



**DATE:** December 19, 2018

**TO:** Waste Management Authority Board

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**SUBJECT:** 2019 Legislative Priorities

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## **SUMMARY**

Each year, the WMA Board adopts priority areas to focus the Agency's legislative work. This report outlines the 2019 legislative priorities for Board approval.

## **BACKGROUND**

Through its input on legislation and regulation, StopWaste has been an effective voice in Sacramento on issues important to the Agency and to its member agencies. In order to be nimble in responding to changes that occur during the legislative session, the Board approves the legislative priority areas for focus at the beginning of the legislative session. These are topic areas that the Agency staff and lobbyist devote more time to—providing additional letters of support to committee members, testifying at hearings and working closely with the bill's sponsors.

In 2018, the Board adopted three areas as legislative priorities that support the Agency's work on shifting toward waste prevention:

- Extended Producer Responsibility (EPR)
- Circular Economy
- Organics legislation and regulation

The timeline for legislative activity is typically as follows:

December-January: WMA Board adopts legislative priorities for the year

February: Deadline for introduction of bills

March: Bill authors and organizational sponsors seek letters of support, committee meetings begin.

Staff reviews bills and recommends positions on bills for Board adoption

June: Board receives status update on bills and provides direction as appropriate

October: Status update provided to Board after Governor takes action

## Lobbyist

After several years with our previous lobbyist, the Agency issued an RFQ earlier this year to select a lobbying firm to assist with our work in Sacramento. After interviewing five potential firms, Shaw Yoder and Antwih was chosen to work with us on a two-year contract. Jason Schmelzer and Melissa Immel will be the primary contacts representing the Agency. Jason also represents the California Product Stewardship Council, one of our major partners.

## **DISCUSSION**

### **2019 Legislative Priority Areas**

As part of the priority setting process, the Board indicated the following as the most important issues:

- Plastic Pollution/Packaging
- Contamination
- Climate Change
- Organics
- Unsustainable Consumption

Below are possible focus areas for legislation to align with the issues identified above:

#### Plastic Pollution/Packaging

Food related packaging includes disposable food ware such as to-go containers, cups, cutlery, and straws, as well as packaging for grocery items, prepared foods, and meal kits. Depending on the type of packaging, it may impact the environment as litter, or present challenges to recycling and compost processes. The use of disposable food ware has grown exponentially over the past few decades. Some possible ideas to explore to address this issue include:

- Expansion of the straws-on-request bill to include single-use condiments and utensils
- Single-use food ware addressing meal kit packaging and icepacks
- Recycled content minimum standards/requirements
- Banning single use plastics in schools
- Removing plastic additives and lining in paper products.
- On a parallel track, we could also explore a countywide single-use food ware model ordinance and EIR.

#### Climate Change

Local governments are leaders in climate action but are impeded by lack of access to data. One possible way to address this issue is to require the State to conduct GHG inventories for all local jurisdictions using centrally available data.

Embodied carbon and carbon sequestration describes long-term storage of carbon dioxide or other forms of carbon to either mitigate or defer global warming and climate change. These can be done both through the natural and built environments. One potential area to focus on is the

prioritization of soil-based carbon sequestration such as the Healthy Soils program, and funding to support research on it.

Organics (SB 1383 Rulemaking): The passage of several organics bills over the last few years, as well as the increased statewide focus on organics processing capacity and getting organics out of the landfill as a climate change strategy to reduce methane emissions, has raised the importance of prioritizing the development of new organics laws and regulations.

In September 2016, Governor Brown signed SB 1383 into law, which established targets to achieve a 50% statewide reduction in landfilled organics discards by 2020 and a 75% reduction by 2025, and a 20% recovery of edible food currently disposed by 2025. In order to achieve those targets, CalRecycle conducted several informal workshops to get stakeholder input prior to developing the guidelines. The first formal draft has just been released.

Although the regulations will not take effect until 2022, adopting rules in 2019 is intended to allow regulated entities approximately three years to plan and implement necessary budgetary, contractual, and other programmatic changes. StopWaste staff has been working with member agencies and has been actively participating and submitting comments as part of these workshops, and expects to continue such efforts through next year until adoption.

### **Funding**

Staff will continue to monitor funding opportunities and advocate for cap and trade funds to be allocated to projects that reduce greenhouse gas emissions through waste reduction, recycled content manufacturing, composting, edible food recovery and increased organics processing capacity. Other ideas to increase funding that are being discussed by other organizations include an increase in tipping fees, and a state bond measure as a dedicated revenue source to fund recycling and organics infrastructure.

### **Partnerships**

We will continue to collaborate with our main legislative partners - Californians Against Waste, California Product Stewardship Council and ReThink Waste (a joint powers authority of twelve public agencies in San Mateo County). In addition, we are exploring new partnerships as we embark on work with food recovery infrastructure and packaging.

### **RECOMMENDATION**

Discuss and adopt the legislative priority areas for 2019.