

CITY OF PORTLAND, MAINE
Committee on Sustainability and Transportation
Councilor Andrew Zarro (D4), Chair
Councilor Victoria Pelletier (D2)
Councilor Roberto Rodríguez (At-Large)

Minutes March 22, 2023

Members Present: Councilor Zarro, Councilor Pelletier, Councilor Rodríguez

Staff Present: Troy Moon, Erin Ferrell, Emma Perry

Meeting was called to order.

March 8 Minutes

Councilor Zarro makes a motion to approve the March 8th, 2023 meeting minutes. Councilor Pelletier moves the motion. March 8 minutes passed unanimously, 2-0.

Sustainability Update

Presented by Troy Moon and Erin Ferrell

We are excited to be testing out CMP's data access platform that will allow building owners to view whole-building energy usage data in a convenient online format. This platform will help owners of multi-tenant buildings comply with the Energy and Water Use Benchmarking Ordinance. We anticipate all multi-tenant buildings 20,000 sq ft or more will start reporting energy and water use metrics in 2024.

We met with Garbage to Garden on March 15th to discuss their transition to collecting at all of our compost sites, public schools, and municipal operations - including Portland City Hall & the Clocktower Cafe, the Barron Center, and the new Homeless Service Center. We expect them to take over collection this week.

The DC fast chargers at the corner of Spring and High Street are finally online and operational! The neighborhood charging hub at East End Elementary School should be online before the end of March, and we are still waiting for CMP to install a transformer for the chargers at Deering Oaks.

We started visiting retailers in Portland that stock and sell products subject to the Landcare Ordinance and provided signs to post in their facilities, as required by the ordinance. We sent out notices to all known practicing applicators in the city to remind them of the ordinance and new amendments restricting the use of synthetic fertilizers. The Landcare Ordinance goes into effect on March 19, 2023. The Office has been posting educational materials regarding the ordinance on social media and the landcare website which can be found at portlandmaine.gov/landcare.

Troy Moon testified against LD 89, "An Act to Preserve Heating and Energy Choice by Prohibiting a Municipality from Prohibiting a Particular Energy System or Energy Distributor". If

passed, this bill would prevent the City from adopting policies restricting the use of fossil fuel heating/cooling infrastructure in new buildings or major retrofits, which is a measure called for in One Climate Future.

Councilor Comment on Sustainability Update

Councilor Zarro shares his excitement about the Garbage to Garden partnership and the updates on the new EV charging infrastructure.

Councilor Rodríguez asks Director Moon if he knows if there is anything in Maine legislature about the sale of PFAS-contaminated soil? *Last session the legislature passed a bill prohibiting the landspreading of materials containing PFAS. Our Portland Landcare Ordinance also prohibits this activity.*

Resolution Opposing Federal Preemption of Municipal Pesticide Ordinances

Presented by Troy Moon

Director Moon explains there is a bill (HR 7266) attached to the Federal Farm Bill that would amend the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) to prohibit local governments from regulating pesticides instead putting that power entirely in the hands of a lead agency at the state level and with the EPA. This year, Senator Cory Booker has offered the Protect America's Children from Toxic Pesticides Act of 2023 (PACTPA) to ensure that state and local governments retain the authority to regulate pesticides at the local level. We have attached a draft resolution for the Sustainability and Transportation Committee to consider that would authorize the Mayor and the Chair of the Sustainability and Transportation Committee to send a letter to the Chairs of the Agriculture Committee and Maine's Congressional Delegation expressing opposition to HR 7266 and supporting PACTPA and asking that they protect the authority of local governments to regulate pesticides.

Public Comment on Resolution Opposing Federal Preemption of Municipal Pesticide Ordinances

No comment. Councilor Zarro makes a motion to move the Resolution to Oppose the Federal Preemption of Local Pesticide Ordinances 2023. Councilor Rodríguez moves the motion. Seconded by Councilor Pelletier.

Councilor Comment on Resolution to Oppose the Federal Preemption of Local Pesticide Ordinances 2023.

Councilor Zarro asks if there is a timeline and need to bring this to the attention of the full Council by a deadline. *There is no specific deadline, but we should move this to the attention of the Mayor and put a Council meeting agenda as soon the Committee is ready.*

Councilor Zarro follows up by asking if there is communication with neighboring municipalities. Councilor Pelletier asks if there will be more public comment when/if this goes to council. *There will be more opportunity for public comment.*

Motion to approve the Resolution to Oppose the Federal Preemption of Local Pesticide Ordinances 2023.

Passes unanimously.

Communication on LMAC Report

Presented by Troy Moon

In September 2022, the Portland City Council approved amendments to the Pesticide Ordinance recommended by city staff and PMAC. The new Land Care Ordinance restricts the use of synthetic fertilizers in addition to the restriction of pesticides. These amendments go into effect on March 19, 2023. Staff conducted educational events, materials, and outreach throughout the year with residents, businesses, and landcare professionals. Staff connected with all applicators that reported in 2021 and found full reporting compliance. The first fine for application in violation of the Pesticide Use Ordinance was issued in 2022. With this report, the PMAC does not make any new recommendations for 2023. The committee will continue to assist in educating the public about the City's Landcare Ordinance.

Councilor Comment on the LMAC Report and Update

Councilor Zarro asks how people can ask questions and how the office has tried to educate the public. *The Office has been posting educational materials on social media and the Landcare website, sending direct notices to applicators and retailers, and fielding questions via email and phone.*

Composting Program Update

Presented by Emma Perry

Emma outlined the increased use of the neighborhood compost drop off locations around Portland. There are 8 sites total right now. There was roughly 400,000lbs of food waste diverted from the waste stream due to the drop sites in 2022.

Councilor comment on the Compost Program Update Presentation

Councilor Rodriguez asks if there is opportunity to have apartment buildings curbside compost as a building. *This has yet to be discussed but with the new partnership with Garbage to Garden, there is room for discussions.*

Updating the City's Greenhouse Gas Reduction Target to a Science-Based Target

Presented by Troy Moon

The latest IPCC Climate reports show that on our current trajectory, global temperatures will exceed 1.5°C in the early 2030s and 2.0°C by the 2070s. Carbon emissions have fundamentally and irreversibly changed the climate and cutting CO2 emissions in half in the next decade is vital to keep 1.5°C possible. They outline that, to stay within the 1.5°C increase, global carbon emissions must peak by 2025, reduce by 48% by 2030 (relative to 2019 levels), and reduce to net zero by 2050. We propose the City updates their GHG reduction target to the science based

target of 65% reduction of CO2 emissions by 2030 (mid-term goal) and a 100% reduction of CO2 emissions (“net-zero”) by 2050 (long-term goal).

Public Comment on Updating the City’s Greenhouse Gas Reduction Target to a Science-Based Target

Bill Weber and the Portland Climate Action Team support the reasoning behind updating the City’s community wide greenhouse gas reduction targets. PCAT would like to add amendments to the OCF plan: 1) update the greenhouse gas inventory every 5 years. 2) Major assumptions and risks to meet the goals should be identified and then actively managed. 3) The revenue generated by RECs should only be used to promote sustainability programs and projects.

Ellen Grant adds that she believes there is an opportunity when hiring the new City Manager to choose a candidate with sustainability priorities.

George Rheault notes that there is concern about Portland’s ability to move the needle on reducing greenhouse gas for the country. There are smaller actions and investments that Portland could be doing to make efforts.

Councilor Comment on Updating Targets Presentation

Councilor Zarro asks how we can support this recommendation with a more concrete and substantial timeline, key policies and milestones, and buy-in or commitments from partners. *There are certainly things from a policy perspective that this committee can do. Some cities have adopted policies with less discretionary target language for things like fleet and equipment updates or new construction projects and we look to those as policy goals for our City too.*

Councilor Rodriguez notes that when we have a public discussion on the actionable items to put behind this, we inevitably must address that Portland is a small piece of this overall issue and hopefully find solutions to invest in that are cost-saving and operationally efficient in ways that solve some of our City’s immediate needs too. We are operating in a reality where resources are scarce.

Councilor Pelletier shares her support for the recommendation but notes similar concerns for the allocation of resources and realistic nature of gathering support and being on-board with the climate conversation. We need to better track a lot of our investments and successes moving forward. We also must be thinking about the impacts of our investments and what might be left behind as we make steps forward.

Motion to postpone the vote on Updating the City’s Greenhouse Gas Reduction Target to a Science-Based Target to April 12th meeting.

Motion passes unanimously.

Motion to Adjournment

Moved by Councilor Rodríguez, all adjourned.

Meeting Adjourned