



Agenda Report

TO: CCCSWA BOARD OF DIRECTORS
FROM: LOIS COURCHAINE, PROGRAM MANAGER AND CCCSWA STAFF
DATE: APRIL 22, 2010
SUBJECT: SINGLE-USE PLASTICS PACKAGING

SUMMARY

At your March Board meeting, Authority staff presented a white paper describing current issues, options, and alternatives to banning single-use plastic carry bags and/or expanded polystyrene (EPS) foam takeout containers. The staff report accompanying the white paper included a list of cities and other government agencies that have taken actions addressing use of plastic bags and foam takeout containers in their communities. The white paper and staff report generated a wide range of comments, concerns, and questions around the question of banning plastics bags or polystyrene containers. Additionally, the Authority received public comment at the Board meeting, and emailed comments, with submissions originating from those concerned ranging from Authority residents to representatives of industry trade organizations. A KTVU Channel 2 news team also covered the meeting and interviewed Paul Morsen, Authority Executive Director.

At the conclusion of Board discussion, Mr. Morsen recommended that, as a first step, Authority staff capture Board comments and questions for further review and response. This report outlines staff's "take-aways" from board discussion and summarizes key areas of Board interest. Moreover, it will allow Board Members not in attendance at the March meeting to add their comments regarding these two components of the waste stream.

RECOMMENDED ACTION

1. This report is for informational purposes. Board members are invited to offer comments or ask questions and/or provide any further direction.

DISCUSSION

Single-use plastic packaging bans were discussed by Board members and staff was directed to bring additional information and recommendations back for consideration over the next several months. In review of Board comments and questions, staff identified general areas of Board interest and concern that are discussed below:

Solicit Business and Community Comments. It is clear that there are many different groups of businesses and individuals that might be affected by banning of single-use plastics. The question of banning plastics bags and/or polystyrene containers is controversial and evokes strong supporting and opposing positions. The CCCSWA Board clearly stated their interest in soliciting comments from all interested parties, including residents, manufacturers, retailers, consumers, and local government groups. The Authority may consider soliciting comments through methods such as Board presentation by trade organizations, surveys, public meetings, or focus groups. Extensive outreach will be undertaken in order to ensure that community members and other stakeholders' views can be considered by the Board.

Actions Taken by Other Communities and State Actions. The white paper and accompanying staff report touched on strategies and actions taken by other government agencies in the Bay Area, and throughout the state, relating to plastic bans. It also discussed state level actions including proposed legislation (AB 1998) and a non-profit agency commissioned Master Environmental Assessment (MEA) on single use plastic bags. The Board requested that staff continue to track and observe these activities and provide additional information on developments as they take place.

Additionally, staff will review outreach from other agencies and consider those strategies that may be applicable to our area. Outreach will include all legal, environmental, State and National aspects with regard to reducing the use of problematic packaging.

Consider a Regional Approach. When considering single-use plastic packaging bans, a regional approach offers a number of potential benefits, including larger geographic area coverage, less confusion for residents and businesses in affected communities, and greater legitimacy for the action due to cooperation by multiple government agencies, the County as a whole, or the State of California.

Additional Research. The Board has asked staff to provide additional information at subsequent Board meetings in 2010 regarding the following questions and comments:

- The viability of biodegradable containers/bags, both in terms of cost and recyclability.
- Costs for business owners to replace banned materials with biodegradable, reusable, or other alternative plastic bags and containers.
- Recycling market demand, both local and otherwise, for plastic bags.
- The status and potential results of the San Jose and Los Angeles Environmental Impact Reports.
- How enforcement of bans would be accomplished.
- How schools might be involved in collection of single-use plastic bags for recycling.
- How AB 2449, recent enacted plastic bag recycling legislation, might be locally enforced and enhanced to bring about improved results for recycling single-use plastic bags at retailers.
- The ongoing status of AB 1998 (Brownley) which proposes to reduce plastic bag litter pollution by banning single-use plastic bags at large retail outlets.
- Status of pending lawsuits
- Should the Board consider enacting a ban on polystyrene food and beverage containers, as a first step in addressing single-use plastic packaging bans?
- Does the Authority have the ability to enact a ban across all member agencies, or would a ban have to be done by each municipality?

During FY 2010/11, staff has budgeted for the inclusion of educational materials to help increase the use of reusable bags.

Over the remainder of 2010 and into the next year, staff intends to present the Board with information and stakeholder opinions on single-use plastic packaging, and potential measures that might be used to reduce or eliminate their use. It is anticipated that the final staff report will be presented to the Board in 2011 for possible Board action.

ATTACHMENTS

- A. March 25th Staff Report on Single-use Plastic Bags and Expanded Polystyrene Food Packaging
- B. White Paper on Plastics in the Environment