



Kent Environmental Council

January 2006

KEC Annual Meeting to Feature Potluck Supper, Panel Discussion about Future of Portage Bike/Hike Network

Major new developments are in store for Portage bike-and-hike trails in 2006 and 2007. Cooperation between the Kent Parks and Recreation Department, the Portage Park District, Kent State University, other governmental jurisdictions, and the local environmental community is at last coming to fruition in a network of trails that will connect the communities of the region and enhance the relationship between these population centers and the natural environment.

To learn more about the future of Portage County's bike-and-hike network, make plans to attend the Kent Environmental Council's annual meeting on Monday, February 13. Members and nonmembers are welcome. A potluck supper (please bring a dish to share) will be served at 6:30 p.m., followed at 7:15 p.m. with a short business meeting and the election of officers for 2006. At 7:30 p.m., a public forum will feature a panel discussion about the prospects for the county's biking and hiking trails.

Scheduled to speak at the forum are John Idone, director of the Kent Parks and Recreation Department; Christine Craycroft, executive director of the Portage Park District; and Tom Clapper, general manager of transportation services for KSU.

In the city of Kent, trail construction between the Middlebury Road

bridge and the Stow Street bridge will, in the next few weeks, enter the contracting and design phase. Funding (approximately \$950,000 in a combination of federal funds and parks-levy income) is secure. Construction should begin in early 2007 and be

Riverbend to the Breakneck Creek watershed. It is envisioned that this segment of the trail will provide hands-on trail work for community volunteers. If such is the case, KEC will be ready to give its full support.

KSU also is giving strong support to trail development throughout the region and in establishing the name for the network of bike-and-hike trails: The Portage. The forum will include a discussion of KSU's efforts and its plans to make bicycle and pedestrian transit an integral part of the campus transportation system.

KEC has long championed bicycle and pedestrian transit as key elements of local and regional land-use issues and presents this forum as an enthusiastic endorsement of the progress made toward extending The Portage bike-and-hike network. KEC members, friends and the community at large are welcome and encouraged to attend.

Kent Environmental Council Annual Meeting and Potluck Supper

Monday, February 13, 2006

Presbyterian Church Fellowship Hall
1456 E. Summit Street, Kent

6:30 p.m. - Potluck Supper
7:15 p.m. - Business Meeting/Election of Officers
7:30 p.m. - Public Forum

Speakers:

John Idone - Kent Parks and Recreation Department
Christine Craycroft - Portage Park District
Tom Clapper - KSU Transportation Services

Topic:

The Portage Bike-and-Hike Network: Prospects for 2006

completed within the year. The trail route will be discussed during the forum, as will right-of-way development, a proposed bike-and-pedestrian bridge across the river below the city's waste-water treatment plant, and prospective locations for trail- and river-related recreational business development. The information will be illustrated with maps and other visual aids.

Northward from the Crain Avenue bridge to the Towner's Woods Rail Trail efforts are under way to secure trail right-of-way sufficient to link Kent parks with Portage parks and complete the trail connection past

work. KEC members, friends and the community at large are welcome and encouraged to attend.

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Meloy Road Apartment Complex Poses Threat to Health, Future of Kent Bog

It was only a partial victory in a battle for the future health of the Kent Bog that the Kent Environmental Council and the support-and-advocacy group Friends of the Kent Bog have been fighting since the summer of 2005.

Plans of a Texas-based developer to build a 312-unit apartment complex directly across Meloy Road from the Kent Bog received Kent Planning Commission approval on January 17. For the environmentalists, partial victory came when the developer agreed to the following:

- That the eastern entrance from Meloy Road be moved so that it is not directly across from the entrance to the bog
- That the land set aside as a buffer for the bog be left in its natural state as "much as possible"
- That a conservation easement or a deed restriction be considered in order to guarantee that the buffer land remains undeveloped.
- That the storm-water retention pond be redesigned and moved farther from the bog property

Whether the retention pond proves effective in preventing polluted storm water from the apartment property from flowing across Meloy Road and into the bog remains to be seen. Visual screening and light-pollution issues will be dealt with as construction proceeds. It is hoped that ways can be found to minimize light pollution from the apartments that will upset wildlife. Creation of a buffer area was needed to provide a visual screen, hiding the apartment complex from the sight of bog visitors.

As a whole, the restrictions on the development were intended to deal with these and other harmful effects on the environment that result from housing a large number of people, their pets and their vehicles on such a small parcel of land so close to a sensitive natural area.

From the beginning of the environmental groups' efforts to safeguard the bog from the effects of de-

velopment, they have argued that such a development poses a serious threat to the bog's survival as a pristine remnant of the Age of Glaciers.

The developer first had requested that the city of Kent rezone 15.66 acres along Meloy Road to multifamily residential. The Kent city Environmental Commission noted that this was contrary to the tenets of the Kent Bicentennial Plan, which had been approved by city council. Instead the commission urged that the entire 55-acre property be given one zoning classification.

Nevertheless the rezoning proposal was presented to the Kent Planning Commission in early September, where it was opposed by both environmentalists and Meloy Road property owners. Staff of the Kent Community Development Department also raised questions about the proposed apartment complex. The proposal was tabled until the next meeting. During the interim, several small-group meetings were held among environmentalists, representatives of the developers, the Ohio Department of Natural Resources (ODNR) and the Portage Park District.

A revised site plan was presented at the next Planning Commission meeting, where it was approved and sent to city council with five conditions, one of which specified that a buffer be created along Meloy Road to protect the bog.

Those same conditions were attached when city council approved the rezoning on second reading on November 16. Negotiations, mainly between the developers and the Community Development Department, continued until December 20, when the Planning Commission was scheduled to review the development agreement. Plans were not ready. Two additional meetings in January were needed to resolve the major disagreements. When approved on January 17, the proposed Plum Creek Apartments still required several variances from the city's building code.

Stay tuned. KEC will continue to monitor the developer's compliance with the agreed-upon restrictions.

Businesses Reap Big Tax Breaks with Energy Policy Act of 2005

Businesses are the big winners under the federal Energy Policy Act of 2005, receiving the lion's share of \$14.5 billion in tax breaks over the next 10 years. The act, however, does throw homeowners a few bones, says CCH Inc., a provider of tax and accounting information and software.

Homeowners who make energy-efficient improvements to existing homes can qualify for a 10 percent tax credit of up to \$500. A credit is a dollar-for-dollar reduction in taxes, compared with a deduction, which only decreases taxable income. Improvements that can qualify include adding insulation, installing metal roofs coated with heat-reducing pigments, and the installation of energy-efficient windows, doors and skylights (though only \$200 of the tax credit can come from windows).

Other items that meet certain criteria qualify for the credit, though specific limitations apply. According to CCH, advanced main air-circulating fans can earn up to a \$50 credit; some natural gas, propane or oil furnace or hot water boilers are eligible for up to a \$150 credit; and qualifying electric and geothermal heat pumps can garner up to a \$300 credit. The credits can be taken on 2006 and 2007 federal income tax returns, but the total credits for the two years cannot exceed the \$500 maximum, says CCH.

Here's the hitch: The tax breaks don't kick in until January 1, which means that consumers have to decide whether to make upgrades now or wait and pay higher fuel prices. Bill Prindle, deputy director of the American Council for an Energy-Efficient Economy, recommends making low-cost repairs and upgrades this fall and then investing in pricier upgrades as soon as the tax breaks kick in.

The act also gives homeowners a tax credit for 30 percent of the cost of buying and installing residential solar water heating and photovoltaic equipment, says CCH. The maximum credit is \$2,000. Solar water heaters for swimming pools and hot tubs do not qualify. The credit, which expires at the end of 2007, also applies to homeowners who install fuel cells to supply electricity. The maximum credit is \$500 for each 0.5 kilowatt of capacity. For more information, go to <http://realestate.msn.com/Improve/Article.aspx?cp-documentid=165431>1=7465>.

Ohio No. 1 on Toxic Release List . . . Again!

The Ohio Environmental Protection Agency's latest Toxic Release Inventory (TRI) report shows that Ohio again ranks No. 1 in releases to the air. Georgia and Tennessee are second and third, respectively, in the United States.

In Ohio, power plants once more reported some of the largest TRI releases, primarily hydrochloric and sulfuric acid aerosols resulting from the combustion of coal. The 10 largest power-plant emitters collectively release more than 60 million pounds of such pollutants. FirstEnergy's Sammis plant was the largest single emitter, with 14.9 million pounds released to the air.

FirstEnergy agreed in March 2005 to spend \$1.1 billion to clean up the Sammis, Eastlake, Mansfield and Burger plants in order to settle a clean-air lawsuit filed in 1999. The landmark settlement—one of the largest in the country—is primarily what the company would have been required to do under the new federal Clean Air Interstate Rule. FirstEnergy agreed to slash emissions of sulfur dioxide and nitrogen oxide by nearly 80 percent by 2012 by installing antipollution equipment on the plants' boilers. Sulfur dioxide contributes to health problems and acid rain. Nitrogen oxide causes ozone and health problems.

In 1999, the U.S. EPA lowered the TRI reporting threshold for persistent bioaccumulative chemicals, such as PCBs, chlordane and mercury. Mercury is of increasing concern, with coal-fired power plants being the main source. Although only a small amount of mercury is released, it is highly toxic in very small quantities and becomes more dangerous as it move up the food chain.

Many Ohioans fish to put food on the table, which means that strong federal protections are needed. The most sensitive populations in terms of mercury emissions are women of child-bearing age and children aged 6 and younger. Health problems that may result from the contamination of fish range from small, hard-to-detect health changes to birth defects, as well as mental and physical retardation in newborns. The Ohio Depart-

ment of Health issued a statewide mercury fish consumption advisory in 1997, which stated: "All persons should limit consumption of sport fish caught from all water bodies in Ohio to one meal per week, unless there is a more restrictive advisory."

Water pollution and contaminated fish are not only bad for one's health, but they also are bad for the economy, according to the Ohio Environmental Council. Power plant pollution is hurting the \$1.2 billion sport fishing industry in the Ohio portion of Lake Erie. In addition, in the 1970s, the 3M Corporation stated that "pollution prevention pays" and acted on this principle to significantly reduce operating expenses for waste management.

Recently, the Bush administration proposed to weaken the TRI by doing the following:

- Letting industries report pollution every other year instead of annually
- Allowing increased pollution before reporting requirements take effect
- Changing information requirements on low-level production of persistent bioaccumulative toxins

The TRI was established by the Emergency Planning and Community Right to Know Act of 1986 (see related article, this page) as part of a major effort to increase public awareness of the toxic chemicals in their communities and to prevent pollution. The TRI program has been a great success, helping to cut releases of toxic chemicals in the United States by 2.8 billion pounds from 1998 to 2003.

To protect the country's children and all Americans from toxic chemicals, the Kent Environmental Council believes that the U.S. EPA should improve the TRI by doing the following:

- Including all relevant industries
- Lowering disclosure thresholds for highly toxic chemicals
- Integrating TRI reporting with other environmental information

For more information, go to www.epa.state.oh.us/dapc/tri/tri.html or www.ombwatch.org/article/articleview/3117/1/396.

Emergency Response in Portage County Comprehensive

The two entities in Portage County that are responsible for emergency response and chemical preparedness—the Local Emergency Planning Committee and the Homeland Security and Emergency Management Office—are mandated under the federal Emergency Planning and Community Right to Know Act of 1986.

The Local Emergency Planning Committee, chaired by Jim DiPaolo, works with businesses that have certain chemicals over a threshold amount and are required to report their numbers annually. Committee members (all of whom are volunteers) work with these businesses on implementing plans to minimize chemicals on site and to foster worker safety. In case of an emergency, the committee works to manage the effects of the incident and to prevent future accidents or spills.

The Homeland Security and Emergency Management Office (HSEMO) has Mark Griffiths as its director. The office responds to all hazards, ranging from chemical spills to tornados. The office also writes the plans for Portage County businesses that have certain chemicals in reportable amounts. If an emergency occurs, the HSEMO responds. Periodic emergency drills are held as well, with at least one per year. The next one is scheduled for early summer. On a daily basis, the HSEMO coordinates with all local and state agencies, including police and fire departments and emergency medical services.

Another responsibility is the development of worst-case scenarios and the provision of training to businesses on how to respond appropriately. The training includes, for example, information on how to work safer.

County residents can get information on chemicals used in the area (except for confidential information) from the HSEMO. For more information on both entities, which are located at the Portage County Justice Center, call 330/297-3607.

Representative of Seven Kent Churches Express Support for Community Action Council's Home Weatherization Program

When 12 members of seven Kent churches' social-justice and outreach programs met in December of last year to discuss the projects each church is involved in and to see if they could unite around a common project, a consensus was not reached but much interest was expressed about promoting a local home weatherization program.

Participating in the discussion were Christ Episcopal Church of Kent, First Christian Church, the United Church of Christ, the United Methodist Church of Kent, St. Patrick's Catholic Church, the Presbyterian Church of Kent, the Unitarian Universalist Church of Kent, and Community Action Council representatives Gloria Haven and Lisa Clement.

Haven and Clement described the agency's "active, sophisticated" weatherization program for eligible families that includes insulation and window replacements. They noted that low-to moderate-income households are facing hardships resulting from skyrocketing energy costs.

Because of inadequate funding, however, some families may have to wait as long as two years for CAC assistance with weatherization, said Haven and Clement. They added that while programs are available to help with immediate heating bills, the weatherization program has many more applicants than available funding.

State Sen. Kimberly A. Zurz (Democrat-28th District) has introduced a bill (S.B. 225) to increase weatherization funding for eligible families. The bill calls for the release of TANF (Temporary Assistance for Needy Families)

funding for weatherization of eligible Ohio families. S.B. 225, however, has not been assigned to committee. In a show of support for the bill, the church groups agreed to write letters to Senate President Bill Harris (Republican-19th District) to urge him to assign the bill to committee. (For a sample letter, see box.)

Of the churches represented at the December discussion, at least one has gone beyond letter-writing. The Social Justice Committee of the Unitarian Universalist Church of Kent decided to help with the CAC weatherization program by inviting Haven and Clement to the committee's January 8 meeting. They described another critical need they have seen this winter—that of emergency heating-repair problems, such as a broken furnace. Families, however, may be ineligible for assistance for various reasons.

Sample Letter in Support of S.B. 225 (Home Weatherization Funding)

Sen. Bill Harris
Ohio Statehouse
Room 201
Columbus, OH 43215

Dear Sen. Harris:

I am writing to ask that you assign Senate Bill 225, authored by Senator Zurz, to committee. This bill will help poor families in Portage County and all of Ohio to weatherize their homes and to lower their heating costs this winter. Portage County has the 9th highest housing costs of all counties in Ohio but has a large population of poor families living in their own homes. The steep rise in fuel costs will make it very difficult for these people to pay their fuel bills and to keep themselves and their children warm this winter. Although many of these families qualify for programs to weatherize their homes, there are not nearly enough funds available to help them. Rather than using monies to simply help pay their fuel bills, it makes more sense to weatherize their homes, which will permanently lower the amount of fuel required to heat them. This will also reduce our dependency on fossil fuel as well as help our environment.

I would greatly appreciate hearing from you about measures you are planning to take in order to meet this crisis for poor families in Ohio. Thank you.

Sincerely yours,

Together it was decided that the CAC should establish an emergency heating-repair fund to which churches and others could contribute. The Unitarian Universalist Church of Kent's Social Justice Committee therefore decided to have a special collection in March for this fund. In addition, the CAC needs volunteers to help with intake applications and phone calls. Other churches from the group of seven are considering similar actions.

The CAC also is pursuing a competitive grant for furnace replacement for low-income Portage County families. Such a program already exists in Kent but not for the rest of the county. Modern, efficient furnaces can cut energy usage by as much as 30 percent. While helping people pay for one or two heating bills is important, it makes much more sense to improve the heating efficiency of Portage County homes—a more long-term solution. The community is urged to express support for the grant when the CAC application is presented to the county commissioners.

How Clean Is Air in Your Community?

You now can find out by using more than just your nose. All you have to do is go to this site: http://hosted.ap.org/dynamic/external/onlinenews.ap.org/pollution/test_searchy.html?SITE=AP. Then type your street name and city in boxes indicated, select your state from the drop-down list, type your ZIP code, and click *Search*.

You then get the government's health-risk score from industrial air pollution in your neighborhood. For example, the score for South Lincoln Street in Kent is 5.7 times the average for neighborhoods nationwide. A number less than 1.0 means the risk is below the national average. Zero means no pollution or no residents. This neighborhood is not among the worst 5 percent nationally for health risk from industrial air pollution nor among the worst 10 percent in the state.

KEC Urges Caution When Extending City Sewer, Water Utility Service

The city of Kent has been asked by Franklin Township to extend city sewer and water services north along S.R. 43 for an unincorporated area north of Oak Knolls golf course, and much of this area borders on the Cuyahoga River.

As part of its Phase II Storm Water Management Plan, Kent has enacted Chapter 1201 of the city code, "Riparian and Wetland Buffers." One of the objectives of this ordinance is to protect the water quality in the Cuyahoga River and its tributaries by restricting contaminated runoff from paved areas through the maintenance of natural vegetation adjacent to the river's banks. However, neither Portage County nor the townships have adopted similar regulations. Thus extending utility lines to these areas may facilitate development with no requirement for storm water mitigation. Such a lack of protection may lead to the degradation of water quality in the Cuyahoga River despite the city of Kent's good efforts.

Contingencies that would provide protection of the river comparable to that required in the city of Kent should be placed upon the granting of utility services. This is not a simple matter, though, in light of the inherent differences in regulatory authority of the various political subdivisions, but there is considerable urgency. If development, with its greatly increased impervious surfaces and consequent runoff, occurs in such a way as to impact negatively the Cuyahoga River, the damage will be impossible to correct later.

Related to this issue is the expected future extension of utilities along S.R. 43 south of Meloy Road. Properties on the west side of this highway are adjacent to and in some instances include small portions of the Kent Bog. As service to this area and its likely commercial development are considered, steps should also be taken to ensure that this critical natural area is protected.

Watershed Coalition Joins Government, Nonprofits Continue Efforts to Ensure Health of Breakneck Creek Corridor

The Breakneck Creek Watershed Coalition has been effective in focusing attention on Breakneck Creek, resulting in the receipt of several grants and the implementation of a range of projects to benefit the creek's water quality. In 2005, for example, the coalition organized a successful trash pickup in the area where Breakneck Creek crosses I-76. But the achievements don't stop here.

The Portage Park District recently completed a survey of the creek's many public and private properties, helping to build a database that can be used for targeted mailings and preservation planning. The Northeast Ohio Four County Planning and Development Organization (NEFCO), is

A Portage Park District survey of the creek's numerous public and private properties has been used to create a database for mailings and preservation planning.

beginning work on a Breakneck Creek Watershed Plan that will dovetail nicely with the Portage County Watershed Plan now being developed.

The Western Reserve Land Conservancy is prioritizing projects for Portage County, including wetland preservation along Breakneck Creek, while the Cuyahoga Remedial Action Plan (RAP) is assisting the city of Kent in developing its own plans for the city's four main watersheds, including Breakneck. The Cuyahoga RAP is a cooperative effort of citizens, businesses, municipalities and industry working together with governmental agencies to restore the river's waters to "fishable and swimmable" condition, according to the Ohio Environmental Protection Agency's Web site. In addition to these two efforts, the Portage Soil and Water Conservation District is signing up landowners for the federal Wetlands

Reserve Program. The Cuyahoga RAP also is helping the Breakneck coalition to develop an educational brochure that can be used in schools and mailed to watershed residents.

In general, Breakneck Creek is in "great shape" and a healthy and natural riparian corridor, though threats still remain.

Because of all of these efforts, Breakneck Creek is in great shape and in general, is a healthy and natural riparian corridor. However, threats to the creek remain. Golf course and lawn-chemical runoff threaten the source of Breakneck Creek at Congress Lake in Stark County, resulting in dangerous algal blooms that threaten all aquatic life in the lake. Junkyards and landfills leach chemicals into the creek, while agriculture contributes contaminants. Luckily, gorgeous wetlands help to purify the creek and keep it healthy.

As development increases in Portage County, however, it is important that the coalition and others concerned about the health of Breakneck Creek maintain a strong commitment to sustainability, sediment control and best practices for development. For example, the Portage Regional Planning Commission and the Portage Soil and Water Conservation District have been instrumental in reaching out to developers to educate them and to monitor results.

The Kent Environmental Council has been an active supporter of the Breakneck Creek Watershed Coalition, and the coalition continues to meet monthly to assess progress from more than a dozen agencies, townships and municipalities, and to coordinate upcoming projects and grant proposals. The energy focused on improving water quality in Breakneck Creek is inspiring and helps to preserve an important legacy for future generations.

Portage Natural Resources Illustrated in New Park Brochure

The bountiful natural resources of Portage County are beautifully illustrated in the Park District's new six-page brochure. Full-color photographs show citizens of all ages enjoying outdoor recreation in Portage parks—including fishing, hiking, bicycling, skiing, studying wildlife and just soaking up nature's beauty. In addition to safe and healthy recreation, park lands play a critical role in flood control and maintaining the county's clean air and water.

Eight parks and trails are described and located on a map. Four of them are not yet open to the public and are awaiting further funding. Unfortunately, Portage County's farms, forests and wildlife habitat are becoming fragmented, and pollution is an increasing threat to the area's rivers, lakes, and wetlands. As development increases, it is essential that critical lands be protected now while there is still time.

This attractive brochure is a reminder that future generations are depending on current residents to make sure that Portage County remains "a green diamond in the middle of northeast Ohio's urban sprawl."

Free copies of "This Is Portage County" are available at the Kent Free Library, the Kent Area Chamber of Commerce and the Kent Historical Society. For additional copies, leave a message at 330/677-5008.



KEC

Membership

Reminder . . .

Please take the time and energy to check your mailing label for the current status of your KEC membership.

If you see **REN** above your name and address, KEC is reminding you that it is time to **RENEW** your membership. A return-addressed envelope will be attached to the newsletter for your convenience. You can indicate your support of KEC at the following membership levels: **Sustaining, \$45; Family, \$35; Individual, \$25; Golden Buckeye, \$15; Student, \$10.**

If you see OK on your label, you are a **member in good standing**. Thank you for your trust and support!

The letters **CC** mean that KEC has sent you a **complimentary copy** this month. Please consider joining KEC at any membership level you find appropriate. Make your check payable to Kent Environmental Council, and mail it to: Kent Environmental Council, P.O. Box 395, Kent, OH 44240.

Kent Environmental Council

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Kent Environmental Council . . . on the Web at www.kentenvironment.org