

CONSERVATION ADVISORY COMMISSION
MINUTES

June 14, 2022

MEETING CONVENED: 7:03 p.m. Council Chambers/Teams Meeting Hybrid

MEMBERS PRESENT: Co-chair Helga Huntley (Presiding), Chair Sheila Smith, Beth Chajes, Andrew O'Donnell, John Mateyko, Mikayla Rypkema

STAFF: Jeff Martindale, Chief Purchasing & Personnel Officer
Renee Bensley, Deputy Director of Planning & Development
Michael Fortner, Planner II
Nichol Scheld, Deputy City Secretary
Philip Machado, Administrative Professional I

Dr. Huntley called the meeting to order at 7:03 p.m.

1. APPROVAL OF MINUTES FROM APRIL 12, 2022:

MOTION BY MR. O'DONNELL, SECONDED BY DR. HUNTLEY: TO APPROVE THE APRIL 12, 2022 MINUTES.

MOTION PASSED. VOTE 6 TO 0.

AYE: HUNTLEY, CHAJES, O'DONNELL, SMITH, MATEYKO, RYPKEMA.
NAY: 0.

2. PUBLIC COMMENT:

Amy Roe, District 4, claimed that the Delaware Municipal Electric Corporation (DEMEC), from where the City purchased its power, had been actively lobbying against SB305 in the General Assembly, which set climate targets and goals. She hoped that the Commission could discuss the issue and provide an opinion. She continued that DEMEC had a track record of opposing environmental legislation and shared that DEMEC opposed the original renewable portfolio standard and sourced large scale hydroelectric power as part of the City's voluntary Green Energy Subscription Program that did not meet the State's criteria for renewable energy. She stated that DEMEC was now opposing the State taking targets for climate change which were costs that the municipality would have to pay for in the future. She assumed that DEMEC was opposing greenhouse gas (GHG) reductions for the protection of its natural gas contracts and fossil fuel assets. She reiterated her hope that the Commission would engage in discussion on what steps could be taken so the City could clarify its position on climate change.

Dr. Huntley asked what objections DEMEC offered for the bill. Ms. Roe admitted that she had not seen the formal comments but noted that DEMEC was objecting to the timeline as far as not being able to review the bill. She declared that DEMEC had the same amount of time to review the bill as anyone and were the leading utility company and opposition to the reductions. Dr. Huntley referred to Ms. Roe's statement and asked if there were any other utilities that were in the position. Ms. Roe said that she was unaware of any other entity taking a stance similar to DEMEC's and stated that she was both startled and alarmed that

the utility company representing the City was such a strong opponent to GHG emissions reductions.

Mr. Mateyko asked if there was a specific timeline in the legislation for the cessation of gas line hookups or for the sale of gas-fired appliances in Delaware. Ms. Roe offered to share the bill but noted that it did not drill down into specific items, rather, it addressed the need to set a plan for addressing specific targets that were more general. Mr. O'Donnell asked that Ms. Roe forward the email to the City Secretary's Office for distribution; the Commission would review the resources. Ms. Roe admitted the bill was a fast-moving item because the hearing was on Thursday, and it had already passed the Senate. Mr. O'Donnell believed that the issue might be outside of the Commission's scope with the City because it did not consider State business but suggested that Commissioners could write their representatives to get involved at the State level. Ms. Roe would forward the bill to the City Secretary.

Dr. Huntley believed the timeline was too tight for the Commission to address SB305 because its role would be to advise City Council to act, and the Council would not be able to meet before the bill was voted on; she appreciated Ms. Roe bringing her concerns and agreed it was in the Commission's purview to discuss how to ensure that the City was able to pursue its sustainability goals with or without DEMEC. She wanted to ensure that the City's continued partnership with DEMEC represented the City's interests.

Ms. Chajes would comment on the bill under "New Business".

3. COMPREHENSIVE PLAN UPDATE – MICHAEL FORTNER AND RENEE BENSLEY

Michael Fortner presented the Comprehensive Plan V 2.0 (Comp Plan) review which served as a blueprint for the City's vision for short-term and long-term goals in terms of rational land use and development. The plan included information pertaining to the Commission in multiple chapters including Environmental Quality, Transportation, Housing, Parks and Open Space, Economic Development, and Land Use; all of which considered sustainability practices. He informed that the Comp Plan was adopted in 2017 and 2022 marked the 5-year plan to review. At the 10-year mark, staff would perform an update to overhaul the Comp Plan's content with information gathered in prior years; its maps, charts, tables, goals, and action items would be updated to determine if progress had been made. Mr. Fortner informed that everything highlighted in blue or yellow in the Commission's packets were entries that were added to the Comp Plan. When it was presented to the Office of State Planning, they had asked if the round of revisions would be considered an update, not required to happen again for 10 years. The City declined, stating they wanted to return in five years to further evaluate and refine the Comp Plan. In, 2020, the Planning Commission developed a plan by establishing a steering committee made up of a broad representation of the community in order to make sure the Comp Plan goals were still relevant. Mr. Fortner likened the process to updating a smartphone; it was still the same phone, just newer and less buggy software. He continued that the steering committee met over the course of a year during the pandemic. The Planning Commission held public hearings in March and April and the Comp Plan would be presented to the Council on June 27th. The Planning Commission performed outreach for the Comp Plan, including presentations to the Diversity and Inclusion Commission, and attempting to meet with the CAC last month. He was not sure if the Council would have the minutes for the meeting on the day of theirs, but he wished for the Commission to attend and voice their opinions when possible. He had hoped that the Council would pass it quickly so the City can move forward and start tackling some of the bigger challenges ahead.

Mr. Fortner informed the Commission that sustainability was first introduced to the Comp Plan in 2016 but sustainability was not in the 2008 version which had seven pages detailing environmental quality

where the 2016 version had three chapters, over 42 pages, dedicated to environmental quality practices. The 2008 version of the Comp Plan had a page and a half dedicated to alternative transportation such as walking, biking, and transit. The 2016 version included a multimodal transportation policy as a central principal of the Comp Plan, in addition to the inclusion of the 2014 Newark Bicycle Plan to land development reviews. The 2016 Comp Plan also created the Transportation Improvement District (TID) which made long range planning for multimodal transportation types, established partnerships for agencies to coordinate transit services, and included a variety of goals and action items to create a community sustainability plan and green building code. He reiterated that much of the blue text in the Plan was due to the newer focus on including sustainability.

Mr. Fortner shared that the Planning Commission listed five of the best sustainability upgrades to come out of the review Number 5 was the incorporation of policy recommendations from the Planning Commission Parking Subcommittee report which came out a few years ago and included reducing the amount of large parking lots because they incentivized people to commute alone in cars instead of walking and bicycling. Number 4 was a progress report on the Newark Transportation Improvement District (TID). The project had been ongoing for three years and was used to review land use to evaluate if transportation enhancements were needed; multimodal transportation solutions were discussed and included in the analysis. Number 3 was the City's Renewable Energy Programs; the Green Newark initiative assisted residents with receiving renewable energy generation for a fee and the City's new solar initiatives had also been steadily increasing. Number 2 was the creation of a section in the Comp Plan focused on climate change. The City recognized that the impact of climate change was a risk to the welfare of the public and the City wished to partner and coordinate with the State to implement their Climate Action Plan. Number 1 was integrating the Newark Community Sustainability Plan which were action items with the Sustainability Plan that had been integrated into the Comp Plan to further iterate the importance of getting those specific action items completed.

Mr. O'Donnell asked if anything from the previous plans were deleted. Mr. Fortner did not believe so but admitted there was quite a bit of revision. Mr. O'Donnell thanked Mr. Fortner for his efforts.

Ms. Rypkema shared that the United Nations had similar sustainability plans and thought that the City was on the right track. Mr. Fortner agreed and stated that he wished to have a plan as comprehensive but had not cited the UN as a source. He pointed that staff cited the Delaware Department of Natural Resources and Environmental Control (DNREC) due to the City having easier access to its staff and resources.

Mr. Mateyko believed that the plan was progress and asked if the new definitions for the TID included anything regarding climate, specifically, if there were any documents or research that would identify what the climate may be in the next 20 years. Mr. Fortner informed that there was a Climate Action Plan that included many projections, but he was not sure about the research involved. Mr. Mateyko suggested that the City should investigate further because the City was legally responsible for the Comp Plan. Dr. Huntley asked Mr. Mateyko if he was asking specifically for the TID, and Mr. Mateyko confirmed. Mr. Fortner did not know if the TID included climate information but believed that DelDOT was looking into if climate change was going to affect the roadways in Newark.

Ms. Smith asked if the State's Climate Action Plan was aligned with the City's Comp Plan. Mr. Fortner believed that it aligned closely, and that State focused a bit more on electric cars than the City and reiterated that the land use policies were aligned with the City's Comp Plan.

Ms. Chajes did not have any questions at the time.

Dr. Huntley then had a couple of questions for Mr. Fortner. She mentioned that the Commission was happy to see the Sustainability Plan incorporated into the Comp Plan and asked if all the goals and action items were in the Comp Plan as well. Mr. Fortner answered that the Plan was referenced in the Code and there were action items taken from the Sustainability Plan. He continued that the Comp Plan referenced the Sustainability Plan, but it was not a complete transfer of policy. Dr. Huntley asked whether the Comp Plan locked in the TID project or if it locked in the idea of a TID. Mr. Fortner explained that the TID was a separate idea and the Comp Plan called for the creation of the TID structure.

Mr. Mateyko then emphasized his concern about the undefined climate projections for the duration of the Comp Plan. He believed that the climate in 20 years would potentially be very different from current projections, and he did not want the City to be locked into certain terms or conditions under the Comp Plan. Mr. Fortner clarified that the Comp Plan gets reviewed every 5 years and if something was deemed to be unfeasible it could be revised or removed at any time. He stated that nothing was definitively locked in as Mr. Mateyko believed. Mr. Mateyko then asked the purpose of a street the City owns near where he lives. He believed it was only about 50% used and stated the City plowed the snow and picked up the leaves. He went on to explain that there were three cars that parked along the roadway but did not understand why the area had not been re-evaluated since its introduction. He referred to a report from Boston regarding its street width and the heat that streets produced. He asked Mr. Fortner if anything similar had been discussed in the City. Mr. Fortner answered that what Mr. Mateyko was speaking of was referred to as Road Diet, the shrinking of roads for efficiency. He then cited Casho Mill Road, where bike lanes and islands were installed. He then stated that some roads were designed too large, and that Road Diet could be a useful tool toward amending the problem. He explained that there were multiple uses for roadways including availability for parking that could eliminate the need for dedicated parking lots. He also mentioned how restaurants in the City took up roadway parking spots to put tables and chairs for guests. Mr. Mateyko elaborated his point by saying that removing asphalt in strips to then plant vegetation would provide shade and green spaces. He reiterated that Boston had attempted the policy and believed that it improves the pedestrian experience.

Dr. Huntley asked if the Road Diet concept was included in the Comp Plan. Mr. Fortner stated that street revision would not necessarily have made it into the Comp Plan but that the TID included many items such as the Road Diet and making roads multimodal. He informed there were no specific action items that investigated roads to see if they could be made narrower and suggested it could be a future initiative brought forward by the Commission although it would be a long process.

4. GREENHOUSE GAS INVENTORY UPDATE – DAVE ATHEY

Dave Athey, AECOM, introduced Joshua Lathan and Vanessa Goh to present the GHG update. Mr. Lathan informed that he was the City Climate Action Plan Lead and the Greenhouse Technical Lead for the project. Ms. Goh stated that she was a Sustainability Consultant with AECOM and assisted with the technical development of the inventory. Mr. Lathan explained that he would present a short project overview, Ms. Goh would present the GHG inventory results for the community-wide and municipal operations inventories, and he would finish with an outline of the next steps that cities took when developing a climate action plan, noting which of the items could potentially be pursued with the remaining inventory budget.

Mr. Lathan explained the initial purpose of the project was to develop a GHG emissions baseline for the community and municipal operations by using 2019 data for both inventories to determine emissions in a non-pandemic year. He noted that using 2019 was important because the City had no pre-pandemic data points to reference. He continued that GHG inventories were developed following an inventory protocol that described what emissions sources should be included in the analysis and how; they tended to evaluate multiple GHG which occurred within the selected inventory boundary, including up to the seven GHG covered within the Kyoto protocol:

- carbon dioxide (CO₂)
- methane (CH₄)
- nitrous oxide (N₂O)
- hydrofluorocarbons (HFCs)
- perfluorocarbons (PFCs)
- sulfur hexafluoride (SF₆)
- nitrogen trifluoride (NF₃)

Mr. Lathan explained that each gas had a different ability to trap heat in the atmosphere, referred to as “global warming potential”; inventories normalized the potential and presented the results in a metric called carbon dioxide equivalents or (CO₂e). He explained that his team followed the global protocol for community scale GHG emissions inventories (GPC) developed by the World Resources Institute (WRI), C40 Cities, and the International Council for Local Environmental Initiatives (ICLEI) which offered a few reporting options based on which emissions were included. He continued that his team followed the GPC basic option which included emissions from stationary energy, transportation, and the waste sector. For the municipal operations inventory, the team followed the GPC’s companion protocol for non-community inventories called the corporate standard, which was also developed by the WRI with assistance from the World Business Council for Sustainable Development. The team used an operational control approach that included emissions that the City could directly impact through operational changes.

Ms. Goh began with the community results and revealed that in 2019, it was estimated that the City generated around 440,000 metric tons of CO₂e community wide. She introduced a chart with total emissions generated by source:

- Electricity – 39%
- Stationary fuels (including natural gas, fuel oil, and propane) - 35% total emissions
- On-road transportation fuels – 19%
- Solid waste, wastewater, off-road vehicles, and equipment – 7%

Ms. Goh reported that total emissions by subsector and the use of stationary energy, such as electricity, natural gas, fuel oil, and propane in the commercial and institutional sectors generated 24% of total emissions, and was closely followed by UD stationary energy consumption at 23%. She continued that on-road transportation was 19%, residential stationary energy was 17%, and the remaining emissions were generated by industrial stationary energy, waste, electricity line loss, and off-road activities. She continued with electricity emissions by end users and revealed that UD was the largest contributor to electricity emissions at 35%, followed by commercial electricity at 31%, residential at 20%, and transmission and distribution line losses at 7%. The remaining emissions were from industrial, municipal, schools, and other institutional customers. She next reported on stationary fuel emissions by source, including natural gas, fuel oil, and propane which generated roughly 35% of total community emissions.

She informed that natural gas contributed 80% of total stationary fuel emissions, followed by fuel oil, fugitive natural gas emissions, and propane. She noted that the team obtained actual fuel consumption for UD and municipal buildings, but Delmarva Power was unable to provide meter data on natural gas consumption or community wide customers. Additionally, the private fuel oil and propane purchases could not be measured directly community-wide, so the team estimated the emission sources at the community level were estimated using different data points such as building areas, number of households, and specific fuel intensities from the Energy Information Administration (EIA).

Ms. Goh informed that for the transportation sector, on-road transportation generated 19% of total community emissions and the on-road vehicle miles traveled were generated by WILMAPCO using the EPA MOVES model and included all transportation within the City's geographic boundaries regardless of the trip's origin or destination. She explained that off-road vehicles and equipment were modeled using the EPA NONROAD tool and generated about 2% of emissions, while commuter rail generated about 0.01% of total community emissions. She continued that for the waste sector, solid waste disposal generated 1% of community-wide missions but pointed that the data only included City-collected and UD waste because data collected by private haulers was unavailable. She pointed that City-collected waste generated about 72% of total solid waste emissions, while UD generated the remaining 28%. She reported that wastewater treatment and effluent generated 4% of total emissions.

Ms. Goh reiterated that the natural gas data was estimated for the inventory and suggested that the City could work with Delmarva Power to obtain future data for its customers. She explained that the VMT data was modeled for all transportation in the City and was only updated every 2 to 3 years. She suggested the City could evaluate other sources for vehicle travel data, including Google Environmental Insights Explorer, which was updated annually. She reminded that there was no private waste hauling data so the City could work with private waste contractors to better understand the quantity of private waste collected in the City.

Ms. Goh progressed to the 2019 Municipal GHG Inventory where municipal operations generated about 4,000 metric tons of CO₂e, or 1% of total community-wide emissions. She reported that electricity consumption generated 66% of total municipal emissions, followed by fleet fuel at 33%. She pointed that natural gas and generator fuel consumption generated less than 2% of total municipal emissions. She reiterated that electricity consumption generated 66% of emissions and the team obtained data from three different sources. She continued that the activity data was obtained from meter readings from DEMEC and Delmarva, but the team had to estimate the street and traffic light kilowatt hour consumption in order to the data in the inventory. She presented a chart with the breakdown of transportation emissions by department and pointed that the transportation sector included emissions from municipal fleet vehicles and off-road vehicles and equipment.

Mr. Lathan presented the Climate Action Plan (CAP) Development Steps for once a city had a base year GHG inventory results:

1. Develop base year GHG inventory - **DONE**
2. Forecast Emissions
3. Establish GHG Reduction Targets
4. Evaluate Target Achievement Scenarios
5. Develop Initial Actions
6. Select and Prioritize Actions
7. Establish Implementation and Monitoring Approach

8. Develop Climate Action Plan
9. Ongoing Community/Stakeholder Engagement
10. Consider Climate Vulnerability and Resilience/Adaptation Opportunities

Mr. Lathan clarified that after the base inventory was established, it was possible to forecast emissions to the long-term target year to understand how they might change under different scenarios. The future emissions level could be compared to the GHG reduction targets to understand and quantify the amount of GHG reductions needed to be produced from the CAP actions. Once the context was obtained, step #4 was helpful in evaluating different GHG target achievement scenarios which focused on the near-term target scenarios (50% below baseline by 2030) while most long-term targets were set for zero carbon or net zero emissions, which could only be obtained through decarbonizing all emission activities in the inventory. Once the preferred GHG reduction scenarios were defined, the City could develop a list of actions that could be implemented to help realize the estimated GHG reductions. He informed that most cities preferred to prioritize from the draft list of actions to identify a short and focused list for immediate implementation or to define phasing for all of the draft actions. He explained that steps #7 and #8 could happen concurrently or in reverse order but there was usually a full CAP document that was developed. He pointed that there was an increase in developing a detailed chapter within the CAP or a companion document that included an implementation approach for the prioritized actions or all of the CAP actions. He informed that step #9 differed from city to city but could happen throughout the entire CAP development process if resident or stakeholder feedback was a continued desire. He described the tenth step as an add-on component to a CAP that some cities included but others did not; climate vulnerability and resilience opportunities could go into their own detailed plan, fit within a CAP at the same level of detail as the GHG mitigation topics, or could be summarized at a high level within the CAP.

Mr. Lathan suggested that the team use some of the remaining budget from the GHG inventory to begin making progress with a combination of steps #2 through #4 by drafting emissions forecasts and evaluating high level GHG reduction pathways. Based on the pathways, the team could recommend or start discussions on GHG reduction targets that a full CAP could evaluate.

Mr. O'Donnell thanked the team for the effort and thought it was the most impactful initiative the Commission could do for the future of the City. He wanted to make sure that the City stayed on track and did not want the inventory to sit idle. He asked how the team would forecast emissions. Mr. Lathan explained that oftentimes, the team would develop a "business as usual" scenario that attempted to describe how emissions would change in the future if no further action was taken to curtail growth. The team would investigate the emissions activities and sources within the community and pick a corresponding growth indicator that was associated with the emissions production to determine a level of development growth associated. The team would then use the compound or average annual growth rates to forecast how the underlying emissions might change. He explained that residential energy consumption in the scenario was usually forecast based on resident population growth and every resident produced a certain number of energy emissions and the same rate was held constant through the future. He continued that multiple scenarios were usually developed during the forecasting process and the next layered on the "business as usual" was an "adjusted business as usual". He reminded that there was a State Renewables Portfolio Standard or Federal CAFE Standards influencing vehicle efficiency performances so City staff could begin to layer some of the estimated, known reduction opportunities in order to obtain a more nuanced and better outlook on what the future might look like if aggressive local action was not taken. He added that the team also began to investigate industry commitments and market trends; there was a move towards electric vehicles and there would be some amount of electric vehicle

uptake within the community by 2050. He emphasized that the closer the City could get to a realistic future view of emissions helped to isolate the places where further action was necessary to achieve decarbonization targets. Mr. O'Donnell deferred to the team's expertise and supported moving forward to the second step. He wanted to approach the issue with a plan of attack and provide the City with proposals to proceed in order.

Mr. Mateyko had no questions.

Ms. Rypkema agreed that the inventory was a good step forward and was enthusiastic about the next move.

Ms. Chajes wondered how the information would be best shared with City Council and Departments and Mr. Lathan informed that there was a digital version that could be shared on the City's website. Ms. Chajes asked if the team would be able to assist the Commission with future presentations. Mr. Athey interjected that the report was still marked as a draft and the team needed to submit a final but wanted to meet with the Commission first. He shared that Mr. Coleman had the report in hand but had not yet offered any comments but emphasized that Mr. Coleman understood that there was a portion of the budget remaining. When Mr. Athey suggested that the team engage the CAC in discussion, Mr. Coleman was in full support and looking for a recommendation. Mr. Athey suggested that the team could present to City Council or hold a more in-depth public meeting.

Ms. Smith asked if the forecasting emissions and establishing GHG targets was within the next steps as a combined or separate effort. Mr. Lathan described the steps as iterative and if a municipality did not have established interim targets, performing the steps simultaneously was helpful because it showed the level of ambition for implementation that was necessary to reduce GHG in a meaningful measure and the corresponding target. He continued that if the City set a target that was wildly out of synch with the community or political appetite, it was less fulfilling to realize that it might not be possible to achieve; setting an ambitious but realistic target tended to be more successful in building support for implementation that would be necessary in the plan. Ms. Smith assumed the remainder of the budget would be used towards establishing the targets and forecasting emissions. Mr. Lathan thought it was possible to do most of steps 2, 3, and 4 but within 4, it was possible to design multiple target achievement scenarios for the interim target. Ms. Smith supported the next steps.

Ms. Smith reminded that the Sustainability Plan indicated that the City would facilitate the establishment of Newark Energy Transition (NET) Commission. She asked how important the Commission be to the next steps. Mr. Lathan doubted NET would be involved in the next steps but might be heavily involved in the fifth step to develop initial actions. He pointed that most of the City was built out already so addressing the existing building stock and continuing emissions would be difficult and take time for implementation. Ms. Smith supported using the remainder of the budget balance towards the next steps.

Dr. Huntley thanked the teams for their efforts and believed it was a good starting point when considering future actions towards climate impacts. She agreed with previous comments that it was in the City's interest to move forward with next steps and that it was also included in the Sustainability Plan. She believed the Commission was in full agreement to recommend to Council that the remaining funds be used towards developing next steps in the CAP. She referred to the difficulty in obtaining gas data from Delmarva and asked how much of an uncertainty was placed on the total estimates. Mr. Lathan shared that he and his colleagues had been doing inventories for 15 years and thought it would be fun to develop CAP with very minimal GHG inventory inputs or results; all that was necessary was the general sense from

where emissions were coming from within the community. It was known that natural gas was being consumed in residential and non-residential sectors for space heating, water heating, and culinary applications so if it was known that the long-term target was net zero or carbon neutrality, it was necessary to decarbonize. He continued that the total value of natural gas emissions was less relevant because the same strategies were necessary to implement to achieve the target. He did not think that the result would change and once it was time to evaluate GHG reduction scenarios, there would be a need to decarbonize existing buildings as well as a need to develop policies and supporting programs to decarbonize existing buildings and create ways to decarbonize new construction. He admitted it was frustrating to not have the data but doubted it changed the final results and the approach necessary to reduce GHG in the community.

Ms. Goh added that it was possible to compare the portion of emissions from similar communities or other entities in the same location to determine if the relative percentages were similar. She pointed that City's the total emissions from stationary fuels was 35% and UD's were 32% and she confirmed that the estimate was within the general ballpark and agreed with Mr. Lathan's comments. Dr. Huntley was pleased to not have to worry about the uncertainties. She noted that UD was disproportional to any other entity in the City and noted that the Commission could not influence UD's actions much. She assumed that other cities had similar issues and asked for insight on dealing with the scenario. Mr. Lathan noted that once the baseline starting point was established, cities and communities begin the target setting phase by reviewing the emissions occurring within the inventory and decide if there were emissions that could be excluded from the target setting framework and set aside as non-jurisdictional. He explained that if a community had an airport, it could set aside the airport's emissions when developing a community GHG reduction target to avoid skewing the results in making progress. He noted universities could evaluate their emissions separately and set GHG reduction targets that were mutually exclusive to the extent feasible and consider what actions would be pursued, determine how to develop PILOT projects together, leverage research that could applied at the community level, and co-implement travel demand reduction strategies because universities were huge attractors for vehicle trips. Because the inventory isolated the university emissions, it was possible to set them aside because the City lacked the jurisdictional authority to dictate how the university used its energy, but the City could still seek partnership opportunities. Dr. Huntley wanted to include UD because they were a large part of the emissions. Ms. Rypkema interjected that UD had 2017 GHG emissions on which it was basing its current sustainability plan, but UD staff was waiting for approval of a Sustainability Office by the Board of Trustees so it could continue the plan. She maintained at the UD staff had some data regarding the issue and was progressing, so partnership was a definite possibility. Mr. O'Donnell wanted to share the City's data; Ms. Rypkema agreed and shared that since UD was a research university, electricity could not be reduced in labs because constant ventilation and water access would be reduced resulting in unsafe laboratory procedures. She pointed that the high number of labs on campus was a direct correlation its major emission factors.

As a UD researcher, Dr. Huntley added that researchers did not often consider sustainability aspects of their labs and left equipment running. She asked if the carbon uptake was a consideration with the targets or if decarbonization was the major factor. Mr. Lathan presented a case study earlier in the day regarding the challenge in community-wide carbon neutrality target setting and the fallacy of planting trees to achieve the targets and explained that within the setting of the GHG target piece, the long-term target often including defining "long-term target". If the target was carbon neutrality or net zero, it was imperative to indicate how success would be achieved; the first step was to decarbonize to the extent possible and the second step was planting trees or considering agricultural practices to naturally sequester carbon locally or regionally. He explained the fallacy was there was often not enough space available to

sequester the remaining number of emissions. The third step was to investigate carbon markets to purchase carbon credits that were in alignment with the goals and/or to explore carbon dioxide removal strategies (CDR) such as industrial air source capture systems. He continued that part of the target setting would be to provide example language for what the long-term target might mean and how to demonstrate achievement.

Mr. Mateyko asked if Mr. Lathan was advocating that the procedure should be to determine how to decarbonize the fossil fuel contributions and keep them separate. Mr. Lathan corrected that he wanted to temper the Commission's expectations upfront and that if the Commission was not incredibly ambitious in the decarbonization and actual GHG reduction within the CAP to get close to zero, then the nature-based solutions to sequester carbon would be fruitless due to the lack of available land. He maintained that the point was to set the groundwork to not close the door on other strategies, particularly industrial CDR, and other partnerships. He admitted there was currently no clear path forward, but his team frequently witnessed an over-emphasized expectation that planting more trees would achieve net zero and the math did not support the favor unless the local CAP actions were wildly ambitious and pushed the City incredibly close to zero. Mr. Mateyko asked if AECOM created some metric for the deforestation taking place in the 1700's and Mr. Lathan indicated there was no representation of land use change in the City's inventory either in the 2019 calendar year or from the 1700's. He explained that if community inventories accounted for land use change, they would consider land use change in the inventory year; he was unsure of the precedent would be to go back centuries. He agreed it was an interesting thought piece to consider and he was always concerned about double counting. He did not think the issue would be a challenge in the City's plan and doubted it would change the approach of reducing the emissions recurring from the activities from current and deciding a strategy to balance the remaining emissions from which there was no technological strategy to reach zero in the first place. He suggested that Mr. Mateyko review the IPCC Special Report 1.5 that outlined four scenarios indicating how to limit global warming to 1.5 degrees Celsius and emphasized that agricultural practices or land-based sequestration that could contribute to the target scenario was incredibly minimal and less than 5% of the total. He emphasized that the biggest necessary action was decarbonizing the fossil fuel-based emissions and other process emissions that were occurring.

Dr. Huntley thanked the team for their efforts and looked forward to a partnership.

MOTION BY DR. HUNTLEY, SECONDED BY MR. O'DONNELL: THAT THE CAC RECOMMEND THAT THE CITY OF NEWARK ASK AECOM TO USE THE REMAINING FUNDS FROM THE GREENHOUSE GAS INVENTORY CONTRACT TO COMPLETE THE NEXT STEPS TOWARD DEVELOPING A CLIMATE ACTION PLAN, WHICH SHOULD INCLUDE FORECASTING EMISSIONS, ESTABLISHING REDUCTION TARGETS, AND EVALUATING SCENARIOS AS FAR AS POSSIBLE.

MOTION PASSED. VOTE 6 TO 0.

AYE: HUNTLEY, CHAJES, MATEYKO, O'DONNELL, SMITH, RYPKEMA.

NAY: 0.

5. NEWARK ENERGY TRANSITION RESOLUTION – ANDREW O'DONNELL

Mr. O'Donnell presented a rough draft of a proposal to Council to create the Newark Energy Transmission (NET) Commission as indicated in the Sustainable Newark Plan, Goal 1.3.A. He asked for discussion on the working to make the intent clearer. Dr. Huntley suggested that the language should

indicated urgency and the establishment of NET should take place before the end of the calendar year; she suggested to insert a target date in the first sentence of the goal for the recommendation. Mr. O'Donnell agreed and asked if it was possible to vote that evening.

Ms. Chajes questioned whether it was preferred that NET work closely with the CAC rather than Council and wondered whether Council needed to address the relationship in NET's charter. Dr. Huntley asked why the term "commission" presented an issue. Ms. Chajes pointed that the other commissions in the City were independent organizations that did not have to partner with other entities and had their own schedule and deliberations. She questioned whether the CAC was seeking an expert task force that would operate for a limited time versus an on-going commission. She envisioned NET as a temporary committee, task force, or council.

Mr. Mateyko asked if it would be more descriptive to describe NET as an ad hoc advisory committee to the CAC. Ms. Rypkema interjected that in 2018, the Planning Commission created the Green Building Workgroup that reported to the Planning Commission but met separately and reported its findings. She suggested that NET could be a workgroup. Mr. O'Donnell asked if working group was a possibility and Ms. Chajes approved. Dr. Huntley believed that if NET was a working group that reported to the CAC, it would be comprised of a subset of the CAC's members but no one from the CAC was supposed to participate in NET. Mr. O'Donnell hoped for one or two members, but Dr. Huntley maintained that the membership was unclear, and she assumed NET would be a panel of experts who understood energy, electricity, and the markets. She did not believe that any current Commission members were qualified which was why NET was a completely separate body and not a subcommittee. Ms. Chajes asked if NET would be required to respond to the CAC's queries needing expert energy advice. Dr. Huntley assumed the situation depended on the charter and how Council defined NET's charges. Mr. O'Donnell pointed that the charge in the Plan indicated NET would advise the City on clean energy-related matters. Dr. Huntley noted the Plan also stated NET should work with the CAC. Ms. Chajes explained that a commission had a very specific meaning within the City, and she was unsure if that was the CAC's desire.

MOTION BY MS. CHAJES, SECONDED BY MS. RYPKEMA: THAT THE CAC CHANGE THE WORD "COMMISSION" TO "TASK FORCE" AND INCLUDE THE RECOMMENDED DATE OF COMPLETION AS "THE CURRENT YEAR".

Dr. Huntley clarified that the proposed text would read:

Establish a Newark Energy Transition (NET) Task Force with individuals experienced in renewable electricity generation, distribution systems, energy markets, and energy justice to work with the Conservation Advisory Commission (CAC) to advise the City on clean energy-related matters by the end of calendar year by 2022.

MOTION PASSED. VOTE 5 TO 0.

AYE: HUNTLEY, CHAJES, O'DONNELL, MATEYKO, RYPKEMA.

NAY: 0.

ABSENT: SMITH

MOTION BY MR. O'DONNELL, SECONDED BY DR. HUNTLEY: TO MOVE ADOPT THE NEWARK ENERGY TRANSMISSION TRANSITION RESOLUTION AS AMENDED.

MOTION PASSED. VOTE 5 TO 0.

AYE: HUNTLEY, CHAJES, O'DONNELL, MATEYKO, RYPKEMA.

NAY: 0.

ABSENT: SMITH

Dr. Huntley wanted to give the compilation of proposed members to Council when NET was scheduled on an agenda.

6. MONTHLY CONSERVATION ARTICLE WITH THE NEWARK POST – SHEILA SMITH

- May – Lawn Equipment and Greenhouse Gases – Beth Chajes
- June – Hillside Park and it's Plantings – Sheila Smith
- July – Renewable Energy Program/City Solar Update – Andrew O'Donnell
- August – Reservoir Plantings/Clover Lawns – Sheila Smith

Ms. Chajes shared that May was a big news month, so the article did not reach publication until the end of the third or fourth week in May. Mr. O'Donnell indicated he was currently able to meet the July article deadline. Dr. Huntley reminded that they were due on the last Friday of the month. Mr. Martindale added that there was an article on the City's solar installation and was unsure if the Commission wanted to repeat the topic. Mr. O'Donnell wanted to focus on future installations. Mr. Martindale agreed and shared that staff submitted State funding requests for more green energy initiatives and would have an update by the end of the month.

7. PLANNING & DEVELOPMENT REPORTS

- Sustainability Plan and Comprehensive Development Plan Integration

Dr. Huntley did not believe that discussion was necessary because of the earlier CDR conversation. Mr. O'Donnell suggested that the City would have to ban new fossil fuel infrastructure to be aggressive. He asked if there was anything that would stop the CAC from proposing an immediate ban on future fossil fuel infrastructure. He acknowledged it would be controversial, but he thought there was enough material for an argument; even if the proposal was rejected, the CAC would be steps ahead of the plan. Mr. Mateyko thought there was an advantage with such a large lead time. Ms. Rypkema asked if Mr. O'Donnell was asking for a recommendation to Council and Mr. O'Donnell confirmed; he was suggesting a recommendation to City Council to ban any future permits for any kind of fossil fuel infrastructure such as a gas pipeline or gas station. He wanted any permits dealing with fossil fuels to be automatically declined. Ms. Rypkema thought the item would be best discussed on the July agenda while Dr. Huntley believed the recommendation needed more thought because there were many consequences that were not directly obvious. She gave the example of a gas station in City limits that needed to replace a leaking tank and asked if the City could give permission to replace a fossil fuel tank if there was a ban. Mr. O'Donnell suggested an exception list if the permit was to maintain existing infrastructure to avoid a climate disaster or environmental spill. He offered an example that no new gas stations be built on a property after 90 days' notice.

Dr. Huntley agreed that the agenda should be discussed in July.

8. OLD/NEW BUSINESS

- Sustainability Plan Implementation Next Steps

Dr. Huntley informed that Mr. Martindale and Ms. Gravell voluntarily installed the bike racks at Downes Elementary School purchased by the CAC in 2021.

Dr. Huntley referred to Ms. Roe's earlier comments and opened the floor for Ms. Chajes. Ms. Chajes shared that she was present at the recent meetings where DEMEC spoke against the immediate passage of SB305 and wanted to answer any of the Commission's questions. She pointed to Ms. Roe's characterization of DEMEC as "the most outspoken voice" and agreed in the terms of public comment. She explained that an energy stakeholder group met regularly with Senator Stephanie Hansen to discuss energy issues. At Senator Hansen's last meeting, most of the utilities were present and expressed minor reservations but DEMEC was the most vocal. She indicated that DEMEC was also one of a group of fossil fuel related organizations that spoke out against the bill at its hearing. She shared the list of representatives at the Senate Energy and Environment Committee:

- Chesapeake Utilities
- The American Petroleum Institute
- The Heating Oil Lobby of Delaware
- The Caesar Rodney Institute
- DEMEC
- The Delaware Electric Co-op

Ms. Chajes explained that DEMEC was the only organization that spoke against the bill when it came to the floor for a vote. She believed that DEMEC felt there was a lot to lose but claimed to not object to the bill and wanted more time to review it because of its rapid introduction. She pointed that all parties had the same amount of time to evaluate the bill. She continued that proposed was a planning bill that presented overall State targets and authorized State agencies to adopt the targets while planning for spending, procurement, and infrastructure development. She pointed that the bill did not offer details for specific dates for specific actions and was left to DNREC to further develop its CAP. The bill called for a review process to take place every two years and to fully revisit the CAP every five years. She explained that the bill rounded out the CAP in such a way that it had more accountability and specific targets and timelines beyond what was in the initial plan. She informed there were concerns in some of the hearings from individual businesses who felt that every entity in Delaware would be held to the targets which was false. She shared that there were no penalties included in the bill for not reaching the targets, rather it codified an extension of what the CAC wanted the CAP to achieve. She was bothered that the City's energy utility was seemingly working against the City's own Sustainability Plan goals, and she was not sure that City staff witnessed DEMEC's aspect. She wanted to have further conversations with staff and/or Council.

Mr. Martindale admitted that he had limited interaction with DEMEC at the staff level and Mr. Coleman was the City's representative on the DEMEC board. He understood that DEMEC opposed the bill until there was sufficient time to consider it as a board. He agreed the bill was rapidly progressing and was introduced on June 2nd, the last DEMEC board meeting was May 10th, and the next was June 21st. He shared that staff's impression was that the bill was mostly in line with the City's adopted Sustainability Plan and was likely not major deal for the City. He reminded that Newark was one of eight DEMEC members. Dr. Huntley noted that DEMEC took the position without membership input. Mr. Martindale was unaware of any discussion on the individual level and reiterated that the formal board had not voted on how to proceed.

Mr. O'Donnell interjected that DEMEC's top two priorities were safety and keeping rate prices as low as possible which was why he assumed that DEMEC took its stance. He did not believe that the stance reflected the Commissioners' environmental values. He asked if there was anything stopping the City from adjusting its Renewable Portfolio Standard (RPS) to expand its lead over the State. Mr. Martindale did not believe there was anything precluding the City from investigating. Mr. O'Donnell informed that he signed up for the 100% renewable plan for \$10 a month; he believed it was possible to be at 50% in 2023 without much notice and there was no reason to wait until 2045 to reach 100%. Mr. Martindale indicated it was more of an administrative and finance-related discussion before a formal recommendation could be made.

Mr. Mateyko asked when DEMEC last consulted with the City for its position on the timelines. Mr. Martindale was unsure but hoped that the City had made its position on renewables clear and considered Newark a leader. He informed that DEMEC's minutes were available online for review should any person wish to investigate. Ms. Chajes added that in a communication with Mr. Coleman, he indicated that DEMEC had altered its mission statement from "the lowest rates" to "help our customers, our member cities meet their energy goals in terms of rates and sustainability". She found the situation double strange that DEMEC would make the statement and then react so strongly about increasing State-wide sustainability goals. Mr. Martindale read DEMEC's mission:

To support our members' success and relevance, DEMEC delivers excellence in competitive, reliable, sustainable power supply and innovative services, advancing the benefits of community-owned utilities.

Dr. Huntley believed the CAC's perspective that DEMEC did not lobby against the City's sustainability interest. She wanted to consider a recommendation to present to Council that they did not want DEMEC to take a public position on issues that were in direct conflict with positions the City had taken publicly and was not willing to offer the recommendation that evening. Ms. Chajes agreed the topic deserved a longer conversation but pointed that the bill was not unique in its rapid consideration. Dr. Huntley believed that the bill did not actually do much which was why she was surprised that DEMEC had such a strong reaction; DEMEC would not be forced to act, and the bill only gave direction to State agencies.

Mr. Martindale added that there was some question whether State agencies would be impacted with grant opportunities. He noted that the other seven members of DEMEC were not necessarily as conservation minded as Newark.

Dr. Huntley asked that the topic be put on the August meeting.

Mr. O'Donnell would put forth a proposal for the fossil fuel topic and have a draft to discuss.

Mr. Martindale informed that the City put in a \$14 million bond bill request to the State but trimmed it down to just under \$7 million. He noted that one item was a \$2 million energy efficiency initiatives project that could address enhanced solar at the George Wilson Center, Curtis Mill Water Treatment Plant, South Well Water Treatment Plant, and various other efficiency projects that were not included in the first round such Police Department window replacements. He reminded that the funding was contingent on passing.

9. NEXT MEETING – JULY 21, 2022

MOTION BY MR. O'DONNELL, SECONDED MS. RYPKEMA: TO ADJOURN THE MEETING.

The meeting adjourned at 9:15 pm.

Nichol Scheld
Deputy City Secretary

/pm