



Susan Wengraf
Councilmember District 6

CONSENT CALENDAR
April 23, 2019

To: Honorable Mayor and Members of the City Council
From: Councilmember Susan Wengraf, Mayor Arreguin & Councilmembers Hahn & Bartlett
Subject: Letters In Support of SB 54 (Allen) and AB 1080 (Gonzalez)

RECOMMENDATION:

Send a letter of support for SB 54 (Allen) and AB 1080 (Gonzalez) to Senator Ben Allen and Assemblywoman Lorena Gonzalez with copies to Senator Skinner, Assembly Member Wicks and Governor Newsom

FINANCIAL IMPLICATIONS:

None

BACKGROUND:

SB 54 and AB 1080 will ensure that California is on the forefront of reducing plastic pollution from single use packaging and products. Both bills set goals to reduce plastic waste from packaging and product sources.

Single use plastic packaging in California generates tons of non-recyclable and non-compostable waste, impacting our health and environment. Packaging products are designed to be used only once and then discarded. Nearly every piece of plastic ever produced still exists in our environment. It never decomposes. As the plastic breaks up into smaller and smaller pieces, the fragments contaminate the soil, food and drinking water.

Currently, less than 9% of plastics are recycled and that percentage is dropping as China's National Sword and policies in other countries restrict the foreign waste that they accept. These materials are piling up in recycling centers, being sent to the landfill or shipped to illegal facilities in South East Asia where they are most likely incinerated.

Producers must take responsibility for reducing waste and designing packaging and products that will not harm our environment. As the fifth largest economy in the world, California should lead in finding solutions to the growing plastic pollution crisis.

ENVIRONMENTAL SUSTAINABILITY:

Support of SB 54 and AB 1080 is in complete harmony with the goals of our Climate Action Plan.

CONTACT PERSON

Councilmember Susan Wengraf

Council District 6

510-981-7160

Attachments:

- 1: [SB 54](#)
2. [AB 1080](#)
3. Letter of support for SB 54
4. Letter of support for AB 1080

CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

SENATE BILL

No. 54

**Introduced by Senators Allen, Skinner, Stern, and Wiener
(Principal coauthor: Assembly Member Gonzalez)**

December 11, 2018

An act to add Chapter 3 (commencing with Section 42040) to Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 54, as amended, Allen. California Circular Economy and Plastic Pollution Reduction Act. The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste, including, among other solid waste, single-use plastic straws.

The Sustainable Packaging for the State of California Act of 2018 prohibits a food service facility located in a state-owned facility, operating on or acting as a concessionaire on state property, or under contract to provide food service to a state agency from dispensing prepared food using a type of food service packaging unless the type of food service packaging is on a list that the department publishes and maintains on its internet website that contains types of approved food service packaging that are reusable, recyclable, or compostable.

Existing law makes a legislative declaration that it is the policy goal of the state that not less than 75% of solid waste generated be source reduced, recycled, or composted by 2020.

This bill would establish the California Circular Economy and Plastic Pollution Reduction Act, which would require the department, in consultation with the State Water Resources Control Board and the

Ocean Protection Council, to adopt regulations to source reduce and recycle 75% of single-use packaging and products sold or distributed in California by 2030. The bill would require the department to adopt regulations to accomplish that requirement, including, among others, regulations to require businesses to source reduce, to the maximum extent feasible, single-use packaging and products, to recycle, and require businesses to source reduce, at least 75% of single-use plastic packaging and products by 2030, and to require that all single-use packaging and products distributed or sold in California are recyclable or compostable on and after 2030. The bill would require the department, on or before January 1, 2021, to prepare and approve a scoping plan to set a baseline for and achieve those reduction and recycling requirements.

The bill would require the department to develop criteria to determine which types of single-use packaging or products are reusable, recyclable, or compostable. The bill would require local governments, solid waste facilities, recycling facilities, and composting facilities to provide information requested by the department for purposes of developing that criteria. By imposing additional duties on local governments, the bill would impose a state-mandated local program.

The bill would require a manufacturer of single-use plastic packaging or products sold or distributed in California to demonstrate a recycling rate of not less than 20% on and after January 1, 2022, and not less than 40% on and after January 1, 2026, as a condition of sale, and would authorize the department to impose a higher recycling rate as a condition of sale, as specified.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

DIGEST KEY

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

ASSEMBLY BILL

No. 1080

Introduced by Assembly Members Gonzalez, *Calderon*, Friedman, and Ting
(Principal coauthor: Senator Allen)
~~(Coauthor: Assembly Member Boerner Horvath)~~ (Coauthors: *Assembly Members
Boerner Horvath and McCarty*)
(Coauthors: Senators Skinner, Stern, and Wiener)

February 21, 2019

An act to add Chapter 3 (commencing with Section 42040) to Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 1080, as amended, Gonzalez. California Circular Economy and Plastic Pollution Reduction Act.

The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste, including, among other solid waste, single-use plastic straws.

The Sustainable Packaging for the State of California Act of 2018 prohibits a food service facility located in a state-owned facility, operating on or acting as a concessionaire on state property, or under contract to provide food service to a state agency from dispensing prepared food using a type of food service packaging unless the type of food service packaging is on a list that the department publishes and maintains on its internet website that contains types of approved food service packaging that are reusable, recyclable, or compostable.

Existing law makes a legislative declaration that it is the policy goal of the state that not less than 75% of solid waste generated be source reduced, recycled, or composted by 2020.

This bill would establish the California Circular Economy and Plastic Pollution Reduction Act, which would require the department, in consultation with the State Water Resources Control Board and the Ocean Protection Council, to adopt regulations to source reduce and recycle 75% of single-use packaging and products sold or distributed in California by 2030. The bill would require the department to adopt regulations to accomplish that requirement, including, among others, regulations to *require businesses to source reduce*, to the maximum extent feasible, single-use packaging and products, to *recycle, and require businesses to source reduce or recycle reduce*, at least 75% of single-use plastic packaging and products by 2030, and to require that all single-use packaging and products distributed or sold in California are recyclable or compostable on and after 2030. The bill would require the department, on or before January 1, 2021, to prepare and approve a scoping plan to set a baseline for and achieve those reduction and recycling requirements.

The bill would require the department to develop criteria to determine which types of single-use packaging or products are reusable, recyclable, or compostable. The bill would require local governments, solid waste facilities, recycling facilities, and composting facilities to provide information requested by the department for purposes of developing that criteria. By imposing additional duties on local governments, the bill would impose a state-mandated local program.

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The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement. This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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April 23, 2019

The Honorable Ben Allen
California State Senator
State Capitol, Room 4076
Sacramento, CA 95814

**RE: S.B. 54 (Allen): California Circular Economy and Plastic Pollution Reduction Act
Support from the Berkeley City Council**

Dear Senator Allen:

On behalf of the Berkeley City Council, I want to express Berkeley's strongly support of S.B. 54. The City Council thanks you for initiating legislation to reduce single use plastic waste from packaging and product sources. S.B. 54 works in harmony with Berkeley's Climate Action Plan goals.

Single use plastic packaging in California generates tons of non-recyclable and non-compostable waste, impacting our health and environment. Packaging products are designed to be used only once and then discarded. Nearly every piece of plastic ever produced still exists in our environment. It never decomposes. As the plastic breaks up into smaller and smaller pieces, the fragments contaminate the soil, food and drinking water.

Currently, less than 9% of plastics are recycled and that percentage is dropping as China's National Sword and policies in other countries restrict the foreign waste that they accept. These materials are piling up in recycling centers, being sent to the landfill or shipped to illegal facilities in South East Asia where they are most likely incinerated.

The City of Berkeley is in full support of mandating that producers must take responsibility for reducing waste and designing packaging and products that will not harm our environment. As the fifth largest economy in the world, California should lead in finding solutions to the growing plastic pollution crisis.

I applaud you for your leadership in creating this legislation!

Susan Wengraf
Vice Mayor
City of Berkeley

CC: Senator Nancy Skinner, Assembly Member Buffy Wicks, Governor Gavin Newsom

April 23, 2019

The Honorable Lorena Gonzalez
California Assembly Member
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0080

**RE: A.B 1080 (Gonzalez): California Circular Economy and Plastic Pollution Reduction Act
Support from the Berkeley City Council**

Dear Assembly Member Gonzalez:

On behalf of the Berkeley City Council, I want to express Berkeley's strongly support of A.B. 1080. The City Council thanks you for initiating legislation to reduce single use plastic waste from packaging and product sources. A.B. 1080 works in harmony with Berkeley's Climate Action Plan goals.

Single use plastic packaging in California generates tons of non-recyclable and non-compostable waste, impacting our health and environment. Packaging products are designed to be used only once and then discarded. Nearly every piece of plastic ever produced still exists in our environment. It never decomposes. As the plastic breaks up into smaller and smaller pieces, the fragments contaminate the soil, food and drinking water.

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Susan Wengraf
Vice Mayor
City of Berkeley

CC: Senator Skinner, Representative Wicks, Governor Newsom