

CITY OF PORTLAND, MAINE
Standing Committee on Sustainability and Transportation
Councilor Belinda Ray (D1), Chair
Councilor Spencer Thibodeau (D2)
Councilor Andrew Zarro (D4)

Agenda
March 17, 2021
5:30 PM
Council Chambers

1. Meeting Information
On Wednesday, March 17, 2021, at 5:30 pm, the Sustainability and Transportation Committee will conduct a virtual meeting using emergency legislation approved by LD 2167; 1 M.R.S. §403-A, that authorizes cities and towns to conduct meetings online. This workshop will be conducted remotely using Zoom. Allow your computer to install the free Zoom app to get the best meeting experience. We hope to be able to offer other live-stream methods in the future. If you are not able to attend live, we will be posting a recording of the meeting once it has concluded. Please click the link below to join the webinar: <https://zoom.us/j/98942387697> Or Telephone: Dial: +1 301 715 8592
2. Welcome and Introductions
Committee Chair, Councilor Belinda Ray 5 minutes
3. Review and approve minutes from February 17, 2021
 - a. Draft minutes from February 17, 2021
4. Sustainability Program Updates
*Presentation: Troy Moon, Sustainability Director No public comment on this item.
Anticipated time: 15 minutes*
 - a. March Sustainability Updates
5. Presentation and Discussion
 - a. Portland Transportation Center Potential Relocation
Presenters: Troy Moon, Sustainability Director & Maine DOT
The Committee will be offering input to MDOT.
Public comment will be taken on this item.
Anticipated time: 45 minutes
 - b. GPCOG Project Development Fund
Presenter: Councilor Belinda Ray
Public comment will be taken on this item.
20 minutes

- c. Pesticide Management Advisory Committee Annual Report
Sustainability Director Troy Moon and Jesse O'Brien, PMAC Chair
This item is a communication. The Committee will take no action.
No public comment on this item.
20 minutes
- d. Committee Work Plan
Councilor Belinda Ray
Committee discussion
No public comment taken on this item.

6. Next meeting date: April 21, 2021

CITY OF PORTLAND, MAINE
Standing Committee on Sustainability and Transportation
Councilor Belinda Ray (D1), Chair
Councilor Spencer Thibodeau (D2)
Councilor Andrew Zarro (D4)

Draft Minutes February 17, 2021

Members Present: Council Ray, Councilor Thibodeau, Councilor Zarro

Staff Present: Troy Moon, Casey Zorn

Guests: Mayor Kate Snyder, Greg Jordan

Meeting called to order at 5:37 PM.

January Minutes

Councilor Thibodeau motions to approve the January meeting minutes. Councilor Zarro seconds the motion. January minutes passed unanimously, 3-0.

Sustainability Update

Have posted Sustainability Associate position and applications closed today. Have received good responses from pesticide applicators for yearly summary report. Have gone live with energy platform which will make paying utilities and tracing key metrics much easier. Have been following developments in solar industry, especially with moves made by Central Maine Power (CMP). City Manager and Superintendent signed a letter to the State to remind them that many cities and school districts are worried about this matter. Public Utility Commission (PUC) issued advisory warning that CMP data that the City has requested should be made available. DEP issued a report on petroleum storage facilities. Drafted comments to Natural Resource Defense Committee, which emphasized the need for action. Sustainability Office is sending out postcards to remind 600 beverage distributors about Phase 2 of the Plastic Straw Ordinance. Electric Vehicles charging stations are getting good use. Last Coffee and Climate had great turnout with transportation theme. This event occurs on the second Friday of every month.

Will coordinate with Public Works to publish data from wells at the landfill solar array. This reporting is thought to be required once a year, but Troy will check on this.

The CDC would like to brief Committee on air quality monitoring at a future meeting.

GPCOG/PACTS Stimulus Funded Projects

This is the first year that GPCOG is trying to organize the region and planning initiatives to provide future funding. GPCOG has made clear that this is not necessarily the list for Biden infrastructure money. This list is just to begin organizing regional programs and how they want to distribute transit and other funds. There will be future rounds if this Biden infrastructure money comes through, and the S&T committee will continue to develop this with Public Works

and PACTS so that that Sustainability and Transportation Committee is ready for the next round of GPCOG project roundup.

City manager talked with Chris Branch and submitted memo of shovel-ready projects for future PACTS funding. Got permission to submit more than 5 since Portland is larger than other communities. This list includes: (1) Traffic signal, communications, and RRFB improvements, (2) Arterial and collector paving, (3) Brighton Avenue Multimodal, (4) Morrill's Corner, (5) West Commercial Pathway Phase III/ECG Connector Baxter/Veranda, (6) Franklin Street Phase I, Marginal to Somerset, and (7) Commercial Street Master Plan and related transportation improvements.

Committee Comment on GPCOG/PACTS Stimulus Funded Projects

How can community members help make progress on these projects or stay in the loop? Community members can send emails to committee members or call. Troy maintains a folder with public comment. These conversations will also continue in future committee meetings with opportunity for public comment. The hope is also that these projects get started before funding stream is public. Updates will be posted on a specific infrastructure webpage that Troy will create on the S&T Committee page through the Sustainability Office website. Can also write a letter to Senator Susan Collins.

Public Comment on GPCOG/PACTS Stimulus Funded Project

Markos Miller: Believes Phase 2 and 3 of Franklin St Redesign actually fixes the problems, and Phase 1 (which is currently the only proposed infrastructure project for GPCOG funding) will simply push the issues down the street and is a short-term fix. Emphasizes importance of Franklin St redesign project, especially including the latter phases, and importance of planning early for potential federal funds beyond GPCOG funding.

Wendy Cherubini of May St: On Franklin Redesign, voices need to discuss the phasing of the plan in any discussion of the project, since the last two phases unlock the greatest potential of the project. Would like a City staffer who champions the Franklin Project.

Bryan Eng of Stores St: Works on Douglas Commons and Lambert Woods. Would like a node at Lambert Woods and potential extension of Route 2 to this area. Supports Franklin Arterial Redesign, Exit 5 Retirement/Redesign, and other projects. Stresses these projects are also economic development opportunities and address existential issues. These projects all tie into One Climate Future and Plan 2030. Emphasizes language of phasing, chipping away a little bit at a time, and accessing funding for them.

Peninsula Loop Redesign Update with Greg Jordan

GPCOG and METRO are working together on Portland Peninsula Loop bus route reboot. They are currently engaged in the public engagement process until approximately March and will come back to the Committee with updates and insight gained from this process. Outreach has been conducted in five different languages to ensure robustness. Open to having more meetings if the S&T believes necessary.

The two major redesigns involve Route 1 and Route 8. The Route 8 particularly has a dedicated ridership for those who most rely upon public transit. Both routes run every 30 minutes, with Route 8 being one-direction service. A main focus is ensuring bidirectional service for both routes and serving underrepresented communities. There is a concentrated need for good public transit in the East Bayside community which is underserved.

The Project Advisory Committee has held public meetings where they have heard support for certain things like bidirectional service as well as faster, simpler, more direct service, and more multi-modal connectivity. There are also people who like the way routes currently work and are hesitant to see change.

Developed 4 strategy plan:

Strategy 1: Redesign several regional routes to create High Frequency Corridor along Congress Street, expand transit access across the city, and improve multimodal connections

Strategy 2: Redesign peninsula routes to meet mobility needs; increase transit frequency and span of service; expand geographical coverage on peninsula; and improve route convenience, simplicity, visibility, and user friendliness.

Strategy 3: Incorporate infrastructure improvements such as bus stop amenities, deployment of Transit Signal Priority (TSP), and streetscape/intersection treatments.

Strategy 4: Incorporate Service Delivery/Customer Service Innovations such as employer use of DirigoTouch Pass, coordination of services, scalable micro-transit program, and autonomous transit.

The Reboot proposes a short extension to Commercial Street and the eastern waterfront where there could be a mini transit hub for Route 2, Route 4, and the Huskey Line. Additionally, the Route 7 would be extended west along Congress St to help create the High Frequency Corridor. With this overly, a bus will come every 7 minutes and marketing and promotion will help change the way people can get around Portland. The Route 5 will also be extended along Congress St and loop Munjoy Hill to help with the High Frequency Corridor and fill need left by removal of former Route 1. Routes 1, 7, and 9 will together make up the High Frequency Corridor.

Major changes to Route 8, the new circular, include bidirectionality, connections to more major points on peninsula, and simpler looping. Points of concern with the proposed Route 8 include modifications to the Mercy Hospital/100 State St bus stop which serves an older population, lack of bus stop in the core of the West End, lack of bus stop on Congress St, lack of bus stop in Hannaford plaza and complications with alternatives to this stop. A new recommended Route 8 will hopefully be publicized in April taking into account ongoing public comment.

Currently in Phase 2 of the Reboot and looking toward Phase 3. Projecting launch of service changes toward end of 2022.

Committee Comment on Peninsula Loop Redesign

Councilor Zarro: What did engagement look like for people who live on Washington by Allen's Corner? *The Route 9 already covers this area well with half hour frequency during most days. Hope to increase frequency of this route with no structural changes.*

Councilor Thibodeau: Likes idea of 7-minute waits along Congress St with High Frequency Corridor. Worried about gaps on the West End in the proposed Route 8. Very worried about 100 State St stop changes. The City should potentially encourage a bus pull-in at the entrance to the Hannaford or other corrections to make that more feasible and easier fix. *Greg believes they will be able to maintain the 100 State St stop. The bigger issue that will require more thought is the Hannaford stop.*

Councilor Ray: Likes the extensions to Commercial Street and the eastern waterfront and the creation of the High Frequency Corridor. Wonders about the temporary nature of the extension on the Route 2. *Greg corrects that all extensions to the waterfront are full time.* Is Hannaford involved in the metro changes? *Hannaford has not yet been involved. When a preliminary decision is made, Hannaford will be involved. The harder bus stop is the one across the street from Hannaford because of the curve and speed of the street.* Also loves idea of mini hub on the eastern waterfront. Wonders about e-buses. *Expect delivery of first two electric buses in October which will hopefully begin full fleet transition by 2040. Will be substantial testing of system.*

Public Comment on Peninsula Route Redesign

Tony Donovan: Likes the connection to a mini hub at the Portland Ocean Terminal (POT), which may turn into a train station for commuter rail with connection to Lewiston. This will help get people onto the peninsula without a car.

Allen Armstrong of Spruce St: Wonders if the simplification and rerouting of Route 8 will automatically result in a quicker time around the route. *Greg Jordan answers that Route 8 will take longer with the re-route because of increase in length. Since 1 and 8 are being joined, this will allow for more resources and will therefore be more frequent. It will also be bidirectional, making it much more convenient.*

Ashley Babcock of Oak St: Identifies as a loyal metro rider. Wonders if there have there been any efforts to specifically target the younger population with outreach on the bus reroute or transit outreach in general and if there have there been any considerations to make the buses run later on weekends. Likes the 7-minute wait with a High Frequency Corridor. *Greg Jordan answers that they have a pass program with school systems and many university systems as a principal strategy to reach out to younger riders. Goals to continue to expand hours of operation. Currently no consistent end time between bus routes. Should aim to have all services going at a minimum from 6 Am-12 AM, if not 5 AM-1 AM. Agrees they need to work on better outreach, marketing, and promotion.*

Kenneth Capron: Appreciates the effort that went into developing the routes. Wonders if the drivers have been asked about the routes and if the timing would be thrown off. Will this require more drivers? Is the pulse still used to line up the riders? How is the City going to handle the extra costs of expanding the routes? What is the drive time between charges for electric buses? *Greg Jordan answers that they use Google Earth applications and driving on the ground for timings. No O&M capital costs yet. Will require more bus operators, increasing costs. Still a challenge to hire qualified CDL bus drivers. Fully staffed right now and confident can support expansions in the future. Would need to come back later and have a conversation about potential City contribution. First efforts will try to claim Federal and State support, as well as employers and universities having a stake in the Circulator. The Chamber of Commerce has voiced their support and will likely be a partner. With increased frequency of service, the coordination of a "pulse" has been less important. With the re-route, the Monument Square center employs this same concept as the "pulse." Many of the electric can go to 150-200 miles per charge in ideal conditions. With Portland bus conditions will likely make it at its worst around 150 miles. These numbers will likely continue to improve.*

Tica Douglas of Munjoy St: Is there any discussion about moving to mid-size buses? Would like to see smaller buses since ridership seems to be low and creating unnecessary emissions. *Greg Jordan answers that cost of transit is actually in personnel. Need a fleet to be able to handle capacity on highest volume days.*

Carbon Fee and Dividend Program with Peter Monro

This proposal is similar to a motion approved by the S&T Committee 4 years ago. This proposal is to advocate local and regional support for federal carbon pricing. Federal carbon pricing is more accessible than state carbon pricing and will greatly help reach State and City climate goals. The proposed bill, House Resolution 763, is the most popular bill in the House with bipartisan support. A bill of this nature will be released in this spring and need to hear support from our communities. This bill will benefit Maine specifically because we have lower carbon footprint, lower income, and wood (which is a large Maine export) is not considered fossil fuel.

Public Comment on Carbon Fee and Dividend Program

Allan Armstrong of Spruce St: Supports this motion. Believes this motion is an efficient way to reduce carbon and is equitable in its distribution of dividends.

Tony Donovan, Portland resident: Supports this resolution on behalf of Maine Rail Transportation Coalition (MRTC).

Kenneth Capron: Very interested in a carbon exchange. Brings up Transportation Climate Initiative (TCI) which he supported. Without TCI, will take anything that works like a carbon exchange to fund climate initiatives. Believes there are better options but supports any kind of carbon exchange.

Mary King of Riverton Neighborhood: Supports this motion. As an educator, believes this bill is important to address the biggest injustices and change that climate stewards cannot address.

Peter Dugas of State St: Supports this motion. There is now a bipartisan resolution moving through Augusta as well as other municipalities joining to support the bill. We need federal policy more than just State policy. This is the most effective policy.

Ashley Babcock of Oak St: Supports this resolution. Believes supporting federal action on climate is the most important thing the City can do. Since this is a bipartisan bill, it is more sustainable and less likely to be overturned.

Maggy Wolf: Supports this resolution. Still believes individuals should put solar panels on your roofs and take small action but believes supporting this is the most important action for citizens and the City.

Committee Comment and Action on Carbon Fee and Dividend Program

Councilor Thibodeau and Ray both fully support this resolution with its current additions as they did in 2017. Councilor Zarro also supports moving forward with the resolution and believes we should take as progressive action as possible to combat climate change.

Councilor Zarro motions to approve the resolution and bring the resolution for a vote before the full Council. Thibodeau seconds the motions. The motion to approve the resolution and bring it before the full Council passes unanimously, (3-0).

Alignment and Conflicts Between One Climate Future and the Portland Green New Deal

Troy submitted a memo in the packet that gives more detail on the intersection between One Climate Future and the Green New Deal referendum. The creation of One Climate Future was an extensive two-year planning process that collaboratively took into account partner and community input. The Green New Deal as a referendum also had some public planning, but it focuses more on immediate action than One Climate Future. The two plans are very much aligned and do not have a lot of conflict. In terms of labor requirements, both plans promote job opportunities with One Climate Future discussing more in-depth collaboration, longer timeline, and a regional scope. Both plans require the City to adopt the State's stretch code. Changes in the building code will be important for both plans' goals to reach net zero emissions. As for workforce housing requirements, One Climate Future discusses collaboratively identifying a plan which aligns with the Housing Authority while the Green New Deal requires 25% of units require workforce housing (which still leaves room for similar collaboration).

Committee Comment on One Climate Future and Green New Deal

Councilor Ray: Sees workforce housing and labor stipulations in the Green New Deal as Housing Economic Community Development (HECD) Committee issues. Wonders if HECD has any desire to look at this referendum and make changes. Worried about linking to specific energy/building codes.

Councilor Thibodeau confirms that this is part of their work plan for the year, especially as it pertains to the rental advisory board but have not looked at impact of inclusionary zoning, though will likely take this up as well.

On energy code standards and third-party certification requirement in the Green New Deal, Troy believes that because state law and the attached stretch code requires continual adoption of up-to-date IECC energy requirements, the building code will be extremely rigorous and will essentially supersede the Green New Deal requirements. With the strictness of these code requirements, additional certifications may be useful to guide builders on how to build better.

Councilor Ray is still concerned with the Green New Deal building/energy requirements and how they will add unnecessary expense until the adoption of these stricter stretch codes. Also, the Green New Deal does not address the loophole between renovation and new building. Not clear on Council's ability since they cannot address Green Building Code for 5 years because of Referendum. Worried about mandated adoption sight unseen of stretch code.

Public Comment on One Climate Future and the Green New Deal

Eamonn Dundon of West End, Director of Advocacy for Portland Regional Chamber of Commerce: Believes One Climate Future is bold, visionary plan with clear pathways to a sustainable Portland. This plan was rigorous in incorporating public outreach and input. The Chamber has long supported this plan in its efforts to improve housing and work toward climate action. The 25% requirement in the Green New Deal was debated under previous mayor and was ultimately shut down. The Green New Deal was put on the ballot by a group that underwent no public process and that obviously did not consult the One Climate Future plan. Any plan that sinks the provision of increased housing density and connection to improved transit will fail to meet climate goals. The Council should put forth amendments to the referendum that more closely align with One Climate Future

Bill Weber of Roaring Brook Rd: On better roof requirement for solar roof requirement, proposes another exception for owner/tenants/developer to agree to buy community solar off the grid instead. Believes this exception will be better than having a solar roof that's ready or a solar roof in the shade. There should be greenhouse gas accounting for any proposed and existing project in the city. There could also be advantages to this with carbon pricing.

This discussion on the Portland Green New Deal will be continued at a later date.

Meeting Conclusion

Councilor Thibodeau motions to adjourn. Councilor Zarro seconds the motion. Passed unanimously, (3-0). Meeting adjourned at 7:59 PM.



CITY OF PORTLAND

Sustainability Office

Troy Moon

Sustainability Director

Sustainability Updates February 2021

Staffing:

We have been reviewing applications and conducting interviews of candidates for our Sustainability Associate position. The high level of interest in the position and the excellent qualifications of the applicants was inspiring.

Pesticide Ordinance:

Submitting the PMAC annual report during this meeting.

Energy:

We met with members of the Inspection Division and Corporation Counsel to discuss implementation of the new 2021 IECC, which the MUBEC Board adopted as the voluntary energy code. It is currently at the State AG's office undergoing legal review but should be in place by July 1. We will need to train our code officials and the people in the building industry about the changes.

Air Quality

I've participated in two round convenings with the Maine DEP and local stakeholders about air quality monitoring in Portland and South Portland.

Straw Ordinance:

As we implement the ordinance we have received feedback and suggestions from businesses and community members.

Several restaurants have requested that we take a look at the newest generation of bioplastic straws that reportedly biodegrade more readily in the environment. We are conducting research

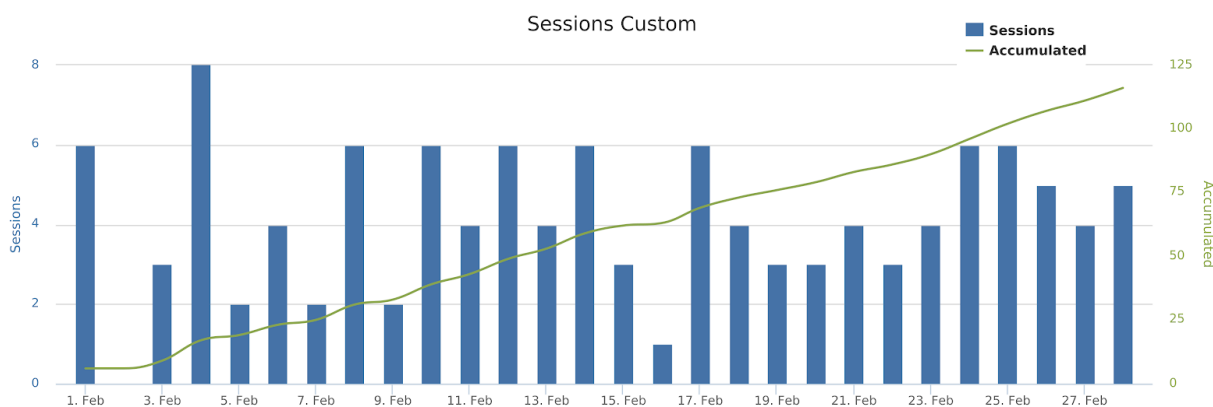
into this by reaching out to commercial composters, the DEP, and manufacturers for more information. We do not have a recommendation yet.

Members of the public also asked that we consider amending the ordinance to allow drive through establishments to provide non-plastic straws along with beverages. The ordinance currently requires customers to specifically request one.

Electric Vehicles

The City will be receiving four new electric Hyundai Konas in the coming weeks.

Interest in the City's publicly available EV chargers remains strong. During the month of February there were 116 individual charging sessions.



Education and Outreach:

We held our fourth monthly One Climate Future coffee hour on March 12 and focused on climate and sustainability legislation this session. We talked about C-PACE, energy codes, the Clean Energy Accelerator (green bank), and Extended Producer Responsibility. Everyone is welcome to attend these informal community conversations that happen on the 2nd Friday of the month at 9 AM. Information is one www.oneclimatefuture.org

We made presentations about climate vulnerabilities to two classes at Westbrook HS and gave a guest lecture to a class at UMaine Law School about climate change and land use policy.

We continue to update the One Climate Future website and to promote OCF on social media: Facebook, Instagram, and Twitter.

Attachment C

Project Development Fund

Concept Proposal

Date: 10.29.20

Problem statement: Maine is poorly positioned to compete for one-time federal stimulus dollars due to the lack of planning and project development funding necessary to bring transformational investments to 'shovel ready' status.

Concept: Create a state funded 'project development fund' to pay for planning and project development costs.

Detail: Next year it is possible that the federal government will make economic recovery stimulus funding available in response to the recession caused by the COVID-19 pandemic.

States and local governments will compete for federal stimulus funding by advancing transportation and other economic infrastructure projects. This competition will favor projects that are fully designed, engineered, and permitted – i.e. 'shovel ready' projects.

The costs associated with making projects shovel ready exceeds available local, regional, or state financial capacity. As a result, Maine is left with good ideas, but those good ideas are insufficiently developed to compete nationally with other states where project development is better funded.

In response, we recommend the creation of a 'Recovery Project Development Fund' to be jointly administered by Maine DOT and DECD. The fund would be focused on paying for the full project development costs of those projects judged by state government as the best positioned to:

- Create new good paying jobs,
- Preserve existing good paying jobs,
- Support the recovery of the Maine economy, and
- Improve Maine economic resilience in preparation for the next disruption facing the State.

We further recommend that this fund accept applications for individual project development through a regional structure that favors combined efficiencies, the leveraging of regional partnerships, and the deployment of regional assets in support of candidate projects.

We propose allocating \$10,000,000 of general operating revenues to the Recovery Project Development Fund in the Governor's FY 2020-21 budget, and also propose adding \$25,000,000 in new bond revenue to the fund once it is established.

Conclusion: In January 2021, the federal government will be facing the need to revive the U.S. economy, particularly during the summer construction season. Transportation and other economic recovery investments will become a priority strategy to get people back to work. Shovel ready projects will win the competition for funding.

Maine must be aggressively positioned to successfully compete for federal stimulus. The proposed project development fund will allow Maine to win a fair share of federal stimulus and use it to support economic recovery and greater resilience in our state.

City of Portland, ME
Pesticide Management Advisory Committee
Annual Report to the Sustainability and Transportation Committee
March 12, 2021

The City of Portland's Pesticide Ordinance requires the Pesticide Management Advisory Committee to provide a report to the Sustainability and Transportation Committee every year before March 31 in order to inform the City Council about the actions of the committee and to provide recommendations to the pesticide ordinance to enhance its environmental and public health benefits. This is the second annual report.

PMAC 2020

- Jesse O'Brien , Chair
- Avery Yale Kamila , Waiver Committee
- Carol Laboissonnier
- Tim Lindsay
- Priscilla Skerry
- Karen Snyder
- Troy Moon, City Staff

Resident Complaints

The City of Portland relies on community-sourced reporting through the See-Click-Fix (SCF) platform to monitor compliance with the Pesticide Ordinance. In 2020, residents filed twelve (12) SCF reports about potential Pesticide Ordinance violations. These occurred April through September. Many of them note the lack of proper signage on applied lawns, specifically the lack of a chemical name and trade name as required by the ordinance.

The Sustainability Office sent information about the ordinance to the owners of the properties identified by the See-Click-Fix report. We also included information about proper signage in our annual letter to applicators reminding them of the ordinance's reporting requirements. We will continue to respond to resident reports and encourage residents to use the platform to share concerns they may have about compliance.

In the instance of the two complaints about applications on public property, the applications were allowed to control invasive species on public property. The Sustainability Office reminded the Parks, Recreation, and Facilities Department that their contractors are required to follow the signage requirements of the ordinance.

Summary of SCF reports files included as Appendix A

Applicator Report Data

The Pesticide Use Ordinance requires that licensed applicators submit an annual report outlining all pesticide treatments (both synthetic and organic) within the City of Portland. To notify applicators of this

requirement, we utilized the MELNA and State of Maine Board of Pesticide Control lists and sent notice via email to all licensed applicators in Cumberland County. Information about the report and a Google Form to submit a report were also added to the Sustainability Office web pages within the City's website. We received reports from 36 businesses, which is 14 more than was received last year. Businesses that submitted reports include:

- | | |
|--------------------------------------|---|
| 1. A-Man Landscaping and Sports Turf | 21. Mainely Ticks |
| 2. A1 Exterminators | 22. MD Weaver |
| 3. Advantage Pest Control, Inc. | 23. Modern Pest Services |
| 4. Ant Man Pest Control, Inc. | 24. Mosquito Squad of Southern Maine |
| 5. Ants Etc. Pest Service | 25. Naturalawn of America |
| 6. Ants Plus Pest Control | 26. Octagon Cleaning and Restoration |
| 7. Aqua Laboratories, Inc. | 27. Pest-End Inc. |
| 8. Big Blue Solutions | 28. Protect Pest Services |
| 9. Bouchard Cleaning & Restoration | 29. Rainbow International of Greater Portland |
| 10. Buggy Pest Control | 30. Riverside Golf Course |
| 11. DBA Whitney Tree Service | 31. Seabreeze Property Services |
| 12. Disfecta | 32. SGS Turf Care |
| 13. EZ Pest Solutions | 33. Sterling Insect/Lawn Control |
| 14. Food and Drug and the Bug, LLC. | 34. Terminix |
| 15. Fox Pest Control | 35. TowerMRL, Inc. |
| 16. Green Pest Defense | 36. Turf Doctor Lawn & Pest Services |
| 17. Liberty Pest Control, Inc. | |
| 18. Lucas Tree Experts | |
| 19. Maine Pest Solutions | |
| 20. Mainely Grass | |

Staff were pleased that these companies submitted reports detailing their pesticide applications during the calendar year 2020. *We do not know how many pest management and landscaping companies operate in Portland so we do not know how many firms are required to submit reports.*

Based on the reports, 139 distinct products were used in Portland in 2020. In total, 2,222 lbs and 776 gallons of undiluted products were used.

Applications occurred on:

- 621 acres of ground
 - 216 private
 - 405 public (primarily Riverside Golf Course, which is exempt from the ordinance and makes applications in accordance with its participation in the Audubon Cooperative Sanctuary Program)
- 176 trees
- 1,107 buildings, structures, and/or rooms for insects or mold
- 539 buildings or structures for rodents

Pesticides Reported

- Acelepryn
- Advance Carpenter Ant Granular Bait
- Advion Ant Gel
- Advion Fire Ant Bait
- Advion Roach Bait
- Affirm
- Alpine Dust
- Alpine Fly Bait
- Alpine WSG
- Aprehend
- Aquacide 4015
- Aquacide II
- Avenger
- Avert Dry Flowable
- Azoxy 50WDG
- B Maxx Pro
- Bedlam Plus
- Benefect
- Benefect Decon-30
- Bifen IT
- Bisect L
- BlueMax
- Boractin
- Borid Dust
- BP-100 ULD
- CB 80
- CB 80 Aerosol
- Cimexa
- Clorothalonil 720
- Conquer
- Conserve
- Contrac All-Weather Blox
- Contrac Blox
- Crosscheck Plus
- Crossfire
- Crossfire Aerosol
- CSI Bifen P&L
- Cueva fungicide
- cyKick CS Liquid
- D-Force
- D-Force HPX
- Damoil
- Delta Dust
- Demand CS
- Dimension
- Ditrac Tracking Powder
- Drione Dust
- Ecovia EC
- Ecovia WH
- Esplanade 200 SC
- Essentria IC3
- Evergreen Pyrethrum
- FASTRAC All-Weather Blox
- FASTRAC Pellets
- FASTRAC Soft Bait
- Fendona CS
- FIESTA
- Final All-Weather Blox
- Final Blox
- Finalsan
- First Strike Soft Bait
- FORMUS All-Weather Blox
- Generation Mini Blocks
- Gentrol
- Gentrol Point Source
- grubGONE!
- IC3
- Inex
- Insignia
- Intice 10 Bait
- Kocide 3000-0
- Lesco Cross Check Plus
- Lexicon
- Makaze
- Malice
- MarTrns 10% Permdhryn
- Masterline B MaxxPro
- Maxforce Carpenter Ant Gel
- Maxforce FC Ant Bait Stations
- Maxforce FC Magnum
- Maxforce FC Select Roach Killer Bait Gel
- Maxforce Fleet Ant Bait Gel
- Maxforce Impact
- Method 240SL
- MMR
- Mosquito Dunks
- Niban
- Nyguard
- OneGuard
- Onslaught MC
- Opti-Gard

- P.I. Contact Insecticide
- Perma Guard
- Peroxide Multi-Surface Cleaner
- PRIMO
- Propiconazole 14.3
- PRS Water Damage Preclean
- PRS Water Damage Post
- PT Alpine Pressurized Fly Bait
- PT Ultracide
- PureSpray Green
- Pyrocide
- Pyrocide 100
- Quinclorac
- Resolv Soft Bait
- Riptide
- Rozol Tracking Powder
- Secure
- Shockwave
- Shockwave RTU
- Speedzone
- Steri-Fab
- SureKill Flushers
- Suspend Polyzone
- Suspend S/C
- Take Down Soft Bait
- Talstar P Professional
- Talstar PL Gran 25#
- Taurus SC
- Tebuconazole 3.6
- Tebuprofen 16
- Tempo Dust
- Tempo SC
- Tempo Ultra WP
- Temprid FX
- Temprid SC
- Tick Killz
- Transport GHP
- TRANSPORT MIKRON
- Trinity
- Velistar
- Vendetta
- Vendetta Nitro
- Vendetta Plus
- Weatherblok XT
- Whitmire Wasp Freeze
- Xzemplar
- Zenprox
- Zylam

The data reported demonstrates that applications are primarily related to the control of ants or other pests that consume wood and damage property, which are allowed activities. There was also a significant increase in applied pesticides across the board for tree, insecticide, and rodenticide applications, which may be a direct result of the increase in pesticide application reporting this year. There were also a select few applications that were noted as ornamental, though this was certainly the minority. Staff has not reviewed the reports to determine whether all of the applications are in compliance with the ordinance.

While this reporting year had considerably more participation, this may have also led to more confusion amongst new reporters. The following reporting issues should be addressed for the next reporting period to ensure more precise data: (1) the lack of consistent style for how to address the unit of measure for total area treated, (2) the lack of consistent description between the types of applications, and (3) the identification of pesticides as organic or synthetic.

Education and Outreach Efforts

The pandemic limited the Sustainability Office's ability to engage in education and outreach in 2020 but staff was able to accomplish several things:

- The Sustainability Office created a postcard and mailed them to property owners near locations noted in SCF complaints.

- The Sustainability Office updated the webpage to include more information and tips about how to manage lawns and gardens organically.
- The Sustainability Director made a presentation to the Northeast Organic Farming Association about Portland's Pesticide Ordinance.
- Staff made several posts on social media promoting organic land practices.

We're hopeful that an easing of the pandemic and the recruitment of a new Sustainability Associate will allow us to increase efforts in this area in the upcoming months.

Waiver Requests

The PMAC received one request for a waiver in 2020. The applicant, Cheverus High School, wished to treat sod worm that was damaging the turf on the varsity athletic field. They felt that poor conditions on the field would endanger student athletes. The Waiver Committee denied the application (1-1, unanimous vote required to approve). The applicant appealed the ruling. The City Manager's designee approved the waiver but the applicant subsequently withdrew their request.

PMAC Recommendations

Portland's Pesticide Ordinance charges the Pesticide Management Advisory Committee (PMAC) with advising the Sustainability Coordinator and the Sustainability and Transportation Committee about pesticide use and providing recommended amendments to achieve full and successful implementation of the ordinance. In compliance with this charge the PMAC is pleased to make several recommendations this year.

1.) Provide further education to applicators about the Pesticide Ordinance's signage requirements

The SCF data shows that many applicators fail to include important information about their pesticide application on the signs they post in compliance with local and state requirements. Portland Pesticide Ordinance requires applicators to indicate the chemical and trade name of the product applied on the front of the sign. This provides the public with important information and reduces the need for concerned residents to ask staff to investigate the application. We should continue to remind applicators of this requirement and ask trade groups such as Maine Landscape and Nursery Association to share this information with their members as well.

2.) Coordinate with partners in South Portland and other communities to educate the public and the landcare industry about organic and chemical free land care practices

Our neighboring communities including South Portland, Falmouth, and Scarborough have adopted ordinances governing the use of synthetic fertilizers and/or pesticides. This

provides an opportunity to collaborate on education and outreach efforts to improve compliance with local policies and promote overall soil health. Working together will allow the pooling of resources and hopefully lead to more effective efforts than an individual community could achieve on their own. We have had success working with the Cumberland County Soil and Water Conservation in promoting their Yardscaping program. We should work more closely with our Stormwater Program because efforts to reduce inputs of fertilizers and pesticides help improve water quality by limiting run off.

3.) Amend the Pesticide Ordinance to include fertilizers

In 2016 the City Council created the Pesticide and Fertilizer Task Force to study whether the City of Portland should adopt an ordinance regulating the use of pesticides and fertilizers on public and private property in Portland. This group determined that issues surrounding the use of pesticides and fertilizers differed enough that they should be addressed separately. Because of this, they made recommendations about the regulation of pesticides and further recommended that a subsequent group take up the use of fertilizers. Since that time, the City of South Portland has done extensive research into fertilizers, the impact improper use of them has on the environment, and has adopted an ordinance to regulate their use. South Portland staff worked with community stakeholders and industry representatives to develop recommendations that the South Portland City Council reviewed and, after the addition of some amendments, adopted.

The PMAC fully supports South Portland's efforts in this area. Improper and excess use of fertilizers by homeowners and land care professionals results in excess nutrients entering local waterways stormwater discharges. In Casco Bay we see this resulting in algal blooms, lower oxygen content in coastal waters, and ocean acidification. In this regard, regulating pesticides aligns with the City's stormwater management goals and augments efforts to mitigate the effects of stormwater runoff on water quality. It would further demonstrate Portland's commitment to this effort to State and Federal regulators. For these reasons, the PMAC recommends that the City of Portland amend the Pesticide Ordinance to regulate the use and application of fertilizers on public and private property within City limits. This would help protect the health of soils, waterways, people, and wildlife. Such an ordinance should follow organic landcare practices as described by the Northeast Organic Farming Association and restrict unnecessary fertilizer applications.

The PMAC has carefully reviewed South Portland's ordinance and also studied several others from New England communities.

The following are items from the South Portland Fertilizer Ordinance the PMAC highly recommends be included in the Portland Pesticide Ordinance:

- Rebrand the Pesticide Ordinance as the Landcare Management Ordinance, which encompasses the Pesticide Ordinance and the Fertilizer Ordinance.

- Change the name of the PMAC to the LMAC (Landcare Management Advisory Committee), which is a more comprehensive, appropriate name and objective for the committee.
- Have the scope of the Portland Fertilizer Ordinance encompass property owners as well as commercial applicators.
- Have the scope of the Portland Fertilizer Ordinance encompass private property within City jurisdiction, as well as City-owned property.
- Include a section on new development/construction, which would require the breaking up of compacted soils.
- Include requirements for education and outreach by the LMAC.

There are several deviations from the South Portland Fertilizer Ordinance that the PMAC recommends for the Portland Fertilizer Ordinance:

- The majority of the PMAC believes the Fertilizer Ordinance should mirror the Pesticide Ordinance in scope of application surfaces. For instance, the South Portland Fertilizer Ordinance only applies to turf; whereas, their Pesticide Ordinance applies more broadly. The majority of the PMAC believes the Portland Fertilizer Ordinance should apply broadly to require organic fertilizer for all soil conditions--including gardens, flower beds, and soil surrounding trees. As appropriate, certain requirements, such as pounds per square footage and incorporation depths, will need to be made site and application specific to apply only to turfs.
- A Portland ordinance should emphasize site-specific conditions for amending and rehabilitating soils at construction sites and follow NOFA organic landcare approaches. These should be enforced during site inspections and a certificate of occupancy should not be given unless the soils at the construction site contain adequate organic material and nutrients to grow healthy plants.
- The South Portland Fertilizer Ordinance added a provision that allows for the application of the synthetic pesticide acepryn on athletic fields to control grubs. Several members of the PMAC feel this would not be appropriate for Portland because Portland's ordinance prohibits pre-emptive applications and believe it would threaten the health of the soil and children. Other members believe that the Council should consider allowing limited use of acepryn because grubs are difficult to treat organically. Grub infestations can cause catastrophic damage to fields very quickly leading to unsafe conditions and significant costs to repair.
- Under the South Portland Fertilizer Ordinance, fertilizers may not be applied within 75 feet of a body of water, wetland, or other environmentally sensitive area. The PMAC suggests that a Portland Ordinance should mirror Maine's

shoreland zoning language with specific distance from shoreline application requirements for different bodies of water:

- *The shoreland zone is comprised of all land areas within 250 feet, horizontal distance, of the*
 - *normal high-water line of any great pond or river;*
 - *upland edge of a coastal wetland, including all areas affected by tidal action, and*
 - *upland edge of defined freshwater wetlands; and*
 - *all land areas within 75 feet, horizontal distance, of the normal high-water line of certain streams.*
- The City Council should expand the Portland Heritage Tree Ordinance to include the whole city, not just historic districts, and consider designating the LMAC to monitor implementation along with pesticides and fertilizers as part of a comprehensive organic landcare ordinance.
 - The Portland Landcare Management Ordinance should specifically emphasize (1) fertilizing in the first stages of life optimized based on type of plant, location, and application; (2) increasing green space and soil within the city; and (3) the protection of trees. Overall, a holistic approach should be emphasized over specific products.

The PMAC appreciates the opportunity to share its recommendations with the Sustainability and Transportation Committee and welcomes the opportunity to answer any questions.

Appendix A: 2020 Pesticide See-Click-Fix Reports

SCF#	Category	Address	Description
7706026	Pesticide Use	255 Western Promenade	A number of apparent seemingly needless pesticide applications on public property, perhaps in violation of the ordinance.
7936256	Pesticide Use	159 Oxford St	On 6/1/20, Ehrlich, a subsidiary of Rentokil, made pesticide applications around the Pearl Place and Unity Village apartments.
7985533	Pesticide Use	80 Roberts St	Yard that wraps around 80 Roberts St -- pesticide use that does
7985576	Pesticide Use	42 Chamberlain Ave	Almost all of the yards on the entire left side of Chamberlain Ave
7989346	Pesticide Use	8 Stone St	This pesticide application notification signs at Unity Village do not indicate "the chemical and trade name of the pesticide" applied,
8171940	Pesticide Use	141 William St	
8292121	Pesticide Use	Hanover St & Portland	According to building occupants, owner of 47 Portland Street had a landscaping vendor put some kind of herbicide in otherwise
8292142	Pesticide Use	Hanover St & Portland	According to building occupants, owner of 47 Portland Street had a landscaping vendor put some kind of herbicide in otherwise
8306243	Pesticide Use	12 Ellsworth St	The owner of 3 Crescent st was seen using Round-up weed killer on his property and public walk way.
8381598	Pesticide Use	51 Myrtle St	Sign does not list pesticide applied, which is a violation of the city's pesticide ordinance.
8398300	Pesticide Use	209 Pearl St	Pesticide application at whole foods market in Portland at pearl street entrance with sign fails to list pesticide used.
8507965	Parks	1 - 199 Percival St	Is there additional information available regarding the type of pesticides being used in Baxter Woods? Are these within the Pesticide

Appendix B:

Documents Which Informed Fertilizer Ordinance Recommendations

[South Portland Landcare Management Ordinance](#), 2020

[Dover, NH Resolution](#), 2018

[Brunswick, ME Ordinance with Groundwater Provisions](#), 2017

[NOFA Standards and Best Practices](#), 2017

[Hyattsville, MD Best Practices](#), 2016

[Nantucket, MA Best Practices](#), 2013

Sustainability & Transportation Committee

Councilor Belinda Ray, District 1, Chair

Councilor Spencer Thibodeau, District 2

Councilor Andrew Zarro, District 4

Sustainability & Transportation 2021 Workplan – A Living Document

MEETING DATE	PRIMARY FOCUSES	WORKPLAN ITEMS Council Goal(s)* addressed in parenthesis
Jan 14	Review of OCF Short-Term Action Items; 2021 Workplan	1) Review One Climate Future (OCF) short-term actions and identify steps the Committee can take in 2021 (4, 5) 2) Review Green New Deal citizen referendum to identify congruence/conflict with OCF and recommend changes as necessary (5) 3) Engage with the ReCode process to advance land use goals identified in OCF (4, 5) 4) Explore the creation of a Sustainability Fund to ensure the City has money available for implementation of the OCF plan (3,4,5) 5) Review “shovel ready” and “shovel worthy” City plans to help prioritize COP infrastructure projects for potential future funding (3, 5) 6) Review and recommend amendments to the sidewalk material policy (3,5) 7) Engage with Metro, NNEPRA, GPCOG, et al. to explore ways to improve transit service (2, 5) 8) Develop an energy disclosure ordinance to require landlords to disclose energy costs to tenants prior to leasing and property owners to disclose energy costs for homes and buildings prior to sale (2, 5) 9) Build on the Heritage Tree ordinance to expand the City’s urban tree canopy, particularly in the parts of the City with the fewest trees (4, 5) 10) Look at carry over items from 2020 (e.g., single use plastics, fertilizer ordinance) and determine whether they remain priorities at this time (5)
Feb 17	Metro Peninsula Loop Reboot update; PACTS Infrastructure Project Review; Carbon Fee & Dividend Resolution; Green New Deal analysis	
Mar 17	PTC Potential Relocation; GPCOG Development Fund; PMAC Annual Report	
Apr 21	Transit Tomorrow Vision; Discussion of OCF 2021 potential committee actions	
May 19	Topic TBD	
Jun 16	Topic TBD	
Jul 21	Topic TBD	
Aug 18	Topic TBD	
Sep 15	Topic TBD	
Oct 20	Topic TBD	
Nov 17	Topic TBD	

* Council Goals listed on last page

Items on which the committee anticipates getting updates during the year:

- Implementation of the One Climate Future plan and sustainability related initiatives/legislation.
- METRO Peninsula Loop Reboot
- Transit Tomorrow Vision
- Portland Transportation Center plans for potential relocation
- PMAC Annual Report and recommendations regarding fertilizers/analysis of SoPo fertilizer ban
- Tree Canopy status, comparison with previous years
- South Portland-Portland Ferry Service
- Ocean Avenue Landfill groundwater/well tests
- Carbon Pricing – Federal Legislation
- GPCOG Project Development Fund
- MLK Memorial – Subcommittee results and next steps

Council Goals for 2020/2021 Council Year (initially set on December 13, 2020)

- 1) Continue effort to reduce homelessness, assist people experiencing homelessness through city, regional and state efforts.
- 2) Increase access to rental and home ownership that is safe, affordable, and accessible, with emphasis on elders and covid-related market conditions.
- 3) Address the high property tax burden in Portland by passing an affordable combined school/city budget and pursuing other revenue sources, with economic stability and small business survival as key considerations.
- 4) Make human dignity a top priority by establishing policies, practices and partnerships within the city and at the state and regional levels.
 - Encourage widespread adoption of anti-racism, anti-bias, anti-discrimination practices.
 - Build awareness about the importance of mental health for people of all ages and support community agency efforts to reach those in need of services.
 - Work collaboratively to establish harm reduction strategies for those experiencing substance use disorder.
- 5) Showcase and advance the climate change and sustainability efforts underway in the city.
 - Increase public transit infrastructure and capacity in the city.