



CITY COUNCIL  
Gordon J. Wozniak  
Councilmember District 8

CONSENT CALENDAR  
November 10, 2009

To: Honorable Mayor and Members of the City Council  
From: Councilmember Gordon Wozniak  
Councilmember Laurie Capitelli  
Subject: Establishment of a Do Not Mail Registry

RECOMMENDATION

Adopt a Resolution requesting the State of California to establish a Do Not Mail Registry giving citizens the choice to stop unwanted commercial junk mail from being delivered to their residences. Direct the City Manager to send a letter to Senator Hancock, Assemblywoman Nancy Skinner as well as the president Pro-Tem of the California Senate and the Speaker of the California Assembly requesting that the State of California establish a Do Not Mail Registry.

FISCAL IMPACTS OF RECOMMENDATION

None

CURRENT SITUATION AND ITS EFFECTS

The amount of junk mail delivered in the United States each year has substantial environmental and social costs that could be significantly reduced by the creation of a Do Not Mail Registry. Currently, the production, distribution, and disposal of junk mail contributes to climate change by producing 51 million tons of greenhouse gas emissions - equivalent to that of more than 9 million automobiles - at a point when current environmental challenges demand significant and urgent reductions in our carbon footprint. Forest Ethics (a nonprofit environmental organization) has determined that the 100 billion pieces of junk mail delivered comes out be 848 pieces per household per year<sup>1</sup>.

The amount of paper required to produce the 100 billion pieces of junk mail distributed each year in the United States requires the annual harvest of approximately 100 million trees<sup>1</sup> that, if left standing, would act as important carbon storehouses; and, approximately 44% of all unsolicited junk mail arrives in landfills unopened<sup>2</sup>, thereby placing unnecessary stress on our waste disposal systems. Reducing junk mail will help

<sup>1</sup> Center for New American Dream calculation from Conservatree and U.S. Forest Service statistics.

<sup>2</sup> 41pounds.org: <http://41pounds.org/impact/default.asp>.

meet Berkeley citywide goals of 75% landfill diversion by 2010 and zero waste by 2020. Junk mail is also an invasion of privacy and has the potential to contribute to the ongoing problem of identity theft.

The requested resolution calling for a Do Not Mail Registry would be modeled after the national Do Not Call Registry, which is the most popular consumer rights bill in history, and 89% of voters nationwide voiced support for a Do Not Mail Registry in a 2007 nation poll commissioned by Zogby International<sup>3</sup>.

A municipal Do Not Mail resolution will help create momentum which will pave the way for an equivalent registry in the State of California.

CONTACT PERSON

Gordon Wozniak, City Council	981-7180
Laura Schutz, Intern Councilmember Wozniak's Office	981-7180
Laurie Capitelli, City Council	981-7150
Darryl Moore, City Council	981-7120

---

<sup>3</sup> National Poll Commissioned by the Center for a New American Dream. The survey was administered by phone to 1011 like voters nationwide. Findings from the survey have a margin of error of +/-3.1%

RESOLUTION NO. ##,###-N.S.

RESOLUTION URGING THE STATE OF CALIFORNIA STATE LEGISLATURE TO  
ESTABLISH A DO NOT MAIL REGISTRY

WHEREAS, the amount of junk mail delivered in the United States each year has substantial environmental and social costs that could be significantly reduced by the creation of a Do Not Mail Registry; and

WHEREAS, approximately 44% of all unsolicited junk mail arrives in landfills unopened<sup>1</sup>, thereby placing unnecessary stress on our waste disposal systems; and

WHEREAS, the City of Berkeley has set a citywide goal of reducing the waste going to landfills by 75%; and

WHEREAS, the 2008 Alameda County Waste Characterization Study identified paper as one of the largest amount of material from Berkeley deposited in landfills and reducing unsolicited junk mail will significantly contribute to reducing the amount of paper landfilled; and

WHEREAS, resource conservation will significantly reduce the City of Berkeley's contributions to climate change; and

WHEREAS, the amount of paper required to produce the 105 billion pieces of junk mail distributed each year in the United States<sup>2</sup> requires the annual harvest of approximately 100 million trees<sup>3</sup> that, if left standing, would act as important carbon storehouses; and

WHEREAS, the production, distribution, and disposal of junk mail contributes to climate change by producing 51 million tons of greenhouse gas emissions<sup>4</sup> – equivalent to that of over 9 million automobiles<sup>5</sup>, or 11 coal-fired power plants,<sup>6</sup> or the combined emissions of the following states: Mississippi, Connecticut, New Hampshire, Oregon and Idaho. Or, if you prefer: Maine, Vermont, Alaska, South Dakota, Hawaii, Montana and Rhode Island;<sup>7</sup> and

WHEREAS, junk mail is an invasion of privacy and has the potential to contribute to the ongoing problem of identity theft; and

WHEREAS, the requested Do Not mail Registry would be modeled after the national Do Not Call Registry, which is the most popular consumer rights billing history; and

WHEREAS, 89% of likely voters nationwide voiced support for a Do Not Mail Registry in 2007 national poll commissioned by Zogby International<sup>7</sup>; and

WHEREAS, a multitude of states have proposed Do Not Mail bills including; Arkansas, Colorado, Connecticut, Hawaii, Illinois, Maryland, Michigan, Missouri, Montana, New

Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Tennessee, Texas, Vermont, and Washington<sup>8</sup>; and

WHEREAS, the San Francisco Board of Supervisors has already passed a resolution urging the State of California to establish a Do Not Mail Registry; and

WHEREAS, the success of statewide Do Not Mail registries will pave the way for an equivalent registry at the national level.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City of Berkeley urges the State of California to establish a Do Not Mail Registry to provide persons of California with an effective, user-friendly system to voluntarily stop the receipt of unsolicited direct mail to their property.

BE IT FURTHER RESOLVED that the City Manager forward a copy of this resolution and write a letter to Senator Hancock, Assemblywoman Nancy Skinner as well as the president Pro-Tem of the California Senate and the Speaker of the California Assembly.

<sup>1</sup> 41 pounds.org. <http://41punds.org/impact/default.asp>

<sup>2</sup> United States Postal Service (USPS). "The Household Diary Study: Mail Use & Attitudes in FY 2006." March 2007, pp.1.

<sup>3</sup>Center for New American Dream calculation from Conservatree and U.S. Forest Service Statistics.

<sup>4</sup> Forest Ethics. "Climate Report". Appendix A. 2008, pp.5.

<sup>5</sup> The Environmental protection Agency (EPA) estimates average carbon dioxide equivalent emissions as 8.8 kilograms per gallon of gas, and average fuel economy of passenger cars and light trucks as 20.3 miles per gallon.

<sup>6</sup>Statistic is based on average emissions from coal-fired power plants as reported in the report "Stop Trashing the Climate" by Brenda Platt, David Ciplet, Kate M. bailey, and Eric Lombardi, June 2008.

<sup>7</sup>New York Times, "Carbon Emissions Across the United States," May 30, 2008.

<sup>8</sup>National Poll Commissioned by the Center for a new American Dream and conducted from September 13-16, 2007 by Zogby International. The Survey was administered by phone to 1011 likely voters nationwide. Findings from survey have margin of error of +/- 3.1%.

<sup>9</sup>Direct Marketing Association, "State Do Not Mail Bills- 2007", available at <http://www.the-dma.org/donotmail/2007legilsation.shtml>, accessed October 7, 2008.