

CITY OF PORTLAND, MAINE

Standing Committee on Sustainability and Transportation

Councilor Spencer Thibodeau (D2), Chair

Councilor Belinda Ray (D1)

Councilor Jill Duson (At large)

Minutes July 17, 2019

Members Present: Councilor Thibodeau, Councilor Ray

Staff Present: Troy Moon, Ashley Krulik, Bill Needelman

Meeting was called to order at 5:30 PM. Councilor Ray moves to approve the minutes from June 19, 2019. Councilor Thibodeau, seconded. All those in favor of approving 2-0.

Sustainability Program Updates

Troy Moon reviewed the items on the Sustainability Program Update memo.

Councilor Ray:

- Will YardScaping workshop be advertised? Mr. Moon - yes, on the website, social media, and a press release.
- Pesticide Ordinance - point of sale messaging? Mr. Moon - working with CCSWCD and PMAC members are placing brochures in retail stores.

Councilor Thibodeau:

- Solar - will the inventory be completed this summer? Mr. Moon - yes, that is the expectation
- Any update on the Global PARTners issue in South Portland? Mr. Moon - they are currently issuing test kits to begin air quality tests.

Proposed Changes to Navigation Channel in the Area of Back Cove

Bill Needelman presented:

- This is a communication and not asking for any vote at this time. This will be brought before the congressional delegation.
- Take existing navigation channel to Back Cove and shrink its footprint and decrease its depth to 20 feet while retaining access to recreational and commercial vessels.
- Purpose is to expand the marina and mooring area
- 4 comments from City:
 - Supportive of changes with caveats:
 - Expanded mooring area should have public access
 - Commercial and recreational access to back cove should be maintained
 - Opportunities for future projects should be available

Councilor Ray:

- What is the current depth? Mr. Needelman - 32 feet. Main shipping channel in Fore River is 35. Historically ships used to load freight in Back Cove. With the establishment of the highway, that has been abandoned.
- Is the 20 feet measure at high or low tide? Mr. Needelman - Low tide.
- Who uses the channel today? Mr. Needelman - Lobstermen, recreational vessels, limited number of moorings.
- Why is Maine Yacht Center asking for this change? Mr. Needelman - By decreasing the depth, it decreases the set back from 90 feet to 60 feet within the water for navigation.
- Who manages the mooring system? Mr. Needelman - The mooring system is managed by Harbormaster, but it is expected that Maine Yacht Center will apply for moorings.
- Will it be any more difficult to navigate a vessel through channel? Mr. Dobbins - no. There will be no moorings in the channel.
- How will the moorings work in the existing section? Mr. Dobbins - no changes.
- Based on the City's caveats, including the future opportunities, how do we ensure that doesn't get constrained? Mr. Needelman - permits are issued on annual basis, so infrastructure could be created by moving moorings.

Tom Dobbins - Chair of Portland Harbor Commission

- Decreased depth opens up activity for many uses
- There used to be an oil terminal that drew in small tankers
- There currently is not enough activity for the Army Corps of Engineers to maintain 32 foot channel
- Maine Yacht Services would go from 90 to 60 foot setback

Councilor Thibodeau

- How many additional moorings? Mr. Dobbins - depends on the size of the vessel.
- Who will control yellow space? Mr. Dobbins - the Harbormaster issues permits, owner must maintain mooring.
- How does payment work? Mr. Dobbins - Harbor Commission bills owner for mooring permit annually. Works with owner to determine appropriate mooring. Payment goes to the Harbor Commission. Owner cannot rent out mooring.

Twain Brayden - Maine Yacht Center (MYC)

- No physical change to area - the channel has already silted in to 20 feet over the years.
- The sponsorship to the Maine Congressional Delegation is through the Harbor Commission.
- This change would allow for more local control of the channel.
- MYC has been working on this for many months.
- MYC is interested in the area to the east (swing bridge) because they are hoping to apply for grant to create wave abatement in the future.
- MYC is interested in the area between the swing bridges for an anchorage

Amendment to Chapter 12 of City Code, Garbage, Waste and Junk, re: banning plastic straws

Proposed amendments:

- Prohibition on Distribution:
 - Strike 12.b. - banning straws from beaches and parks is problematic for enforcement
 - Add in stirrers and splash sticks
 - 12.c. - move straw alternatives to Definitions section
 - After ban is implemented, it would be good to have an ask first policy for alternative straws to further reduce waste
- Effective Date:
 - Phased approach - private sector businesses first, on-demand only. Referenced CA law only, which only applies to full service restaurants. “As of (6 months after amendment is passed by City Council), a food provider cannot supply a plastic straw, stirrer or splash stick unless asked for. As of January 2021, all plastic straws, stirrers, and splash sticks will be banned. Alternative options will be provided if asked for.”
- Definitions:
 - Need to make the requirements of a beverage provider that is also a food provider clear (a beverage provider is allowed to sell packages of straws)
 - “On request” and “ask first” definition - is self-service the equivalent of asking? Customer should have to ask for a straw, store should not provide a container of them near the drinks.
 - Add stirrer and splash stick definitions
- Send appropriate parties notice of vote for September meeting.
- Prepare educational component to alert residents and businesses about the ban
 - Partner with Portland Downtown or Chamber of Commerce for rollout
 - Develop budget for educational efforts
- School Department would like to maintain exemption - working on reducing plastic by offering individual tableware and straws rather than wrapping together. Concerned about increased spills without the use of straws. Concerned about the additional cost to offer alternative straw options.
 - Explore implementing “ask first” policy
 - Look to other communities to see how they have handled schools
 - Flag school exemption and get Councilor Dusen's opinion.

Public Comment

- Chrissy Adamowicz, NRCM -
 - Portland Public School, *Food Fuels Learning* group is focused on reducing waste
 - Offered Rowe Elementary a grant to switch from plastic silverware to real silverware - could use this group as a test case to see how these changes can be rolled out

- NRCM is working on a recycling reform policy initiative to address some recycling issues
- Melissa Gates, Northeast Regional Manager for Surfrider Foundation
 - For beaches and parks - how about adding signage around not using straws?
 - Sent email with stirrer and splash stick definitions
 - Phased approach would allow Council to pass it quicker, but make sure that language doesn't require businesses using alternative straws to offer plastic straws
 - Schools around the country are leading straw ban regulations
 - Ocean Friendly Restaurants program - gathering data starting this weekend
 - Created a logo for Maine
 - Donate unneeded plastic straws to hospitals
 - Black plastic lids can't be recycled but white lids can

Future Agenda Items:

- Boyd Street Garden
- Review producer responsibility resolution
- Municipal building solar assessment
- Resident parking issues - petition process, guest pass revision
- Don't block the box - traffic issues

Golf Cart Ordinance:

- Did not see changes reflected that were discussed by the Committee
- Add in correct language

Motion was made by Councilor Ray to adjourn the meeting at 6:52 pm. Motion was seconded by Councilor Thibodeau. All in favor: 2-0.