

THE ASYLUM LAKE PRESERVE MANAGEMENT FRAMEWORK [FG Final 2/02/04]

I. Documents Establishing the Basic Purposes and Legal Setting for the Asylum Lake Preserve (“Preserve”):

The following documents establish the basic purposes and legal setting for managing the Preserve (available at the [WMU Environmental Institute web site](#) and the WMU Archives and Regional History Collections). The management bodies established by Section V shall be guided by them and by the Conservation Purposes (Section II), the Kalamazoo Nature Center Study (Section III), and the Management Goals (Section IV).

- *P.A. 316 of 1975 as amended by P.A. 272 of 1976;
- *The City of Kalamazoo Proposal of November 30, 1998 to WMU, entitled “WMU and Kalamazoo: A Partnership”;
- *The letter from WMU President Elson S. Floyd to the Mayor of Kalamazoo, dated February 5, 1999;
- *The joint WMU/City of Kalamazoo letter of October 27, 1999 to the Kalamazoo Foundation;
- *The “Declaration of Conservation Restrictions” adopted by the WMU Board of Trustees, [date].

II. Statement of the Conservation Purposes of the Asylum Lake Preserve. The Conservation Purposes, approved by the Asylum Lake Focus Group, Fall 1999, are intended to provide a framework for the development and implementation of more specific plans and policies for the management and use of the Preserve. These purposes are to be viewed as interdependent and a balance among them shall be sought in all plans, policies, and actions.

1. Promote Ecosystem Integrity and Natural Aesthetics. Maintain the Asylum Lake Preserve as green space and wildlife habitat. Policies should be adopted that promote ecosystem integrity and natural aesthetics. Selected landscape features such as woodlands, old fields, wetlands and lakes should be protected from further degradation and enhanced through carefully considered restorative action. Objectives include converting land formerly used for agriculture to prairie and converting portions of old fields to oak savanna. Special attention should be given to water quality in Asylum Lake and protection of the Asylum Lake watershed.
2. Ensure Passive Recreation. Such activities should not have a detrimental impact on the landscape and should not entail significant infrastructure development. Passive recreational activities are defined as those which create opportunities for a high degree of interaction with the natural environment. Appropriate activities include hiking, wildlife watching, cross-country skiing and running. Inappropriate activities include competitive sports and any form of mechanical recreation.
3. Support Research and Education. The Asylum Lake Preserve should be used to support and enhance the academic programs of WMU by providing a site for field studies, research, and community outreach. Such activities should be conducted in a manner that is consistent with and furthers the above-described Conservation Purposes.

III. Kalamazoo Nature Center Study. This study, titled “Western Michigan University: Asylum Lake Property - Historical Uses and Land Cover, Natural Features Inventory, and Habitat Enhancement Recommendations” and submitted by the Kalamazoo Nature Center, February 2002, offers a useful description of the existing conditions at the Preserve.

IV. Management Goals. The management bodies established under Section V shall ensure that all activities carried out on the Preserve conform with the provisions of the Declaration of Conservation Restrictions. These bodies also shall be guided in their deliberations and actions by the following Management Goals:

1. To seek the effective pursuit of the Conservation Purposes.
2. To ensure that activities carried out on the Preserve shall be consistent with the goals of seeking to reduce and reverse environmental degradation and ensure passive recreation.
3. To ensure that all educational, research, and restoration activities carried out on the Preserve have followed “The Educational, Research, and Restoration Activities Protocol for the Asylum Lake Preserve” (“Protocol”) approved by the Provost [date].

V. The Policy and Management Council. The Policy and Management Council (“Council”) shall oversee and manage the Preserve. The Council shall also interpret and apply the “Restrictions on Use” and “Exceptions and Rights Reserved by WMU” contained in the Declaration of Conservation Restrictions.

The Council shall be a self-sustaining body which is responsible to the WMU Vice President for Business and Finance. It shall have a majority of its members from WMU. It shall meet at least twice a year with meetings open to the public. Special meetings may be called by any three members with at least two weeks notice.

Powers and Duties:

- 1) To ensure that the provisions of the Declaration of Conservation Restrictions are faithfully observed and that the Conservation Purposes and Management Goals are effectively pursued by developing a procedure for regular oversight of the Preserve.
- 2) To make, review, or amend an overall management plan for the Preserve. A basic management plan and accompanying policies shall be developed and adopted within one year of the Council’s first meeting. At least every five years, the Council shall formally review the current management plan to identify needed changes and/or improvements.
- 3) To approve, amend, or reject other plans and/or proposals for use of the property. Such plans and/or proposals may come from WMU, the Council or its committees, public agencies, or governmental bodies.
- 4) To prepare for the Vice President of Business and Finance an annual financial report and budget request for the Preserve based on:
 - a) funds available for distribution from the Asylum Lake Preservation Fund;

- b) existing and projected funding from WMU; and
 - c) existing and projected grants and donations.
- 5) To receive, discuss, and make recommendations on disputes over existing or proposed land use, operational, and/or financial matters related to the Preserve.
- 6) To prepare an Annual Report that describes the general status of the Preserve, the status of Council plans and policies, as well as major events, activities, and/or proposals affecting the Preserve.
- 7) To develop By-laws defining the procedures of the Council, its standing committees, and procedures for the establishment of any additional committees.
- 8) In carrying out any of the above powers and duties, the Council may, with reasonable public notice, conduct a public hearing to obtain community views and suggestions.

Members: The Policy and Management Council shall be a self-sustaining body. It shall include eight members from WMU and six members from community groups having an environmental focus and Kalamazoo neighborhood associations registered with the City of Kalamazoo. Each member shall have one vote. Terms of individual voting members shall be two years (renewable for two additional terms). Before the Council is first constituted, the Vice President for Business and Finance or a designee shall identify which seven shall have a term of one year in order to establish a rotation; the seven one-year-term members must be composed of four WMU representatives and three community representatives.

Changes in the size of this Council shall occur only after a favorable vote by 3/4 of the members and any change shall not decrease the percent of representatives for the community below 40%. At least every four years and using procedures spelled out in its By-laws, the Council shall review the size of the Council as well as the community and neighborhood organizations and University units represented. Changes to the list of units and organizations below shall require a 3/4 vote of the members of the Council. Each of the following University units shall designate one of its members to the Council:

The WMU Campus Planning and Finance Council

The WMU Environmental Institute

The WMU Environmental Studies Program

The WMU Physical Plant

The WMU Vice President for Business and Finance

Each of the following community organizations shall appoint one of its members to the Council:

The Asylum Lake Preservation Association


The Environmental Concerns Committee of the City of Kalamazoo

The Kalamazoo Environmental Council

The Oakland Drive/Winchell Neighborhood Association

The Parkview Neighborhood Association

The Parkwyn Village Neighborhood Association

If any of these University units or community organizations cease to exist, prior to their  solution or as soon thereafter as possible, the Council shall modify the membership composition as required by this document.

The Vice President for Business and Finance shall appoint three at-large members from the University to serve on the Council. The three at-large members shall be selected from a list of individuals (faculty, staff, and emeriti) who have expressed in writing their interest in serving on the Council (See Section IX).

VI. Standing Committees of the Policy and Management Council:

1. The Research and Education Committee. Meets as needed.

Powers: Solicit and/or receive proposals for research, educational, and/or restoration uses of the Preserve; establish a Review Panel to approve or reject research, educational and restoration proposals; develop annual and longer-term research, education, and restoration plans and/or guidelines; and, for these purposes, receive and disburse funds from the Council, WMU, or other grants or donations.

Duties:

- *Review all past, current, and proposed university and community educational, research, and restoration activities and grants involving the Preserve for consistency with Sections II, III, and IV, and existing management plans and/or policies.
- *Oversee the work of the Review Panel in implementing the Protocol .
- *Coordinate and balance existing and proposed research, educational, restoration, and recreational uses within the Preserve.
- *Make policy recommendations to the Council, including periodic updates of the Protocol .
- *Prepare an annual report for the Council.

Members: Three voting Committee members, including one from the Environmental Institute, one from the Campus Planning and Finance Council, and one selected by the Council. Non-voting advisers may be invited to attend meetings as needed or appropriate.

2. The Operations Committee. Meets as needed.

Powers and Duties: Develop operational procedures and rules to carry out any management and/or use plans/policies adopted by the Council; work with the Research and Education Committee to ensure operational coordination between those carrying out approved projects, the WMU Physical Plant, and any other relevant WMU units; oversee operations and enforcement; prepare an annual report for the Council on needs and problems.

Members: Three voting Committee members, including one from the WMU Physical Plant, one from the Environmental Institute and one selected by the Council. Non-voting advisers can be invited to attend meetings as needed or appropriate.

VII. Administrative Support. The Environmental Institute shall provide administrative support for the Policy and Management Council and its committees and shall serve as a communications channel between the Council and the WMU administration. The parameters and specifics (staff, financing, procedures, etc.) of such support shall be detailed in a memorandum of understanding (MOU) worked out between the Chairperson of the Council (based on consultations with the Council) and the Director of the Institute. The MOU shall require the approval of the Vice President for Business and Finance and the Council.

VIII. Amendments: Amendments to this Management Framework shall require a vote of three-quarters of the members of the Policy and Management Council as well as the approval of the Vice President for Business and Finance.

IX. Activation: This Management Framework shall be activated once the Declaration of Conservation Restrictions has been adopted by the WMU Board of Trustees. The office of the Vice President for Business and Finance shall send copies of this document to each of the community and university units listed in Section V above and ask them to designate their representative to the Policy and Management Council. Also, all WMU faculty, staff, and emeriti shall be invited to consider applying for at-large membership on the Council. To be considered, those interested shall explain their interest in writing to the Vice President. Once the designations have been received, the three at-large members have been appointed, the seven one-year-term members identified (see Section V), and reasonable public notice has been given, the Vice President for Business and Finance or a designee shall convene and chair the initial meetings of the Policy and Management Council until By-laws are adopted and a chair selected.

[On (date), the WMU Board of Trustees adopted The Declaration of Conservation Restrictions activating this Management Framework.]