



City of Berkeley ZERO WASTE COMMISSION Regular Meeting

Monday, March 22, 2021 at 7:00 p.m.

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH ZOOM VIDEOCONFERENCE AND TELECONFERENCE

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, this meeting of the City of Berkeley Zero Waste Commission will be conducted exclusively through video and teleconference, and there will be no physical meeting location available.

To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device, please use this URL to join the meeting:

<https://us02web.zoom.us/j/82587046286>

If you do not wish for your name to appear on the screen, then use the drop-down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen. **To join by phone: Dial 1-669-900-9128 and enter Meeting ID: 82587046286#.** If you wish to comment during the public comment portion of the agenda, Press *9 and wait to be recognized by the Chair. Note: Your phone number will appear on the videoconference screen.

MEETING AGENDA

PRELIMINARY MATTERS:

- 7:00 pm 1. Call to Order by Chair and Roll Call by Secretary
- **Christienne de Tournay (Acting Chair)**, appointed by CM Sophie Hahn, District 5
 - **Annette Poliwka**, appointed by Mayor Jesse Arreguin
 - **VACANT**, appointed by CM Rashi Kesarwani, District 1
 - **Rachel Doughty**, appointed by CM Terry Taplin, District 2
 - **Antoinette Stein**, appointed by CM Ben Bartlett, District 3
 - **Margo Schueler**, appointed by CM Kate Harrison, District 4
 - **VACANT**, appointed by CM Susan Wengraf, District 6
 - **Nicole Ulakovic**, appointed by CM Rigel Robinson, District 7
 - **David Grubb**, appointed by CM Lori Droste, District 8
- 7:05 pm 2. Approve Meeting Agenda and Order of Agenda Items
- 7:10 pm 3. Approve Draft Action Minutes:
- February 22, 2021 Regular Meeting*

7:15 pm 4. Public Comment on Items Not on the Agenda
Speakers are allotted up to two minutes. Speakers may be allotted less time at the discretion of the Chair.

7:25 pm 5. Commissioner Announcements
Commissioners may make general announcements; no action will be taken.

7:30 pm 6. Staff Updates:

- Zero Waste Staffing/Vacancies
- Solid Waste and Recycling Transfer Station CEQA Study
- Treated Wood Waste State Legislation
- Mattress Recycling Pilot Program Grant
- SB 1383 Implementation
- Single Use Foodware & Litter Reduction Ordinance Implementation

DISCUSSION AND ACTION ITEMS:

Members of the public may provide comments at the beginning of each discussion item and prior to the vote of the Commission on any action items. Speakers are allotted up to 2 minutes.

7:45 pm 1. Discuss Current Status of Mixed Non-bottle #1-7 Plastics

8:00 pm 2. Discuss Textile Recycling Options

8:15 pm 3. Discussion and Possible Action to Continue, Modify, or Disband the Deconstruction Subcommittee

8:30 pm 4. Review Zero Waste Declaration and Consider Action to Submit a Recommendation to City Council to Adopt the Declaration*

8:45 pm 5. Discuss Covid Impacts on Waste Generation and Avoiding Losing Ground on Waste Reduction Goals

8:55 pm 6. Discuss Future Agenda Items

9:00 pm 7. Adjournment

INFORMATION ITEMS:

Information items may be moved to discussion but no action will be taken.

1. Invitation to Free Virtual Statewide Conference on Illegal Dumping April 21-23 forwarded by Chrise de Tournay*
2. PoliticoPro Article forwarded by Chrise de Tournay: California lawmakers start small on plastic bills after seeing big plans thwarted*
3. Link to Statewide Commission on Recycling Markets and Curbside Recycling Preliminary Recommendations Report:
<https://www.calrecycle.ca.gov/markets/commission>


COMMUNICATIONS:

Communications from the public are included as attachments in the agenda packet.

- No communications were received prior to agenda distribution on March 15.

***Indicates material included in the agenda packet**

**** Indicates material to be available at the meeting**

 **ADA Disclaimer:** This meeting is being held in a wheelchair-accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services Specialist at 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

SB 343 Disclaimer:

Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at the Public Works Department located at the address below.

Communications Disclaimer:

Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission or committee for further information.

Commission Secretary:

Heidi Obermeit, Recycling Program Manager,
Zero Waste Division, 1201 2nd St. Berkeley, CA 94710

510-981-6357

hobermeit@cityofberkeley.info

MINUTES

The meeting was convened at 7:00 p.m. with Chrise de Tournay, Vice Chair, presiding.

ROLL CALL

Present: Chrise de Tournay, Annette Poliwka, Rachel Doughty, Margo Schueler,
Nicole Ulakovic, David Grubb
LOA: None
Absent: Antoinette Stein

STAFF PRESENT: Greg Apa, Heidi Obermeit

MEMBERS OF THE PUBLIC PRESENT: 10

PUBLIC COMMENTS (on non-agenda items): 7

ACTION MINUTES:

1. Approval of the February 22, 2021 Regular Meeting Agenda

M/S/C (de Tournay/Poliwka) to approve the agenda for the February 22, 2020 regular meeting.

Ayes: Unanimous; Abstain: None; Absent: Stein

2. Approval of the February 24, 2020 Meeting Minutes

M/S/C (de Tournay/Schueler) to approve the February 24, 2020 regular meeting minutes.

Ayes: de Tournay, Poliwka, Schueler, Grubb; Abstain: Doughty, Ulakovic; Absent: Stein

3. Community Conservation Centers Update Regarding Mixed Plastics

Discussion only; no action taken.

Public comments: 3

4. Elections for Zero Waste Commission Chair and Vice Chair

M/S/C (de Tournay/Poliwka) to nominate Chrise de Tournay as Chair.

M/S/C (Schueler/de Tournay) to nominate Annette Poliwka as Vice Chair.

M/S/C (Schueler/de Tournay) to elect Chrise de Tournay as Chair and Annette Poliwka as Vice Chair of the Zero Waste Commission.

Ayes: Unanimous; Abstain: None; Absent: Stein

5. Approval of the FY 21/22 Zero Waste Commission Work Plan

The following work plan for the Fiscal Year beginning July 1, 2021 was approved:

Goal	Resources	Program activities	Outputs	Outcomes
Transfer Station Rebuild	(First Carbon Solutions)	Consultant presentation to Commission TBD	None	N/A
Zero Waste Strategic Plan	RFP to be issued for consultant in Q3 2021	Consultant presentation at ZWD	Commission recommendations to City Council	Ongoing Commission Feedback

Goal	Resources	Program activities	Outputs	Outcomes
Food Recovery and Organics Diversion SB1383	City staff	Continue updates, review proposed County model ordinance for Berkeley ordinance adoption.	Provide recommendations as needed to Council and other stakeholders.	To help achieve state SB1383 requirements.
Single-Use Foodware & Litter Ordinance	Ecology Center, City staff, UC Berkeley/Cal Zero Waste, BUSD	Follow implementation of Single-Use Disposable Reduction Ordinance, review through lens of Covid-19 repercussions. Ecology Center pilot of reusable cup program resumes TBD	Provide recommendations as needed to Council and other stakeholders Reusables Pilot program recommendations	Provide feedback to Council on Ordinance Implementation
Clarify/Define/ Revisit what is acceptable for acceptance/re cycling of all plastics.	Staff, Community Conservation Centers, Ecology Center, StopWaste,	Listen to experts, gather information, receive updates from City partners	Recommendation to Council	Economically viable and environmentally responsible collection operation for recyclable plastics (Highest and best use)
Reduce Landfilling of Construction Debris	Deconstruction Subcommittee, Bay area Decon group, Urban Ore,	Work with builders, material resellers, CEAC, Community Health, Landmarks, Disaster/Fire Safety and Planning to increase reuse of old growth wood debris	Recommendations for Council	Recommendations for Council by end of year 2021
Annual Updates	Urban Ore, Community Conservation Centers, Ecology Center, CAW, NCRA, CPSC, Culture of Repair - (Fix it Clinics), Budget Review, Status of Export Markets, City staff, StopWaste	Presentations at ZWC Review and recommend relevant legislation Review ZW division annual budget and tonnage/metrics with City staff	Commission feedback to organizations and to Council	Ongoing Council communications
Reduce illegal dumping/bulky items landfilled	UC Berkeley, City Staff, Urban Ore.	Support UCB sustainable moveout operations/Covid-19 fallout. CoB Mattress program to coordinate with UC.	Recommendations for Council	Work w/ UCB ZW to identify community support needs Possibly expand/continue curbside mattress collection pilot program.

M/S/C (de Tournay/Grubb) to approve the FY 21/22 Zero Waste Commission Work Plan.

Ayes: Unanimous; Abstain: None; Absent: Stein

Public Comments: 1

6. Approval of the 2021 Regular Meeting Schedule

M/S/C (de Tournay/Poliwka) to approve the regular meeting schedule as the fourth Monday of every month, with the exception of August and December when the Commission is on recess.

Ayes: Unanimous; Abstain: None; Absent: Stein

7. Motion to Extend Meeting by Five Minutes

M/S/C (de Tournay/Poliwka) to approve extending the meeting by five minutes to allow time for discussion of future agenda items.

Ayes: Unanimous; Abstain: None; Absent: Stein

8. Adjournment at 9:07 p.m.

M/S/C (de Tournay/Schueler) to adjourn the meeting at 9:07 p.m.

Ayes: Unanimous; Abstain: None; Absent: Grubb

The next regular meeting of the Zero Waste Commission will be held on Monday, March 22, 2021 at 7:00 p.m. by virtual videoconference/teleconference. The link to access the virtual meeting will be posted to the Community Calendar: www.cityofberkeley.info/communitycalendar/

Respectfully Submitted:

Heidi Obermeit, Secretary

Agenda Item #4: ZERO WASTE DECLARATION

This Zero Waste World will be founded on environmental and social justice principles that help create vibrant communities in harmony with nature:

- *Center Equity: We stand in solidarity with and support the efforts of frontline communities and Black, Indigenous and People of Color. We envision a just and inclusive system resulting in a sustainable and regenerative future, while advocating for policies and practices that ensure human safety, equitable access to resources and opportunities, and elimination of toxins and pollution that negatively impact ecological health.*
- *Redesign: We insist that manufacturers minimize and, where possible, eliminate hazards and redesign products for highest material and energy efficiency, focusing services and products to embody durability, repairability, reuse, with recycling and/or composting as a final option, in that order.*
- *Ban Wasteful Products: We will ban products that are demonstrated to be wasteful by design, or contaminate recycling or composting programs, or are problematic in the environment.*
- *Make Producers Responsible for Problem Products: We insist companies minimize and, where possible, eliminate the hazards their products pose to the environment and human health throughout the entire life cycle of the product, from resource extraction to final disposition. Further, producers should be held financially responsible for remedies of their product's impacts - including costs for health care, management of discards, and environmental clean-up.*
- *Separate at the Source: After redesign, we will collect all discarded materials and products separated at the source and further sort them into higher quality fractions for reuse, recycling, or composting, with nothing left out and nothing left over.*
- *Rescue Food and Compost Organics: We will establish and support programs to rescue food for people and animals, and to recover organic materials to make and use compost and mulch to reduce and sequester greenhouse gases.*
- *Support and Expand Repair and Reuse: We will support existing reuse and repair organizations and infrastructure and expand opportunities for reuse and repair through outreach and education, promotion, and investment.*
- *Build Zero Waste Infrastructure: We will invest in Zero Waste infrastructure, including resource recovery parks, to safely salvage usable items and parts and handle all discards as resources to be refined.*
- *End Welfare for Wasting: We will end subsidies for resource extraction and support choosing recovered materials first for manufacturing.*
- *Advocate and Adapt as Needed: We will use our power as advocates and professionals to show what is possible and help policymakers avoid mistakes in meeting the goals that we help them envision. Responses to new challenges such as pandemics, natural disasters, and weather-related emergencies should not create barriers to move towards a just world of vibrant, resilient, Zero Waste communities, in harmony with nature.*

To achieve a worldwide culture that sustains the planet in perpetuity, we stand together!

Illegal Dumping Conference Invitation forwarded on 3/11 by Chrise de Tournay:

Subject: FREE: Illegal Dumping Conference for California April 21-23 9am - 12 pm PT

Dear NSAC Stakeholders:

Every community in the country is dealing with problems with illegal dumping. Join us as we share ideas, solutions and take your suggestions and questions for this free webinar!

Register here: <https://www.eventbrite.com/e/virtual-statewide-conference-on-illegal-dumping-tickets-139013108951>

SAVE THE DATE!

Virtual Statewide Conference on Illegal Dumping
presented by Alameda County Supervisor Nate Miley & the Illegal Dumping Taskforce

FREE **April 21st-23rd, 2021 | 9 AM - 12 PM** **FREE**
[Click HERE to register](#)



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Title Sponsor:  **CALIFORNIA WASTE SOLUTIONS**
Zero Waste Specialists

For more information:
D4IllegalDumping@acgov.org
or call (510) 272-6694



PoliticoPro Article Forwarded to Commissioners by Chrise de Tournay:

California lawmakers start small on plastic bills after seeing big plans thwarted

BY DEBRA KAHN

|03/03/2021 07:01 PM EST |UPDATED 03/03/2021 10:45 PM EST



Mounds of recycling is piled at a recycling facility. Spencer Platt/Getty Images

SAN FRANCISCO — Lawmakers have introduced more than a dozen bills to chip away at the state's recycling crisis, marking a strategy shift after failing to pass sweeping reforms of plastic packaging and single-use products in the previous two-year session. Some of the bills aim to fix inaccurate labeling of materials that can't be easily recycled or composted, while others would ban certain materials, mandate manufacturing changes or encourage recycling markets. Some deal with the state's redemption system for beverage containers, which has faltered as recycling centers close, and some are aimed at filtering minuscule plastic fragments from waterways.

"They certainly address discrete portions of this problem, but they're all meaningful, pretty important bills," said Sen. Ben Allen (D-Santa Monica), who has a bill to prohibit the use of the triangular arrow symbol on packaging unless the material is actually recycled in practice.

Last year's broad proposals, [CA SB54 \(21R\)](#) and [CA AB1080 \(19R\)](#), would have required manufacturers to ensure that their products were truly recyclable or compostable. Lawmakers were responding to a growing waste buildup after China stopped accepting American discards, as well as to the growing realization that overseas processors were often incinerating or burying those materials to start with.

Allen's [CA SB54 \(21R\)](#) is back as a spot bill. But momentum is behind the flurry of smaller bills, given past industry opposition and a looming 2022 ballot initiative aimed at requiring all packaging to be recyclable, reusable or compostable by 2030.

"I love the ballot measure," Allen said. "If I could wave a magic wand and have it be enacted tomorrow, I would. Obviously going to the ballot is unpredictable for everybody and costly for everybody, but that may have to be the route."

The ballot initiative, sponsored by waste hauler Recology and two members of the state Coastal Commission, would ban polystyrene, tax plastic and devote the proceeds to recycling infrastructure and environmental restoration, in addition to setting a 2030 deadline for packaging reformulation.

The state will indicate by mid-March whether the initiative will reach the 2022 qualifying threshold based on a high random sample review or undergo a full signature count. A Recology executive said he expected it would go to the full count, which would take until mid-April.

Industry groups are now looking to the federal government for a comprehensive fix after long arguing that they want to avoid a patchwork of state-level regulations. Nestlé, Mars, Unilever and other companies are [pushing for a national fee](#) on plastics, while the House's CLEAN Future Act unveiled Tuesday included proposals for recycled content standards and a national bottle deposit program.

"My fear is as we rush to pass legislation in some of these states, we're not looking at the totality of the situation," said Geoff Freeman, CEO of the Consumer Brands Association, which represents Coca-Cola, Conagra, Procter & Gamble and other major manufacturers of packaged goods. "We're coming up with a lot of ways to punish various industry sectors, but we're not coming up with a lot of ways to partner with sectors."

The ballot measure promises to spark another fight next year. "Recology is more interested in funding a ballot initiative than they are in funding an improved system," Freeman said. "Shared responsibility is across the board. I could come to you and tell you a list of people we should tax, but instead I'm coming to you and telling you that we need to be a part of that. I would encourage waste haulers, resin makers and others to make that same commitment."

Here's a list of bills on plastics and recycling:

[CA SB343 \(21R\)](#), by Sen. Ben Allen (D-Santa Monica), would prohibit the use of the "chasing arrows" symbol on products unless the state determines the material is actually recyclable.

[CA AB881 \(21R\)](#), by Assemblymember Lorena Gonzalez (D-San Diego), would change the state's definition of "recyclable" to exclude exported discards that are incinerated or dumped rather than being recycled.

[CA AB478 \(21R\)](#), by Assemblymember Phil Ting (D-San Francisco), would set minimum recycled-content standards for clamshell-type plastic containers.

[CA AB622 \(21R\)](#), by Assemblymember Laura Friedman (D-Glendale), would require all new washing machines sold in-state to contain a microfiber filtration system with a mesh size of 100 microns or smaller starting in 2024.

[CA AB683 \(21R\)](#), by Assemblymember Tim Grayson (D-Concord), is a spot bill that would direct the state to buy products with recycled content.

[CA AB802 \(21R\)](#), by Assemblymember Richard Bloom (D-Santa Monica), would direct the state to write rules requiring industrial and commercial laundry facilities to capture microfibers.

[CA AB962 \(21R\)](#), by Assemblymember Sydney Kamlager (D-Los Angeles), would let beer bottlers receive the same payments for processing returned bottles as other recycling centers do.

[CA AB1200 \(21R\)](#), by Ting, is a spot bill that would ban the sale of plant-based food packaging that includes PFAS chemicals and require cookware manufacturers to disclose certain hazardous chemicals.

[CA AB1201 \(21R\)](#), by Ting, would prohibit companies from calling products "compostable" unless they meet specified standards and would allow the state to write product labeling rules.

[CA AB1276 \(21R\)](#), by Assemblymember Wendy Carrillo (D-Boyle Heights), would broaden the existing ban on single-use plastic straws to cover all food accessories at restaurants or in takeout deliveries, including utensils, napkins and condiment cups and packets, unless requested by the customer.

[CA SB38 \(21R\)](#), by Sen. Bob Wieckowski (D-Fremont), would replace the existing state-run recycling program for beverage containers with an industry-run extended producer responsibility program.

[CA SB451 \(21R\)](#), by Sen. Bill Dodd (D-Napa), would extend the life of a state fund to pay for pilot projects that can serve as alternatives to the existing container deposit and redemption program.

[CA SB580 \(21R\)](#), by Sen. Ben Hueso (D-San Diego), would have the state study the feasibility of incorporating recycled plastics into asphalt.

[CA AB1371 \(21R\)](#), by Friedman, is a spot bill that she may amend to prohibit the use of plastic packaging by e-retailers, including mailing envelopes, plastic film and bubble wrap.

[CA AB1454 \(21R\)](#), a spot bill by Bloom, will be amended to reform the beverage container recycling system by raising payments to recyclers and allowing electronic payments for bottle redemptions.