numerous occasions the distress caused by the harsh environmental impacts of the facility. When a neighborhood’s quality of life is so adversely affected that citizens cannot even garden, or children cannot play outside due to the overwhelming smell and noise generated by the station, that is a powerful indictment against Veolia’s attempt to relax the permit requirements.

- With the understanding that the Bureau of Land has expressed the view that this might be a purely “local” matter, I ask you to take into consideration that an explicit legislative basis of the Environmental Protection Act is that “it is the obligation of the State Government...to encourage and assist local governments to adopt and implement environmental protection programs consistent with this Act.”

On behalf of our citizens I thank you for giving the City of Evanston the opportunity to make its objections part of the record of the permit modification proceedings. I would welcome the opportunity to meet directly with you, Mr. Nightingale, or whoever else will make the determination on Veolia's application. Additionally, residents in the neighborhoods surrounding the transfer station have indicated their desire to formally comment on their opposition to the proposed modifications. I ask that you permit them to submit comments in opposition Veolia’s request, and I thank you for your consideration.
Kind Regards,

Elizabeth Tisdahl
Mayor

Cc:

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