



SF Environment

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A Department of the City and County of San Francisco



EDWIN M. LEE
Mayor

MELANIE NUTTER
Director

**CITY AND COUNTY OF SAN FRANCISCO
COMMISSION ON THE ENVIRONMENT**

**TUESDAY, JANUARY 28, 2014, 5:00 P.M.
APPROVED MINUTES**

**CITY HALL, ROOM 416
SAN FRANCISCO, CA 94102**

COMMISSION MEMBERS: Commissioners Joshua Arce (President); Angelo King (Vice-President), Ruth Gravanis, Nicholas Josefowitz, Heather Stephenson, Johanna Wald, Sarah Wan

ORDER OF BUSINESS

- 1. Call to Order and Roll Call.** The Commission on the Environment meeting convened at 5:10 p.m. Present: Commissioners Arce, Gravanis, Josefowitz, Stephenson, Wald and Wan; Excused: Commissioner King.
- 2. Approval of Minutes of the November 12, 2013 Commission on the Environment Special Meeting Retreat and December 3, 2013 Rescheduled Meeting.** (Explanatory Document: November 12 and December 3 Draft Minutes) (Discussion and Action)

Upon Motion by Commissioner Wan, second by Commissioner Gravanis, the November 12 and December 3, 2013 Meeting Minutes were approved without objection (AYES: Commissioners Arce, Gravanis, Josefowitz, Stephenson, Wald and Wan; Absent: Commissioner King).

- 3. Public Comments:** Members of the public may address the Commission on matters that are within the Commission's jurisdiction and are not on today's agenda.

Ms. Rupa Bose, representing the San Francisco Forest Alliance, reported on concern with the large amount of toxic herbicide use in natural areas. She asked that new Tier 1 and 2 pesticides be used, that all tank mixes be categorized as Tier 1, and that City departments start to identify tank mixes that are in use. She spoke of owls that have been killed from second generation rodenticide and spoke in support of the Department of the Environment's outreach campaign against its use. Ms. Bose offered to work with Dr. Geiger to improve the accuracy of the Department's pesticide tracking database and showed graphs that she believes more accurately describes its use.

Mr. Rufus Watkins, Midtown Park Apartments, District 5, requested the Commission's help with the Mayor's Office of Housing, District 5 Supervisor, and Board of Supervisors to rescind the notice of lease termination received from the Mayor's Office of Housing for Midtown Park Apartments. He stated that Midtown Park Apartments is a sustainable and diverse community in the Western Addition. He asked that an opportunity be provided to partake in additional negotiations. (Explanatory Document received: Public Comment Midtown Park Apartments).

4. Outreach Presentation on the Tenant Bicycle Parking in Existing Commercial Buildings Ordinance. (Explanatory Document: Presentation) Speaker: Krute Singa, Senior Clean Transportation Coordinator (Informational Presentation and Discussion)

Ms. Krute Singa reported that the Tenant Bicycle Parking in Existing Commercial Buildings Ordinance was adopted in 2012 with the goal of encouraging bicycling to work by requiring commercial property owners and managers to allow tenants to bring their bicycles into their building or designated parking area. The ordinance was developed in partnership with Supervisor John Avalos, the Bicycle Coalition, and the Building Owners and Management Association. Goals of the ordinance are assisting with attaining the citywide goal of 20 percent of all trips by bicycle by 2020, and reducing greenhouse gas emissions 25 percent below 1990 levels by 2017. Ms. Singa reported on steps to compliance, what commercial properties need to do, bicycle access plans and exception forms to complete, and outreach and communications activities. For additional information visit the website <http://www.sfenvironment.org/bikeaccess>.

Commissioner Stephenson requested information on how to report non-compliance. Ms. Singa reported on the anonymous tenant complaint form located on the website. Commissioner Josefowitz inquired whether there could be resources allocated to additional promotions through Facebook, Twitter, or additional newsfeeds in order to have a better impact. Deputy Director Assmann reported that resources are not always available to do as much outreach as needed in some program areas and discussed developing a more integrated outreach campaign through all Department programs and campaigns. Policy and Communications Director Guillermo Rodriguez reported that the Outreach team tracks and reviews the Department's social media campaigns, is experimenting with paid social media campaigns, and evaluating best practices. Commissioner Josefowitz inquired if City resources are available to help departments think through social media outreach. Mr. Rodriguez reported that departments come together on a once-a-month basis to share best practices to better leverage each other's activities and reach a broader audience in San Francisco.

5. Review and Approval of the Department and Commission on the Environment's 2013 Annual Report. (Explanatory Document: 2013 Department and Commission Annual Report Draft) Sponsors: Commissioner Johanna Wald and Melanie Nutter, Director; Speakers: Commissioner Johanna Wald and Director Nutter (Discussion and Action)

Commissioner Wald reported on the process that was taken to develop the Commission's Annual Report section and the requirement that the Department and Commission file a report with the Mayor's Office on an annual basis explaining the benefits and value that the Department and Commission have added. Director Nutter reported on the Department's section highlighting new areas and accomplishments for the Department's Biodiversity program, Adaptation and Smart

Cities, America's Cup, and Eco Districts. Staff was congratulated for their work on the report. Commissioner Gravanis suggested that less ink be used for future reports. She stated that the report is a wonderful tool for the public to become aware of how much the Department is doing and asked if there is a way to track how many people have read the report on the website. Commission President Arce discussed the popularity of the Zero Waste Textile Initiative event and the 75,000 Facebook views just for that event as an example of how social media can help with outreach efforts. No action was taken on this item.

6. Review and Approval of Commission on the Environment Draft Resolution File No. 2014-03-COE Expressing Thanks to and Recognition of Director Melanie Nutter For Her Years of Service to the Department and Commission of the Environment. (Explanatory Document: Draft Resolution)
Sponsor and Speaker: Commission President Joshua Arce (Discussion and Action)

Commissioners commended and thanked Director Nutter for her service to the City and County of San Francisco and to the environment. Commission Secretary Fish read the Resolution into the record. Commissioner Josefowitz proposed an amendment on page 4, line 6 after "contributions to the City and County of San Francisco", to add "and to the environment" to reflect Director Nutter's work as an ambassador to this effort and set an example for other jurisdictions. Commissioners Wald and Arce commended Director Nutter for her work moving to and creating a new LEED office space for the Department. Upon Motion by Commissioner Gravanis, second by Commissioner Stephenson, the Resolution was amended with the proposed amendment by Commissioner Josefowitz (AYES: Commissioners Arce, Gravanis, Josefowitz, Stephenson, Wald and Wan; Absent: Commissioner King).

Director Nutter thanked the Commission, Deputy Director Assmann, former Mayor Gavin Newsom, Mayor Lee, and Department of the Environment staff for their work that resulted in being named the 'Greenest City in North America' stating that she looks forward to continuing to support San Francisco as a sustainable city. She spoke of the honor working as a Director for the Department and the fantastic position the Department is in to build on all of the successes in the Resolution and in the Annual Report. Commissioner Arce presented Director Nutter with a proclamation from the Mayor of San Francisco, Edwin M. Lee.

Public Comment: Climate Action Coordinator Calla Ostrander thanked Director Nutter for being a champion of the environment and stated that she hopes it is something she takes with her wherever she goes next.

Upon Motion by Commissioner Wald, second by Commissioner Wan, Resolution 003-14-COE was approved with amendments without objection (AYES: Commissioners Arce, Gravanis, Josefowitz, Stephenson, Wald and Wan; Absent: Commissioner King).

7. Nomination and Election of Commission on the Environment Officers. (Discussion and Action)

Commissioner Wald nominated Commissioner Arce for a second term as Commission President seconded by Commissioner Stevenson. Commissioner Arce accepted the nomination and was elected as President (AYES: Commissioners Arce, Gravanis, Josefowitz, Stephenson, Wald and Wan; Absent: Commissioner King). Commissioner Gravanis nominated Commissioner King for a second term as Vice President, seconded by Commissioner Wald. Commissioner Arce reported

that Commissioner King indicated that he would be willing to serve as Vice President. Commissioner King was elected Vice President (AYES: Commissioners Arce, Gravanis, Josefowitz, Stephenson, Wald and Wan; Absent: Commissioner King).

8. **Review and Approval of Commission on the Environment Resolution File No. 2014-01-COE to support Supervisor Chiu's Proposed Ordinance amending the Environment Code to restrict the sale or distribution on City property of drinking water in plastic bottles of 21 ounces or less, set City policy to increase the availability of drinking water in public areas, and bar the use of City funds to purchase bottled water.** (Explanatory Documents: Draft and Approved Resolution, Ordinance Bottled Water – Environment Code; Legislative Digest; and Fact Sheet) Sponsors: Commissioners Wald and Gravanis; Speaker: Guillermo Rodriguez, Policy and Communications Director (Discussion and Action)

Policy and Communications Director Guillermo Rodriguez reported that the Resolution before the Commission was debated and amended before the Policy Committee. The Ordinance has since been endorsed by the Sierra Club and is going before the Small Business Commission. The Department is reaching out to event organizers to provide more information, explain provisions, gather feedback and address concerns or issues. Commissioner Wald reported that she is planning to schedule a meeting with Supervisor Chiu to propose improvements to the Ordinance as discussed by the Policy Committee and members of the public.

Public Comment:

Ms. Kate Krebs, San Francisco resident and environmental strategy consultant reported that she had moved to San Francisco from Washington D.C. because of the vision and sustainable initiatives developed here. She discussed her work with the Climate Group and its members including beverage companies. Ms. Krebs reported that she is unable to identify whether the policy is about bottled water, the good quality of water in San Francisco, or about plastics use and waste. She stated that because the City has an 80 percent diversion rate, she does not understand why there would be millions of bottles thrown away and suggested that a waste composition study be prepared to identify the type of plastic bottles being thrown away. Ms. Krebs stated that if there is a concern with recycling, that the focus should be on public waste recycling and making sure that throughout the city there is a good waste and recycling infrastructure. If it is about water, then a different strategy should be developed to change behavior. Ms. Krebs suggested that a strategy or plan be developed detailing cost factors and how the City plans to build out a hydration system in the public space.

Ms. Ilyse Magi discussed the ambiguity in the Ordinance language in the use of term "reusable" and what term to use. She expressed her concern that thick bags are now being used instead of plastic bags, and does not want to see the same thing happen with bottles. Ms. Magi spoke in support of the ordinance because it is source reduction. She stated that recycling is still waste and that it is important to not use the product in the first place instead of reusing the product.

Commissioner Gravanis stated that discussions will be held with Supervisor Chiu's Office about strengthening the Ordinance, and that it is a first step in a long process. She stated that this Ordinance only applies to City property, that there are many exemptions that can be granted, and over the next five to ten years she hopes it will apply to a much wider range. Commissioner

Gravanis pointed out that a ban without an available supply of water cannot be enforced, and that public health and hydration remain important.

Upon Motion by Commissioner Stephenson, second by Commissioner Gravanis Resolution 001-14-COE was approved without objection (AYES: Commissioners Arce, Gravanis, Josefowitz, Stephenson, Wald and Wan; Absent: Commissioner King).

Upon Motion by Commissioner Josefowitz, second by Commissioner Wald, Item 9 was moved after Item 13 (AYES: Commissioners Arce, Gravanis, Josefowitz, Stephenson, Wald and Wan; Absent: Commissioner King).

Item 9 was heard after Item 13.

9. Department of the Environment Director Search Process and Candidate Qualifications. Sponsor and Speaker: Commissioner Joshua Arce (Discussion)

Commissioner Arce reported on the selection process for a search firm and what their role would be in a national search for a Director. He reported that meetings would be held between the selected search firm Alliance and Commissioners to discuss Director-qualifications, and that the Commission would help in the selection of finalists to recommend to the Mayor. The application process would be open from the first week of February through the end of February. There would be a Search Committee consisting of two Commissioners, the Deputy Director, and two Advisory Members who have insight about the Department and the process.

Deputy Director Assmann reported on the timeline, recruitment and process for selection. He stated that finalists would be selected at the March 25th Commission meeting on March 25th to then forward to the Mayor on March 26th with the intent of having the Mayor make a selection in early April so that a Director can be on board no later than Earth Day this year. Surveys have been issued to staff requesting their input on qualifications and will be shared with the Search Committee, the Search firm, the Commission, and with the successful candidate. Commissioner Arce reported that Deputy Director Assmann will be the Acting Director and will help with the transition and train his successor as Deputy because he will be retiring at the end of June. Deputy Director Assmann reported that a search for the Deputy Director will begin concurrently with the search for the Director so that when the new Director comes on board he will have a group of candidates to choose from. A discussion was held on strategies for the candidate application, screening and interview process by the Search Committee and Commission. Commissioner Josefowitz suggested requesting input from the Mayor and City departments on candidate qualifications. Commissioner Arce suggested holding an Ad Hoc Search Committee community meeting requesting feedback from the community on director qualifications.

Commissioner Wald left the meeting at 8:05 p.m.

Commissioner Gravanis left the meeting at 8:12 p.m. and quorum was lost.

10. Briefing on the Previous Year's Implementation of the Healthy Air and Clean Transportation Ordinance. (Explanatory Document: Presentation) Sponsors: Commissioners Ruth Gravanis and Nicholas Josefowitz; Speakers: Robert Hayden, Manager of CommuteSmart and Clean Vehicle

Programs and William Zeller, Senior Clean Vehicle Program Coordinator (Informational Report and Discussion)

CommuteSmart and Clean Vehicle Programs Manager Robert Hayden reported that the Healthy Air and Clean Transportation Ordinance (HACTO) and similar ordinances have been in effect since the early 1990's and have been the policy tool that the City follows for greening its vehicles. In 2010, significant amendments were made to the Ordinance adding components on transit first and fleet reduction. HACTO was established by the Board of Supervisors and applies to light duty vehicles within the fleet and does not include public safety and emergency vehicles. The Department of the Environment has the primary responsibility for implementation of the Ordinance. The main components of the Ordinance include (1) transit first plans by all City departments; (2) 20 percent fleet reduction over four years for vehicles that apply to the Ordinance; and (3) green vehicle purchasing requirements. Mr. Hayden reported on City department plans, programs established, and requirements for fleet reduction and green vehicle purchases to help meet the requirements of the Ordinance (reference Presentation).

Commissioner Arce suggested awarding top performing departments with a green vehicle award to highlight their performance and set an example for others. Commissioner Wald suggested creating a publicly available list of green vehicles for city residents. Senior Clean Vehicle Program Coordinator William Zeller reported that Clean Cities has access to data through the Department of Energy websites to help share with the public. He reported on how fleet reduction is measured and tracking mechanisms for the use of City vehicles.

- 11. Review and Approval of Resolution approving the Department of the Environment's Integrated Pest Management 2014 Reduced Risk Pesticide List for City Properties.** (Explanatory Documents: Draft 2014 San Francisco Reduced-Risk Pesticide List; List of Pesticide Exemptions Granted in 2013; Guide to the Reduced Risk Pesticide List, and Draft Resolution File 2014-04-COE) Sponsor: Melanie Nutter, Director; Speaker: Chris Geiger, PhD., Integrated Pest Management Program Manager (10 minutes) and Lisa Wayne, IPM Coordinator, Recreation and Park Department (5 minutes) (Discussion and Action)

Dr. Chris Geiger reported that the Integrated Pest Management Program (IPM) Ordinance was established in 1996 with the intent to completely ban all pesticides which was not feasible. The Ordinance evolved into a list of pesticides that have been screened and determined to be the safest products available and to be used only if safer methods are not available. Dr. Geiger reported that the goal is not only to reduce pesticides because they are sometimes needed, but to minimize environmental and health risks from both pests and pesticide through the use of safer products. He explained that the IPM program revolves around a stakeholder process with City departments that use pesticides and monthly meetings are held. There are many City employees involved with landscape and building maintenance involved in the program. Dr. Geiger provided information on long-term pesticide use trends on City properties, use in natural areas and by the Recreation and Park Department. He described the top ten most hazardous products, trainings/meetings that are held, and program accomplishments. Dr. Geiger reported on categories of products in the 2014 Reduced Risk Pesticide List and summary of changes from the previous year.

Mr. Kevin Woolen, Recreation and Park Department, reported on his background as a pest control advisor, licensed pest control operator, and qualified applicator, and successful natural pesticide control methods that have been implemented on park properties and in natural areas. He reported that the IPM program is a world-wide model for sustainable pest management. Mr. Woolen discussed his commitment for reducing pesticide use, but indicated that there are reasons to use pesticide. He reported on meetings and trainings held on alternate methods of pest control and biodiversity and wildlife in parks.

Public Comment:

Ms. Lurilla Harris spoke in support of the use of goats as a weed control mechanism. Ms. Rupa Bose thanked Dr. Geiger and Mr. Woolen for their work reducing pesticide use and for the openness of the public process at IPM Reduced Risk Pesticide List meetings. She reported on her concern whether it is worth applying pesticides in the natural areas to remove plants that are strongly rooted in the soil and naturally grow there and reported on her concern with the accuracy of the graph numbers because of missing data from the database. She offered her assistance to Dr. Geiger on updating the database.

Upon Motion by Commissioner Josefowitz, second by Commissioner Gravanis, the 2014 Reduced Risk Pesticide List was approved without objection (AYES: Commissioners Arce, Gravanis, Josefowitz, Stephenson, Wald and Wan; Absent: Commissioner King).

12. Review and Recommendation on Updated Climate Action Strategy Priorities for 2014.

(Explanatory Document: Presentation and Climate Action Strategies List) Sponsors: Commissioners Wald, Gravanis and Josefowitz; Speaker: Cal Broomhead, Energy Manager (15 minutes) (Discussion and Possible Action)

Commissioner Wan left the meeting at 7:00 p.m.

Energy Program Manager Cal Broomhead reported that the Climate Action Strategy is scheduled for release and publication on the website in February and an outreach campaign has been prepared. He presented on San Francisco's greenhouse gas emission trends starting from 1990 to 2010 by sector and source. Mr. Broomhead reported that 2010 emission reductions meet and exceed international and state targets particularly in electricity because of the shutdown of the Potrero and Hunters Point power plants in San Francisco. Commissioner Arce reported that reports of asthma occurrences have been reduced as a result. Mr. Broomhead discussed greenhouse gas emission reduction plans by City strategy, electricity sources, and San Francisco's electricity supply by resource type. (Reference Presentation) He stated that the Department sponsors annual Blue Green Awards to highlight City departments that have done well in their climate action activities as presented in their Climate Action Plans.

Commissioner Josefowitz inquired about differences between Transportation Demand Management and Mode Shift programs. Climate Action Coordinator Calla Ostrander reported that Transportation Demand Management includes the car pool program, car sharing, commuter-benefits and can include congestion pricing. It includes activities that can be done to lessen the demand for people driving a single-occupancy vehicle or to not drive at all. Mode

Shift covers all the transportation infrastructure actions such as creating bike lanes, more MUNI buses, and better safer streets for pedestrians.

Director Nutter inquired how the current drought would affect the renewable energy mix in 2014 in terms of the hydro-electric profile. Mr. Broomhead reported that statewide there will not be as much hydroelectric power as there is currently and would affect all utilities. Commissioner Wald reported that the Policy Committee at their January meeting started a discussion on developing recommendations of priorities for the Department to pursue among the Climate Action strategies and voted to recommend that the first priority that should be pursued is achieving 100 percent renewable energy. A continued discussion will be held at a future Policy Committee meeting to discuss additional limited priorities to help the Department focus its resources on. Commissioner Arce reported that the Policy Committee issued a letter to the San Francisco Public Utilities Commission stating that the Commission's priority is the 100 percent renewable electricity goal and looks forward to a discussion at a future joint meeting between Commissions. Commissioner Wald thanked Mr. Jason Fried for his attendance at Committee meetings and for encouraging the Committee to take that position. Commissioner Gravanis discussed the importance of the prioritization of the 100 percent renewable energy goal, including implementation of some form of Community Choice Aggregation.

Public Comment: Mr. Jason Fried, Local Agency Formation Commission staff, speaking on behalf of Supervisor Avalos, stated that the Supervisor at today's Board of Supervisors meeting introduced a hearing request to find out why the Climate Action Strategies report has not been issued and is not a public document for review. Mr. Fried suggested adding to SFPUC discussions a recommendation that SFPUC apply for \$8 million in available energy efficiency funds through the state so that the Department of the Environment can start a pilot Community Choice Aggregation program to help meet the energy efficiency goal. He suggested that SFPUC be encouraged to hold a discussion on the feasibility of selling energy to BART. Mr. Fried stated that electric vehicles are cleaner than fossil fuel, but they are only as clean as the electricity that provides it to them so getting to 100 percent renewable electricity is important.

Director Nutter left the meeting at 7:40 p.m.

13. Public Notice of 2014 Subscription and Renewal of Commission on the Environment and Committee Notices and Agendas as required by the Commission on the Environment Bylaws.

(Explanatory Document: Subscription Request Form) Staff Speaker: Monica Fish, Commission Secretary (Presentation Time: 5 minutes) (Information and Discussion)

Commission Secretary Monica Fish reported on the Commission Bylaws requirement that has been met through the notice on this agenda as follows: "A request from a member of the media or public to receive notices, agendas, or agenda packets for Commission or committee meetings must be in writing and specify what the person would like to receive and whether notice by email is preferred. Such requests will be valid until the following January. In January of each year, the Commission will ask each person on the list to re-affirm their desire to stay on the list for another year through a notice on the Commission's January agenda."

Commissioner Wald stated that agenda subscribers can always inform the Commission about subscription additions or changes and suggested that a Bylaws amendment be proposed to

eliminate this requirement in the Bylaws if not required. Deputy City Attorney Thomas Owen will report back on the requirement at a future date.

- 14. Operations Committee Chair's Report.** Highlights of the November 13, 2013 Meeting and Review of the Agenda for the February 12, 2014 Meeting. (Information and Discussion)

The meeting adjourned at 8:12 p.m. due to a loss of quorum, and Items 14-21 were discussion only items.

- 15. Policy Committee Report.** (Information, Discussion and Possible Action)
Chairs Report: Highlights of the October 21 and December 9, 2013 and January 13, 2014 Meetings and review of the Agenda for the February 10, 2014 Meeting to be held at City Hall, Room 421.
- **Report on Commission on the Environment Policy Committee Resolution 001-14-Policy in Support of Proposed San Francisco Municipal Transportation Agency (SFMTA) Commuter Shuttle Policy and Pilot Program.** (Explanatory Document: Resolution) (Discussion and Possible Action)
- 16. Commission Secretary's Report.** (Explanatory Document: Commission Secretary's Report and Correspondence Log) (Information and Discussion)
Monica Fish, Commission Secretary
- **Communications and Correspondence**
 - **Update on City Legislation**
- 17. Director's Report.** Updates on Department of the Environment administrative and programmatic operations relating to Budget Planning, Strategic Planning, Clean Air/Transportation, Climate, Energy, Public Outreach and Education, Environmental Justice, Habitat Restoration, Green Building, Zero Waste, Toxics Reduction, and Urban Forestry. (Explanatory Document: Director's Report) (Information and Discussion). Speaker: Melanie Nutter, Director
- 18. Announcements.** (Information and Discussion)
- 19. President's Announcements.** (Information and Discussion)
- 20. New Business/Future Agenda Items.** (Information, Discussion and Possible Action)
- 21. Public Comments:** Members of the public may address the Commission on matters that are within the Commission's jurisdiction and are not on today's agenda.
- 22. Adjournment.** The Commission on the Environment meeting adjourned at 8:12 p.m. due to a loss of quorum at Agenda Item 14. Discussions adjourned at 8:30 p.m.

*** Copies of explanatory documents are available at (1) the Commission's office, 1455 Market Street, Suite 1200, San Francisco, CA 94102 between the hours of 9 a.m. and 5 p.m. A photo I.D. is required for entry to the building, (2) on the Commission's meeting website at <http://www.sfenvironment.org/commission/agendas> included with minutes by meeting date; (3) upon request to the Commission Secretary, at telephone number 415-355-3709, or via e-mail at Monica.Fish@sfgov.org. For an audio recording of Commission meetings, access this link <http://www.sfenvironment.org/commission/audio> and select the meeting date.*

The next Regular Meeting of the Commission on the Environment is scheduled for Tuesday, March 25, 2014, 5:00 p.m. at City Hall, Room 416.