



SF Environment

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EDWIN M. LEE
Mayor

MELANIE NUTTER
Director

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

***RESCHEDULED MEETING
APPROVED MINUTES**

**THURSDAY, SEPTEMBER 20, 2012, 5:00 P.M.
CITY HALL, ROOM 408, SAN FRANCISCO, CA 94102**

***The Tuesday, September 25, 2012, 5:00 p.m. Regularly Scheduled Meeting of the Commission on the Environment that meets at City Hall, Room 416 has been RESCHEDULED to Thursday, September 20, 2012, 5:00 p.m. and will be held in CITY HALL, ROOM 408.**

COMMISSION MEMBERS: Commissioners Matt Tuchow (President), Ruth Gravanis (Vice-President), Joshua Arce, Angelo King, Alan Mok, Heather Stephenson and Johanna Wald

ORDER OF BUSINESS

Public comment will be taken before the Commission takes action on any item.

- 1. Call to Order and Roll Call.** The Commission on the Environment meeting convened at 5:15 p.m. Present: Commissioners Tuchow, Gravanis, Arce, Stephenson (5:25) and Wald. Excused: Commissioners King and Mok.
- 2. Approval of Minutes of the July 24, 2012 Commission on the Environment Meeting and August 23, 2012 Commission on the Environment Retreat Meeting.** (Explanatory Documents: July 24, 2012 and August 23, 2012 Draft Minutes) (Discussion and Action) Upon Motion by Commissioner Gravanis, second by Commissioner Wald, the July 24, 2012 and August 23, 2012 Meeting Minutes were approved without objection (AYES: Commissioners Tuchow, Gravanis, Arce, and Wald; Absent: Commissioners King, Mok and Stephenson).
- 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. Espanola Jackson, Bayview Hunters Point resident, discussed her concerns for the health of residents in Bayview Hunters Point neighborhood in San Francisco because of toxics found in Herons Head Park and other parks and construction sites in the area. She asked the Commission

for their support in addressing these concerns. Ms. Jackson requested information on the diversity and districts of residence of Department staff.

Mr. Eric Brooks, representing the Green Party and Our City, discussed the allegations and revelations of radiation and toxics chemicals found in the Treasure Island development and suggested that more attention be paid to these same issues in the Bayview Hunters Point neighborhood. He stated that he was pleased that some of his concerns were shared in his communication to Department staff about biofuels, but expressed his concern that the Department considers biodiesel superior to petroleum when the information he had provided shows the opposite. He asked the Commission to investigate the response to his communications further.

Deputy Director Assmann reported that the Department maintains an active diversity policy and staff and updates statistics on diversity and gender analyses annually. He stated that Department statistics are close to the City average, and there are efforts being made to recruit and maintain representation from all districts of residence. Commissioner Arce offered to work with Deputy Director Assmann in order to provide statistics to Ms. Jackson.

- 4. Review and Approval of Draft Resolution File 2012-08-COE Amending the Department of the Environment's Record Retention Policy and Schedule.** (Explanatory Documents: Draft Resolution, Draft Amended Record Retention Schedule and Policy) Sponsor: Melanie Nutter, Director; Speaker: David Assmann, Deputy Director (Discussion and Action)

Deputy Director Assmann reported on the proposed amendment to an error contained in the Record Retention Policy and Schedule that states that contracts, grants and payment records should be kept for 20 years instead of 2 years, and to change terminology so that records are not "destroyed" but instead "recycled". A discussion was held on the necessity to shred confidential records before recycling and whether terminology should be changed to state "shredded and recycled." Deputy City Attorney Owen reported that as long as appropriate steps are taken to preserve confidentiality, a reference to recycling is appropriate.

Upon Motion by Commissioner Gravanis, second by Commissioner Arce, Resolution File 2012-08-COE amending the Department of the Environment's Record Retention Policy and Schedule was approved without objection (AYES: Commissioners Tuchow, Gravanis, Arce, Stephenson, and Wald; Absent: Commissioners King and Mok). (Explanatory Document: Approved Resolution 008-12-COE and Amended Record Retention Schedule and Policy)

- 5. Review and Approval of Resolution File 2012-09-COE in Support of Board of Supervisors Resolution and Ordinance Approving the CleanPowerSF Program.** (Explanatory Document: Draft and Final Resolutions) Sponsor: Commissioner Gravanis; Speakers: Commissioner Gravanis, Danielle Murray, Renewable Energy Program Manager and Adam Stern, Climate Manager (Discussion and Action)

Commissioner Gravanis reported that the Policy Committee had adopted climate as one of its four priority goals. After presentations and discussions at the Committee by the Department's Climate staff, San Francisco Public Utilities Commission CleanPowerSF Program Manager, Mike Campbell, and community advocates, and after review of the Department's Strategic Plan goals, it was evident that the City would not meet its goal of 100% renewable energy in time without a Community Choice Aggregation program. The Policy Committee approved a

Resolution in support of the CleanPowerSF program and had forwarded it to the Board of Supervisors in time for their September 18 meeting. The Resolution in support of the program had already passed the Board of Supervisors, but the Committee felt it was important for the Commission to be on record supporting the program. Commissioner Gravanis thanked staff, the SFPUC, and community advocates for all of their work on this program.

Ms. Danielle Murray reported that the Department determined that the City's greenhouse gas reduction goals and 100% renewable energy goals could not be met without a robust green power purchasing option such as the Community Choice Aggregation program. She reported that CleanPowerSF was approved by the Board of Supervisors with an 8-3 vote with amendments instructing the SFPUC to look for funding mechanisms to further reduce rates for low-income customers that receive discounts on electricity rates, to put in place longer opt-out periods for everyone, and reduce opt-out rates for low-income customers. The SFPUC was also directed to research opportunities to recover reserve funds from ratepayers in the program over time in order to reduce capital the City is putting into escrow. The Ordinance approving the Shell contract that would put the program in place was passed on first reading and would be before the Board for a second reading on September 25.

Commissioners discussed amendments to the Resolution and after public comment took the following action:

Upon Motion by Commissioner Arce, second by Commissioner Wald the following amendments were approved without objection (AYES: Commissioners Tuchow, Gravanis, Arce, Stephenson, and Wald; Absent: Commissioners King and Mok).

To add paragraph: WHEREAS, In 2008, the San Francisco Board of Supervisors passed Ordinance 81-08: Climate Change Goals and Action Plan Ordinance, which codified these greenhouse gas reduction targets in Chapter 9 of the Environment Code and called for the San Francisco Public Utilities Commission, in coordination with the Department of the Environment to develop a plan to achieve a fossil fuel-free electricity supply for the city by 2030; and,

To revise paragraph to read: WHEREAS, Local renewable energy production and procurement offers the largest single opportunity to reduce community wide greenhouse gas emissions, and the Commission has adopted a goal of meeting 100% of the City's electricity demand with renewables in the shortest amount of time that is technically and economically possible; and,

To revise paragraph to read: WHEREAS, The Renewable Energy Task Force, staffed by the Department of the Environment and the Mayor's Office, has determined in its meetings that the goal of 100% renewable power cannot be met without green power purchasing options; and,

Upon Motion by Commissioner Wald, second by Commissioner Gravanis, the following amendment was approved without objection.

To revise paragraph to read: WHEREAS, the full Commission on the Environment did not meet prior to the Board of Supervisors' public hearing on and approval of the CleanPowerSF measures and the Policy Committee who met on September 10, 2012 has endorsed support and forwarded its recommendation to the Board of Supervisors; therefore, be it,

To add paragraph: FURTHER RESOLVED, That the San Francisco Commission on the Environment urges the Department of the Environment to partner with the San Francisco Public Utilities Commission to create a comprehensive education and outreach plan and effort to ensure broad understanding of and broad participation in the program.

Resolution File 2012-009-COE was approved with amendments (Explanatory Document: Resolution 009-12-COE).

Public Comment:

Mr. Eric Brooks commended staff for their work in showing the importance of and moving the program forward. He suggested on the proposed amendments to the Resolution (1) that the proposed sentence that reads "Local renewable energy production and procurement offers the largest single opportunity to reduce community wide greenhouse gas emissions" be changed to state "community wide and global"; (2) to urge the Mayor to sign the legislation into law; and (3) to urge the SFPUC to ensure that the startup and build-out of the program occurs at one time because there is an extensive amount of work to prepare for a local build-out of renewables and efficiencies as described in the original 2007 ordinance that started this program.

Mr. Brooks stated that on the Further Resolved clause of the proposed amendment, that he supports the Department of the Environment playing a proactive and educational role and discussed outreach mechanisms in place at the SFPUC to offer customers shares in the program. He suggested that the sentence in that clause that reads "...comprehensive plan..." be changed to "comprehensive plan and effort". Mr. Brooks discussed problems that may be associated with the opt-in option because of the risk of not securing enough customers, and the need to educate people on the benefits of the program so they can make an informed choice before opting out.

Ms. Espanola Jackson discussed the cost benefits that she had achieved in electricity savings from the installation of solar in her residence and inquired whether the City was offering a program to change gas systems to electrical. Ms. Murray reported that she was referring to greenhouse gas emissions rather than natural gas in homes and is unaware of a program to switch out gas systems to electric in homes.

Mr. Jason Elliott, Mayor's Office, reported that the Mayor has expressed support for the goals of greening San Francisco's energy use and clean energy goals. He reported that the Resolution passed its only reading at the Board of Supervisors on Tuesday, September 18, and the Ordinance will be before the Board for second reading on September 25. The Mayor was encouraged that the Board considered amendments to exempt low-income customers and seniors on a fixed income and was supportive of the amendment to move the liability in bills to customers who participate in the program. Mr. Elliott discussed the Mayor's support of the amendment that was not successful to include a legal voluntary signup program as a companion to the potential opt-out program. It was hoped that the Department of the Environment could be involved in an aggressive outreach campaign to sign customers up for the program.

Ms. Danielle Murray stated that the Department of the Environment and Environment Now staff would be able to encourage and educate people on their options and make them aware of climate and renewable energy goals as well as discuss opt-out options particularly for residents and businesses that see it as a financial challenge.

6. Overview of 2012 Green & Blue Awards and Review and Approval of Commission Letter of Congratulations to Award Recipients. (Explanatory Document: Letter of Congratulations)

Sponsor: Melanie Nutter, Director; Speaker: Calla Ostrander, Climate Action Coordinator (Discussion and Action)

Ms. Ostrander reported that the intent of the congratulatory letter is for the Commission to congratulate recipients of the Green and Blue Awards on their work in sustainability planning. City departments write their internal Climate Action plans for their municipal operations, and the Department of the Environment works with departments to achieve goals. The letters are customized for each department depending on the award that was won. She reported that information on the Green and Blue Awards program and Department Climate Action plans can be found on the Department's website.

Commissioner Wald commended the program concept and suggested revisions so that it is more about the achievements of the award winner and includes a statement that the Department looks forward to working together next year as the Strategic Plan is revised and will continue to need their leadership to achieve goals. Upon Motion by Commissioner Wald, second by Commissioner Arce, the letter was approved with amendments (AYES: Commissioners Tuchow, Gravanis, Arce, Stephenson, and Wald; Absent: Commissioners King and Mok).

- 7. Review and Approval of Draft Resolution File 2012-10-COE Endorsing Department of the Environment Grant Funding Recommendations for the Urban Orchards Program to Plant Trees.** (Explanatory Documents: Draft Resolution File 2012-10-COE and Urban Orchards Program Funding Recommendations) Sponsor: Melanie Nutter, Director; Speaker: Calla Ostrander for Mei Ling Hui, Urban Forestry Council Coordinator (Discussion and Action)

Ms. Ostrander, Carbon Fund Program Manager, reported that Friends of the Urban Forest was selected in response to a Request for Proposal (RFP) for the Urban Orchards program to plant 200 fruit trees, many of which will be planted in San Francisco Unified School District property, Recreation and Park Department community gardens, and front yards of individuals who are willing to make the fruit accessible to the public for public consumption. Ms. Ostrander reported that calculations on carbon reduction and environmental benefits from this project were based on state protocols. She stated that the project is a good example of enhancing the beauty and food security of the city while engaging and investing in carbon reductions and other environmental benefits such as storm-water mitigation and criteria-pollutant mitigation.

Commissioner Gravanis suggested maximizing the planting of trees on school property because of the educational opportunities and harvesting and maintenance programs that would result. She expressed her concern about planting trees in front yards due to consequences that would result as ownership changes over time and maintenance considerations. She discussed the potential problems and benefits of fruit trees for native bird species and suggested consulting an ornithologist when making tree selections. Commissioner Arce inquired about the total allocation in the fund. Ms. Ostrander reported that \$30,000 has been allocated to this project, and that an update would be provided to the Policy Committee on the financial status of the fund and future project types for recommendation. Deputy Director Assmann reported that there is \$200,000 in the fund.

Upon Motion by Commissioner Gravanis, second by Commissioner Stephenson, Resolution File 2012-10-COE was approved without objection (AYES: Commissioners Tuchow, Gravanis, Arce,

Stephenson, and Wald; Absent: Commissioners King and Mok) (Explanatory Document: Resolution 001-12-COE).

8. Review and Approval of Draft Resolution File 2012-05-COE Supporting the U.S. Environmental Protection Agency's Use of the Clean Air Act to Reduce Carbon in our Atmosphere. (Explanatory Document: Draft Resolution) Sponsor: Commissioner Wald; Speaker: Commissioner Wald (Discussion and Action)

Commissioner Wald reported that this Resolution was recommended to the Commission by the Center for Biological Diversity who has campaigned for cities around the country to support the efforts of the Environmental Protection Agency (EPA) in reducing carbon in our atmosphere under the Clean Air Act. She spoke of the critical nature in the timing and the importance of the Commission's and San Francisco's participation in the campaign to reduce carbon in the atmosphere. Commissioners Arce, Stephenson and Tuchow discussed changing the Resolution to support the efforts of the EPA in reducing greenhouse gas emissions instead of efforts of the EPA administrator by name. Commissioner Wald spoke of the importance to single out the administrator for her leadership and efforts.

Public Comment:

Ms. Rose Braz, Climate Campaign Director, Center for Biological Diversity, reported that San Francisco would be joining thirty-six other cities to express support through the Resolution for the EPA to curb greenhouse gas emissions through the use of the Clean Air Act and asked that the Resolution be sent directly to the EPA Administrator. Ms. Braz reported that she is speaking to Supervisors Chiu and Kim who have expressed interest in sponsorship of a Resolution to the Board of Supervisors, and the Commission's passage would help advance the initiative.

Ms. Fish announced that public comment from Mr. David Gavrich is included in the Commission's packet on this agenda topic.

Ms. Eric Smith, San Francisco Bay Railroad, representing Mr. David Gavrich, spoke in reference to Mr. Gavrich's public correspondence recommending the City's use of rail versus truck in the delivery of goods as a way to reduce greenhouse gas emissions and help solve environmental justice issues from truck emissions in the Bayview Hunters Point neighborhood. He stated that the San Francisco Bay Railroad has worked with the San Francisco Port in delivering 120 cars by rail for the America's Cup event. He presented a comparison chart on CO2 emission and fuel savings achieved by using rail versus trucks in transport. Mr. Smith spoke in support of the Clean Air Act Resolution and discussed his efforts to prepare a similar Resolution directed to the City Administrator to state a preference for the use of rail in transportation of goods. He asked that the Commission consider adopting a Resolution with this policy directive. Commissioner Arce offered to work with Mr. Smith on a Resolution to bring to the Policy Committee. (Explanatory Document: Public Correspondence)

Ms. Calla Ostrander reported that the City and County of San Francisco does not currently track the emissions footprint of goods movement from within our borders, but it will be a focus in the future. There is a study that looks at greenhouse gas emissions associated with our consumption, which is about five times higher than the regular greenhouse gas emissions footprint. She reported that transportation of goods accounts for only about seven percent of emissions. The

energy intensive nature of our economy and production of products is where the most emissions are.

Commissioner Gravanis commended the effort by San Francisco Bay Rail in transporting goods by rail for the America's Cup event and removing waste from the Hunter's Point power plant. She suggested that the City produce language in its RFPs and give a preference when evaluating bids to those that consider reducing greenhouse gas emissions as part of proposals. Upon Motion by Commissioner Gravanis, second by Commissioner Arce, Resolution File 2012-05-COE was approved without objection (AYES: Commissioners Tuchow, Gravanis, Arce, Stephenson, and Wald; Absent: Commissioners King and Mok) (Explanatory Document Resolution 005-12-COE).

9. Review and Approval of Draft Resolution File 2012-06-COE Supporting the Proposed Expansion of the Monterey Bay National Marine Sanctuary to the Golden Gate Bridge and into San Francisco Bay. (Explanatory Document: Draft Resolution) Sponsor and Speaker: Commissioner Gravanis (Discussion and Action)

Commissioner Gravanis reported that when the Monterey Bay National Marine Sanctuary was created in 1992, there was an area near the Golden Gate Bridge that was excluded from the sanctuary because there were (1) sewage treatment problems from the sewage plant going into those waters; (2) a large amount of boat traffic in the area, and (3) potential pollutants from dredge spoils that were being deposited in that area. She reported that these issues are no longer a concern because (1) the sewage has been cleaned up with no violations issued in 17 years, (2) vessel traffic has been rerouted so as not to impact the area, and (3) only clean dredge materials are in use to replenish the beach. These waters have also attracted a greater abundance of wildlife than in the past. The National Oceanic and Atmospheric Administration (NOAA) proposed that the boundaries be expanded to include the exclusion zone. There will be a process for scoping, public comment and an Environmental Impact Report. This Resolution is to support NOAA's proposal to expand the sanctuary and to request that they consider the possibility of moving the boundaries into San Francisco Bay because of the abundance of wildlife in this area.

Upon Motion by Commissioner Arce, second by Commissioner Stephenson, Resolution File 2012-06-COE was approved without objection (AYES: Commissioners Tuchow, Gravanis, Arce, Stephenson, and Wald; Absent: Commissioners King and Mok) (Explanatory Document: Resolution 006-12-COE)

10. Review and Approval of Draft Resolution File 2012-07-COE Amending the Commission on the Environment Bylaws to change the Operations Committee meeting schedule and location and Committee membership appointment process. (Explanatory Document: Draft Resolution) Sponsor and Speaker: Commission President Matt Tuchow (Discussion and Action)

Commission President Tuchow reported that this Resolution was a result of discussion at the Commission retreat that would allow for a Committee temporary membership appointment process for the purpose of reaching a quorum and to change the Operations Committee meeting schedule to coincide with the budget process. Upon Motion by Commissioner Gravanis, second by Commissioner Arce, Resolution File 2012-07-COE was approved without objection (AYES: Commissioners Tuchow, Gravanis, Arce, Stephenson, and Wald; Absent: Commissioners King and Mok) (Explanatory Document: Resolution 007-12-COE)

11. Operations Committee Chair's Report. (Information and Discussion) Commissioner Stephenson reported there has not been a meeting held since the July Commission meeting.

12. Policy Committee Report. (Information and Discussion)

Chairs Report: Highlights of the August 13 and September 10, 2012 meetings and review of the agenda for the October 22, 2012 meeting to be held at City Hall, Room 421.

Commissioner Gravanis reported that the Policy Committee at its August meeting was presented with an update by Ms. Jill Savery of the America's Cup Event Authority on sustainability planning for America's Cup, and the Committee continued discussion on identifying action items to achieve selected priority goals. The Committee at the September meeting recommended for Commission approval the three Resolutions approved today on CleanPowerSF, the Marine Sanctuary, and the Clean Air Act and selected Commission and Committee accomplishments for the Annual Report. The October meeting will focus on identifying action items to achieve selected priority goals.

13. Commission Secretary's Report. (Explanatory Document: Commission Secretary's Report) (Information and Discussion)

Monica Fish, Commission Secretary

- **Communications and Correspondence**
- **Update on City Legislation**

Commission Secretary Fish reported on communications and correspondence received and an update on City legislation since the July Commission meeting as stated in the written report. She reported on a quote received from SFGTV for televising Commission meetings and discussions with the SFPUC Commission Secretary to hold a joint meeting on November 27 at 1:30 p.m.

14. 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)

Assistant Director Assmann reported on highlights of the Director's Report:

- A lawsuit that was filed against the Plastic Bag Ordinance by the Plastic Bag Coalition was thrown out last week. The Ordinance will go into effect as scheduled on October 1. Environment Now has outreached to more than 5000 businesses to discuss the Ordinance.
- Building renovations for 1455 Market Street are in progress. The projected Department move-in date is President's Day weekend in February.
- Electric Vehicle week was held last week. Press events were held and information was made available about charging facilities.
- Bills on the Governor's desk that could potentially have large implications for the City for allocation of cap and trade funds. Department has been actively engaged in working with a consortium of local governments to advocate for funds for local government and to help determine what kind of projects could potentially receive funding.
- Landfill disposal figures have decreased in calendar year 2011 to 428,910 tons, the smallest amount for four consecutive years.

- Department has set up 13,000 of 15,000 commercial accounts in San Francisco for composting in buildings and working on the last 2000.
- Toxics Reduction program is working on a medicine take back program resulting in 6500 lbs. of unwanted or expired medicine dropped off at drop-off sites.
- The Environmental Justice program has received a \$400,000 grant to conduct brownfields assessment work in the southeast part of the city and is working with the City's Integrated Pest Management contractor to provide IPM training for San Francisco Housing Authority staff.

Commissioner Arce inquired about topics that could be selected for a SFPUC joint meeting and suggested working together to discuss funding for GoSolarSF. Deputy Director Assmann suggested additional topics for discussion on issues that the SFPUC and Department works together on such as school education, energy, water conservation outreach, and climate.

15. Announcements. (Information and Discussion) There were no announcements made at this time.

16. President's Announcements. (Information and Discussion) Commission President Tuchow asked Commissioners to forward him requests for agenda topics for future meetings.

17. New Business/Future Agenda Items. (Information, Discussion and Possible Action) Commissioner Arce reported that he would share ideas for holding in-community meetings with the Director and Commission based on his participation in a committee that holds such meetings. He discussed the need to identify outreach strategies, a neighborhood-based initiative, and timeline, and the potential for holding a joint neighborhood meeting with the SFPUC.

18. 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. There were no members of the public present at this time.

19. Adjournment. The Commission on the Environment meeting adjourned at 7:15 p.m.

Respectfully submitted by
Monica Fish, Commission Secretary
TEL: (415) 355-3709; FAX: (415) 554-6393

*** Copies of explanatory documents are available at (1) the Commission's office, 11 Grove Street, San Francisco, California between the hours of 9 a.m. and 5 p.m., (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.*

Approved: November 27, 2012