

WMA Board & Energy Council

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President

City of Hayward, WMA, EC

Tracy Jensen, **WMA 1st Vice President**

City of Alameda, WMA, EC

Dave Sadoff, **WMA 2nd Vice President**

Castro Valley Sanitary District, WMA

David Mourra, **EC Interim President**

City of Emeryville, WMA, EC

David Haubert, County of Alameda, WMA, EC

Jennifer Hansen-Romero, City of Albany, WMA, EC

Mark Humbert, City of Berkeley, WMA, EC

Jean Josey, City of Dublin, WMA, EC

Yang Shao, City of Fremont, WMA, EC

Ben Barrientos, City of Livermore, WMA, EC

Matthew Jorgens, City of Newark, WMA, EC

Ken Houston, City of Oakland, WMA, EC

Rita Duncan, Oro Loma Sanitary District, WMA

Lorrel Plimier, City of Piedmont, WMA, EC

Matt Gaidos, City of Pleasanton, WMA, EC

Xouhoa Bowen, City of San Leandro, WMA, EC

Jeff Wang, City of Union City, WMA, EC

Timothy Burroughs, Executive Director

AGENDA

**MEETING OF THE
ALAMEDA COUNTY WASTE MANAGEMENT
AUTHORITY BOARD (WMA)
AND
THE ENERGY COUNCIL (EC)**

WEDNESDAY, MARCH 26, 2025

3:00 P.M.

***IN PERSON MEETING LOCATION:*
STOPWASTE BOARD ROOM
1537 WEBSTER STREET, OAKLAND, CA**

This meeting will be conducted in a hybrid model with both in-person attendance and Teleconference participation:

- Teleconference location #1: 118 Glashaus Loop, Emeryville, CA
- Teleconference location #2: Scott Haggerty Heritage House, 4501 Pleasanton Ave, Pleasanton, CA
- Teleconference location #3: Fremont City Hall, 3300 Capitol Ave. Building A, Fremont, CA
- Teleconference location #4: Dublin City Hall, 100 Civic Plaza, Dublin, CA
- Teleconference location #5: 806 Pierce Street, Albany, CA
- Teleconference location #6: 2928 Linden Avenue, Berkeley, CA
- Teleconference location #7: 123 Main Street, Pleasanton, CA
- Teleconference location #8: 22493 Bayview Ave Hayward, CA
- Teleconference location #9 Newark City Hall, 37101 Newark Blvd., Conf. Rm 1, Newark, CA
- Teleconference location #10 Marriott Burbank Airport, 2500 N Hollywood Way, Burbank, CA

Members of the public may attend in person at the Board Room, or the addresses listed above or by:

1. Calling US+1 669 900 6833 and using the Webinar ID 850 3109 6462
2. Using the [Zoom](#) website or App and entering meeting code 850 3109 6462

During the meeting the chair will explain the process for members of the public to be recognized to offer public comment. The process will be described on the StopWaste website at

<http://www.stopwaste.org/virtual-meetings> no later than noon, Wednesday, March 26, 2025.

The public may also comment by sending an e-mail to publiccomment@stopwaste.org. Written public comment will be accepted until 3:00 p.m. on the day prior to the scheduled meeting. Copies of all written comments submitted by the deadline above will be provided to each Board Member and will be added to the official record. Comments will not be read into the record.

In accordance with the Americans with Disabilities Act, if you need assistance to participate in this meeting due to a disability, please contact the Clerk of the Board at (510) 891-6517. Notification 24 hours prior to the meeting will enable the agency to make reasonable arrangements to ensure accessibility to this meeting.

AGENDA

I. CALL TO ORDER

II. ROLL CALL OF ATTENDANCE

III. **ANNOUNCEMENTS BY PRESIDENTS** - *(Members are asked to please advise the Board or the Council if you might need to leave before action items are completed.)*

IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR

An opportunity is provided for any member of the public wishing to speak on any matter within the jurisdiction of the Boards or Council but not listed on the agenda.

V. **CONSENT CALENDAR** - The Consent Calendar contains routine items of business. Items in this section will be acted on in one motion for both the WMA and EC, unless removed by a member of either Board. Members of the WMA who are not members of the EC will vote as part of the Consent Calendar vote, but their votes will not be considered in connection with any EC items.

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1 1. **Approval of the Draft WMA & EC Minutes of February 26, 2025**

VI. REGULAR CALENDAR

5 1. **Legislative Positions for 2025 (Jennifer West)**

Staff recommend that the Boards adopt the stated positions on the bills outlined in the staff report.

11 2. **Update on Reusable Bag Laws (Meri Soll)**

This item is for information only.

3. **Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Timothy Burroughs)**

(The joint meeting of the Waste Management Authority Board, Energy Council, and Planning Committee & Recycling Board will be held on Wednesday, April 23, 2025 at 3:00 p.m. at StopWaste, 1537 Webster Street, Oakland, CA)

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

VIII. **ADJOURNMENT – TO JOINT WMA, EC, AND PC&RB MEETING ON APRIL 23, 2025 AT 3:00 P.M.**

DRAFT

**MINUTES OF THE MEETING OF THE
ALAMEDA COUNTY WASTE MANAGEMENT
AUTHORITY BOARD (WMA)
AND
THE ENERGY COUNCIL (EC)**

**Wednesday, February 26, 2025
3:00 P.M.**

***IN PERSON MEETING LOCATION:
STOPWASTE BOARD ROOM
1537 WEBSTER STREET, OAKLAND, CA***

I. CALL TO ORDER

President Zermeño called the meeting to order at 3:00 p.m. Timothy Burroughs explained the process that would be utilized during the meeting. A link to the process is available here: [Virtual-Meetings- Instructions](#).

II. ROLL CALL OF ATTENDANCE

WMA & EC

County of Alameda	David Haubert, WMA, EC
City of Alameda	Tracy Jensen, WMA, EC
City of Albany	Jennifer Hansen-Romero, WMA, EC
City of Berkeley	Mark Humbert, WMA, EC
Castro Valley Sanitary District	Danny Akagi, WMA (alternate)
City of Dublin	Jean Josey, WMA, EC
City of Emeryville	David Mourra, WMA, EC (Interim EC President)
City of Fremont	Yang Shao, WMA, EC
City of Hayward	Francisco Zermeño, WMA, EC (WMA President)
City of Livermore	Kristie Wang, WMA, EC (alternate)
Oro Loma Sanitary District	Rita Duncan, WMA
City of Piedmont	Lorrel Plimier, WMA, EC
City of Pleasanton	Matt Gaidos, WMA, EC
City of San Leandro	Xouhoa Bowen, WMA, EC

ABSENT

City of Newark	Matthew Jorgens, WMA, EC
City of Union City	Jeff Wang, WMA, EC
City of Oakland	Vacant

Staff Participating

Timothy Burroughs, Executive Director
Justin Lehrer, Operations Manager
Alma Freeman, Communications Manager
Meri Soll, Senior Program Manager
Karen Kho, Principal Program Manager
Emily Alvarez, Program Manager
Arliss Dunn, Clerk of the Board
Richard Taylor, WMA Legal Counsel

III. ANNOUNCEMENTS BY PRESIDENTS

President Zermeño welcomed the new board members: Ben Barrientos, Livermore; Matthew Jorgens, Newark; and Xouhoa Bowen, San Leandro.

IV. OPEN PUBLIC DISCUSSION FROM THE FLOOR

There were no public comments.

V. CONSENT CALENDAR

1. Approval of the Draft PC&RB Minutes of December 18, 2024

There were no public comments for the Consent Calendar. Board member Jensen moved approval of the Consent Calendar, and Board member Bowen seconded.

The Clerk called the roll: WMA Vote: 13-0-1 EC Vote: 13-0-1

(Ayes: Akagi, Bowen, Duncan, Gaidos, Hanson-Romero, Haubert, Humbert, Jensen, Josey, Mourra, Plimier, Zermeño. Nays: None. Abstained: Wang. Absent: Jorgens, Shao, J. Wang)

VI. REGULAR CALENDAR

1. Authorization to Accept Department of Energy RE-X Before Recycling Prize (Meri Soll)

Staff recommend that the WMA Board adopt the attached Resolution #WMA 2025-01 authorizing the Executive Director to accept a \$150,000 DOE RE-X Before Recycling Prize and utilize the funding in fiscal years 2025 and 2026 for the Back to Reusables implementation at schools in Alameda County.

Timothy Burroughs introduced the item. Meri Soll provided an overview of the staff report and presented a PowerPoint presentation. A link to the staff report and the presentation is available here: [RexPrize-memo.pdf](#). Ms. Soll informed the Board that in January 2025, StopWaste was selected as a winner of Phase 2 of the “RE-X Before Recycling Prize” by the U.S. Department of Energy (DOE) Advanced Materials and Manufacturing Technologies Office. Ms. Soll provided an overview of the Agency’s work to advance reusable foodware, details on the RE-X Prize, and asked that the Board adopt a resolution to accept the funds.

Additional time was provided to the Board for questions. An audio link to the discussion is available here: [ReX-Prize-Discussion](#). President Zermeño thanked Ms. Soll for the presentation and stated that Hayward staff fully supports fostering the use of reusable foodware for schools, and to be sure to include Chabot College.

There were no public comments on this item. Board member Josey moved for approval of the staff recommendation. Board member Duncan seconded, and the motion carried 14-0. The Clerk called the roll:

(Ayes: Akagi, Bowen, Duncan, Gaidos, Hanson-Romero, Haubert, Humbert, Jensen, Josey, Mourra, Plimier, Wang, Zermeño. Nays: None. Abstained: None. Absent: Jorgens, Shao, J. Wang)

2. Bay Area Regional Energy Network (BayREN) History and Activities (Karen Kho & Emily Alvarez)

This item is for information only.

Timothy Burroughs introduced the item. Karen Kho and Emily Alvarez provided a brief history of the Energy Council, its connection to BayREN, and an update on the BayREN programs and their impact in Alameda County. A link to the staff report and the presentation is available here: [BayREN-Presentation.pdf](#). Additional time was provided to the Board for discussion and for clarifying questions. An audio link of the discussion is available here: [BayREN-Update-Discussion](#)

There were no public comments on this item. President Zermeño thanked staff for a very thorough and informative presentation.

3. Interim appointment(s) to the Recycling Board for WMA appointee unable to attend future Board Meeting(s) (Timothy Burroughs) (WMA only)

(The meeting of the Planning Committee & Recycling Board will be held on Thursday, March 13, 2025 at 4:00 p.m. at StopWaste, 1537 Webster Street, Oakland, CA)

There were no requests for an interim appointment.

VII. MEMBER COMMENTS AND COMMUNICATIONS FROM THE EXECUTIVE DIRECTOR

Board member Jensen announced the opening of a new store in Alameda. The retail store is called Replenish, and it's a refillable, replenishable little shop located near the corner of Santa Clara and Webster. The store will be open every day except Tuesday and Wednesday.

Timothy Burroughs announced the monthly topic brief highlighting “Advancing Energy Efficiency & Electrification,” available [here](#).

Mr. Burroughs announced that the 2025 East Bay Innovation Awards are coming up on March 27, 2025, at the Scottish Rite Center. StopWaste will have a table with seats available. If any Board member is interested in attending, please reach out to Mr. Burroughs. Staff will send a follow-up email.

President Zermeño announced that Mr. Burroughs father had recently passed. As a tribute, the Board honored his passing by donating the planting of trees to the Arbor Foundation in his memory.

VIII. ADJOURNMENT – TO WMA&EC MEETING ON MARCH 26, 2025 AT 3:00 P.M.

The meeting was adjourned at 4:12 p.m. in memory of Dean Burroughs.

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DATE: March 26, 2025
TO: Waste Management Authority and Energy Council
FROM: Jennifer West, Program Manager
SUBJECT: Legislative Positions for 2025

SUMMARY:

Each year, staff bring a list of bills to the board to take a position on based on Agency legislative priorities. The California state legislature introduced over 2,000 bills for consideration in 2025, with 1,500 Assembly bills (AB), and 850 Senate bills (SB). Legislative policy committees have started to hold hearings on the bills and will continue to do so throughout April. This is the first year of a two-year session. Staff will provide an update to the Board and possible positions on new bills in May.

DISCUSSION:

At its January 22, 2025, meeting, the Waste Management Authority adopted three legislative priorities for 2025:

1. Build healthy food systems
2. Support a thriving circular economy
3. Accelerate innovation in the construction sector

Working with Jason Schmelzer and Dylan Hoffman of Shaw Yoder Antwih Schmelzer and Lange (our contract lobbyist in Sacramento), we are tracking and contributing input on selected bills throughout the legislative process.

Of the bills introduced this year, more than 30 percent are placeholders known as “spot bills” that will need additional amendments before we can understand their true intent. The legislature is beginning the session focused on issues like wildfire response, prevention, and resilience, property insurance markets, housing, and homelessness, cost of living and affordability, and responding to the policy shifts with the new federal administration.

The Governor’s proposed budget totals \$322.3 billion, reflecting a modest surplus of \$363 million and maintaining reserves of \$16.9 billion. This marks a significant improvement compared to the previous two fiscal years, during which California managed substantial budget deficits, including a \$46 billion shortfall in the current budget year. The proposed budget is best understood as a placeholder, with its trajectory heavily influenced by external factors, including potential reductions in federal funding and the need to respond to recent wildfires.

Costs to local governments are generally not known at this point in the session, as it is still early and financial analyses on bills are completed later in the session. Staff will address cost implications to local governments with more detail when we come back to the Board in May.

StopWaste Bill Positions:

Sponsor	Actively working on a bill with an Author
Support	Support positions can range from signing joint support letters, submitting our own support letters, testifying in committees, and/or providing input on bill language

Watch, Support if Amended	Letters of support with recommended amendments; indicates that bill language and details are still evolving, and we will continue to watch and provide input and take a support/oppose position when appropriate
Oppose Unless Amended	Letters of opposition unless the measure includes recommended amendments to address concerns
Oppose	Opposition to bill

Build Healthy Food Systems

***NEW AB 337 (Bennett) Greenhouse Gas Reduction Fund: grant program: edible food**

This bill expands the grant program that administers financial assistance to support in-state development of infrastructure related to organic waste reduction, including projects related to the construction or expansion of facilities that will help expand edible food recovery operations.

Agency position: Recommend Support

Support: California Association of Food Banks

Opposition: None listed

***NEW SB 353 (Alvarado-Gil) Income tax: credits: food banks**

This bill indefinitely extends the authorization for tax credits for qualified taxpayers in an amount equal to 15 percent of the qualified value of fresh fruits, vegetables, and specified raw or processed agricultural products donated to a food bank. Previously, the taxable years were January 1, 2017, to January 1, 2027. This bill would immediately take effect as a tax levy.

Agency position: Recommend Watch

Support: None listed

Opposition: None listed

Support a Thriving Circular Economy

***NEW AB 80 (Aguiar-Curry) Carpet Recycling: Product stewardship for carpet fines**

This bill strengthens California’s product stewardship program for carpet by implementing technical program updates to increase the effectiveness and transparency of the program. AB 80 ensures that carpet manufacturers take greater responsibility for managing the end-of-life impacts of their products.

Agency position: Recommend Support

Support: California Product Stewardship Association (Sponsor)

Opposition: None listed

***NEW AB 473 (Wilson) Environmental advertising: recyclability**

This bill would make significant changes to current laws regulating the recyclability of products and packaging. Specifically, it would allow any product or packaging that is part of a Producer Responsibility Organization (PRO) to be considered recyclable and able to use the “chasing arrows” sign.

Agency position: Recommend Oppose

Support: None listed

Opposition: None listed

***NEW AB 762 (Irwin & Wilson) Disposable, battery-embedded vapor inhalation device: prohibition**

This bill would ban the sale of disposable/non-refillable vaporizer products in California with batteries that cannot be removed, fostering a transition to refillable or reusable alternatives that are safer and more sustainable.

Agency position: Recommend Support

Support: California Product Stewardship Council (Co-sponsor), Californians Against Waste (Co-Sponsor), RethinkWaste (Co-sponsor)

Opposition: None listed

***NEW AB 998 (Hadwick) Household hazardous waste: vape pens**

This bill would require any vape pen confiscated by a school as contraband to keep its status as household hazardous waste (HHW) when properly managed and disposed of at an HHW collection facility, and would authorize the collection facility to disassemble vape pens in a manner that does not result in the unauthorized release of hazardous materials.

Agency position: Recommend Watch

Support: RCRC (Sponsor)

Opposition: None listed

***NEW AB 1148 (Sharp-Collins) Food packaging: hazardous chemicals**

This bill adds additional harmful chemicals to existing law that prohibits the sale or distribution of food packaging that contains chemicals harmful to human health. The bill allows for state and local enforcement, effective January 1, 2027, and includes a tiered penalty structure.

Agency position: Recommend Support

Support: None listed

Opposition: None listed

***NEW SB 45 (Padilla) Recycling beverage containers: tethered plastic caps**

This measure would require that plastic caps on defined plastic beverage containers be tethered to the container in a manner that helps ensure the caps remain with the container throughout its lifecycle, thereby reducing a significant and especially harmful source of plastic pollution and litter.

Agency position: Recommend Support

Support: SWANA

Opposition: None listed

***NEW SB 279 (McNerney) Solid waste: compostable materials**

This bill will allow farmers and winegrape growers to compost their own agricultural green waste onsite, such as when they remove an old orchard or vineyard. It also permits them to combine their compost with agriculture waste from offsite community composters, urban farms, and school farms to compost up to 500 cubic yards of green waste (currently capped at 100 cubic yards). It permits medium-size composting facilities to accept a small amount of food waste to avoid this waste going to landfills and allows composting operations to sell or give away up to 5,000 cubic yards of compost a year (farms and vineyards are currently capped at 1,000 cubic yards).

Agency position: Recommend Support

Support: CA Alliance for Community Composting (Sponsor), CA Association of Winegrape Growers (Sponsor)

Opposition: None listed

***NEW SB 501 (Allen) Household Hazardous Waste Producer Responsibility Act**

This bill would create an Extended Producer Responsibility program for types of household hazardous waste not already covered by another program and would require the PRO to ensure the safe collection and proper recycling, reuse, or disposal of these materials at no cost to the local governments or consumers.

Agency position: Recommend Support

Support: NSAC (Co-sponsor), RCRC (Co-sponsor)

Opposition: None listed, but the bill will likely see intense industry opposition

***NEW SB 561 (Blakespear) Hazardous waste: Emergency Distress Flare Safe Disposal Act**

This bill would create a producer responsibility program for the safe management of emergency distress marine flares. Additionally, the manufacturer or organization will be required to submit an annual report to the Department of Toxic Substances Control (DTSC) regarding the activities carried out pursuant to the plan.

Agency position: Recommend Support

Support: NSAC (Sponsor), ZeroWaste Sonoma (Sponsor)

Opposition: None listed

Accelerate Innovation in the Construction Sector

***NEW AB 306 (Schultz) Building regulations: state building standards**

AB 306 imposes a six-year moratorium on new updates to the state building code that would affect residential construction and temporarily prohibits local governments from making new modifications to those standards, except for emergency changes necessary to protect health and safety.

Agency position: Recommend Watch

Support: None listed

Opposition: None listed

***NEW AB 368 (Ward) Energy: building standards: passive house standards**

This bill requires the State Energy Resources Commission and Development commission to evaluate the passive house energy efficiency standards as an alternative compliance pathway for the building efficiency standards established by the Energy Commission. A passive house is designed to maximize energy efficiency and minimize the need for energy consumption.

Agency position: Recommend Support

Support: None listed

Opposition: None listed

***NEW AB 1222 (Bauer-Kahan) Public utilities: judicial review**

This bill would extend the time frame for a party aggrieved by a decision or order of the Public Utilities Commission to file a petition for a writ of review in the court of appeal or Supreme Court from 40 days after the commission issues its decision to 90 days. The bill would also prohibit an IOU from recovering the cost associated with this review from ratepayers.

Agency position: Recommend Watch

Support: None listed

Opposition: None listed

***NEW SB 282 (Wiener) Residential heat pump systems: water heaters and HVAC: installations**

This bill would require the State Energy Resources Conservation and Development Commission to establish a statewide certification program for licensed contractors of residential heat pump water heaters and heat pump heating, ventilation, and air conditioning (HVAC) systems to obtain a heat pump installation certification on or before January 1, 2027. The bill would prohibit a local public agency from applying additional standards on the installation of residential heat pump water heaters or HVAC systems.

Agency position: Recommend Support

Support: SPUR (Sponsor), Building Decarbonization Coalition (Sponsor), Bay Area Air Quality Management District (Sponsor)

Opposition: None listed

***NEW SB 330 (Padilla) Electrical transmission infrastructure: financing**

This bill authorizes the Governor to establish one or more pilot projects to develop, finance, or operate electrical transmission infrastructure that meet specific criteria, which includes that the transmission line is identified by the Independent System Operator in its transmission planning process as necessary to support clean energy generation to meet the state's clean energy goals. The Governor would be required to identify and designate existing state agencies, local public agencies, tribal organizations, or joint powers authorities to implement the pilot projects.

Agency position: Recommend Watch

Support: None listed

Opposition: None listed

***NEW SB 332 (Wahab) Investor-Owned Utilities Accountability Act**

This bill would require the Energy Commission and Public Utilities Commission to develop a study to (1) conduct a historical energy justice assessment of the investor-owned utility's (IOU) operations and impacts, (2) complete a comparative analysis of the benefits and challenges of transitioning the IOUs to a successor entity in order to

identify a recommended model, and, (3) if the study finds that it is in the best long-term interests of the people and ecologies of California to transition away from an investor-owned utility model, create a justice-centered implementation plan for managing the transition. The bill also prohibits a utility from disconnecting a customer's residential service for nonpayment if the customer has a household income at or below 200 percent of the federal poverty line. The prohibition also applies to pregnant or recently post-partum residents.

Agency position: Recommend Watch

Support: None listed

Opposition: None listed

Next Steps/Key Dates

- March/April: Committee hearings
- May: Board receives status update on bills and provides direction as appropriate
- June 15, 2025: The state budget for 2024-25 must be passed
- September 12, 2025: Deadline for bills to pass the Legislature
- October 12, 2025: Deadline for Governor to sign or veto bills

RECOMMENDATION:

Staff recommend that the Boards adopt the stated positions on the bills listed above.

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DATE: March 26, 2025
TO: Waste Management Authority (WMA) Board/Energy Council
FROM: Meri Soll, Senior Program Manager
SUBJECT: Update on Reusable Bag Laws

SUMMARY

In 2012, the WMA passed a countywide “Ordinance Regulating the Use of Carryout Bags and Promoting the Use of Reusable Bags,” known as our “Reusable Bag Ordinance.” The ordinance banned flimsy plastic bags and required a 10-cent charge at point of sale for both paper bags and thick, reusable plastic bags at around 1,500 grocery, drug, pharmacy, convenience, and liquor stores. The ordinance also required that paper bags have 40 percent recycled content. In 2016, the state implemented SB 270, banning flimsy plastic bags statewide, affecting the same entities as the Alameda County ordinance.

In 2016, the WMA voted to expand the county ordinance to 14,000 retail stores and restaurants in Alameda County. Restaurants are permitted to provide recycled-content paper bags at no charge.

In 2024, the Governor signed SB 1053, amending State law SB 270 regarding single-use carryout bags. Beginning January 1, 2026, the amended law removes the option to have any plastic film bags at check out, and only permits stores affected by SB 270 to provide customers with recycled paper bags for a 10-cent charge.

At the March 26 board meeting, staff will provide an overview of the state legislation affecting regulated stores and provide next steps for consideration by the WMA to amend the Reusable Bag Ordinance (Ordinance 2016-2) to align with SB 1053 requirements.

DISCUSSION

The purpose of the WMA Reusable Bag Ordinance is to reduce the use of single-use carryout bags and promote the use of reusable bags in Alameda County. In February 2024, staff provided an update to the Board that showed that the countywide law was initially very successful at reducing both paper and plastic bags distributed at point of sale. In addition to the availability of thin, flimsy single use plastic check out bags plummeting, consumers reacted to the 10-cent charge for either a paper or thicker durable, reusable thick plastic bag (allowed under the law) by bringing their own bags. Surveys of shoppers at affected stores showed close to a 90-percent reduction in the distribution of the thick plastic bags the first three years of the law being implemented due in large part to stores not distributing these thicker plastic bags at checkout because of high cost and lack of availability during this initial period.

In 2016, California implemented a statewide bag law (SB 270), similar to the WMA 2012 countywide ordinance. The state law banned single-use flimsy plastic bags at stores that sell food and liquor, including grocery, pharmacies, convenience and liquor stores, and required a 10-cent charge for either paper or durable plastic bags. With the passage of SB 270, demand for compliant thicker plastic bags created an increase in production which has driven a lower price point for those plastic bags, making them comparable to the cost of paper bags.

As a result, data shows that stores have purchased and distributed an increasing number of thick plastic bags in recent years. In theory, the heavier bags are reusable. But in practice, parking lot surveys suggested they were

rarely being reused at stores, and instead contributed to more waste, both in production due to the higher volume of plastic, as well as waste in our collection streams. Local entities were unable to implement policy changes to the types of bags state regulated stores were distributing due to pre-emption language in SB 270.

In response, in 2024 the state legislature passed, and the Governor signed SB 1053, which amends SB 270 to no longer allow any type of film plastic bags to be distributed at these stores.

At the March 26 meeting, staff will provide details of the SB 1053 legislation requirements, review which stores are affected by the new law, and discuss options to amend WMA Ordinance 2016-2 to align with the state law. Staff will review the proposed amended ordinance and provide explanations for the amendments. The red-lined version of the amended ordinance is found in Attachment A.

RECOMMENDATION

This is an informational item only.

ATTACHMENT:

Attachment A: Proposed Amended Ordinance 2016-2

ATTACHMENT A

ORDINANCE 2025-
AMENDING ORDINANCE 2012-02
AS AMENDED BY ORDINANCE 2016-02

**ORDINANCE REGULATING THE USE OF CARRYOUT BAGS
AND PROMOTING THE USE OF REUSABLE BAGS**

The Board of the Alameda County Waste Management Authority (“Authority”) finds that:

1. In 2012 the Authority adopted Ordinance 2012-02, the Ordinance Regulating the Use of Carryout Bags and Promoting the Use of Reusable Bags and amended that ordinance in 2016 (collectively, the “Reuseable Bag Ordinance”).
2. In 2024 the legislature adopted and the Governor signed Senate Bill 1053 amending the State law regarding single-use carryout bags. Beginning January 1, 2026, that law requires regulated stores to provide customers needing a bag with only recycled paper bags, eliminating an earlier exception allowing distribution of some types of plastic film bags.
3. This ordinance amends the Reusable Bag Ordinance to provide that stores subject to the State single-use carryout bag law are required only to comply with the terms of that law. Stores not subject to that law remain subject to the Reuseable Bag Ordinance as amended in 2016. This ordinance takes effect on January 1, 2026.
4. The Board of the Alameda County Waste Management Authority held a public meeting on [date], 2025, and after considering all testimony and written materials provided in connection with that meeting introduced this ordinance and waived the reading thereof.

Therefore, the Board of the Authority hereby ordains as follows:

Section 1. Adoption.

Ordinance 2016-02, the Ordinance Regulating the Use of Carryout Bags and Promoting the Use of Reusable Bags as amended by Ordinance 2016-02 is hereby amended as set forth in Exhibit A effective January 1, 2026. Text to be added is indicated in bold double underlined font (e.g., **underlined**) and text to be deleted is indicated in strikeout font (e.g., ~~strikeout~~).

Section 2. Severability.

If any provision of this Ordinance or its application to any situation is held to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are declared to be severable.

Section 3. Publication.

Within 15 days after adoption of a summary of the ordinance with the names of those voting for and against, the ordinance shall be published and a certified copy of the full text with the names of those voting for and against the ordinance shall either (i) be posted on the Authority's website or (ii) be posted in the Authority offices.

Following introduction on [date] 2025, passed and adopted [next meeting date], 2025 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

I certify that under the penalty of perjury that the foregoing is a full, true and correct copy of the ORDINANCE NO. 2025-01.

TIMOTHY BURROUGHS
EXECUTIVE DIRECTOR

**ORDINANCE 2012-2
AS AMENDED BY ORDINANCE 2016-2
AND 2025-1**

**ORDINANCE REGULATING THE USE OF CARRYOUT BAGS
AND PROMOTING THE USE OF REUSABLE BAGS**

The Board of the Alameda County Waste Management Authority (“Authority”) ordains as follows:

SECTION 1 (Enactment)

The Board of the Authority does hereby enact this Ordinance in full consisting of Section 1 through Section 10.

SECTION 2 (Findings)

- (a) The purpose of this Ordinance is to reduce the use of single use carryout bags, ~~and~~ promote the use of reusable bags at the point of sale in Alameda County, **and align with state law eliminating the use of plastic bags at point of sale in state regulated stores in Alameda County. This Ordinance was adopted in 2012, amended in 2016 to apply to additional types of stores, and amended in 2025 to reflect changes in State law. The 2025 amendments took effect on January 1, 2026.**
- (b) The Authority has the power to enact this Ordinance pursuant to the Joint Exercise of Powers Agreement for Waste Management (“JPA”). The JPA grants the Authority the power, duty, and responsibility to prepare, adopt, revise, amend, administer, enforce and implement the County Integrated Waste Management Plan (“CoIWMP”), and pursuant to Section 5.m of the JPA, the power to adopt ordinances necessary to carry out the purposes of the JPA.
- (c) Reducing single use bag use is reasonably necessary to carry out the purposes of the JPA and implement the CoIWMP, including the following goals and policies.
- (d) Goal 1 of the CoIWMP is to promote environmental quality, ensure protection of public health and safety, and to minimize environmental impacts in all aspects of solid waste management. Policy 1.4.1 includes reduction of hard to recycle materials.
- (e) Goal 2 of the CoIWMP calls on the Authority and its member agencies to achieve maximum feasible waste reduction and to reduce the amount of waste disposed at landfills through improved management and conservation of resources.
- (f) Policy 2.1.1 adopts a waste management hierarchy that ranks management of waste through source reduction and then recycling and composting above landfill disposal.
- (g) Goal 7 of the CoIWMP is to Promote Inter-jurisdictional Cooperation. Policy 7.1.3 states that the Authority shall coordinate with other organizations as needed to fulfill its countywide role including coordinating on related issues such as water and litter. Objective 7.8 states that the Authority will coordinate and facilitate program

implementation by individual or subregional groupings of member agencies.

- (h) Numerous studies have documented the prevalence of plastic carry-out bags littering the environment, blocking storm drains and fouling beaches.
- (i) Plastic bags are a substantial source of marine debris.
- (j) Plastic bags cause operational problems at County landfills and transfer stations and contribute to litter countywide.
- (k) Agency studies show that as a result of Ordinance 2012-2, there has been a 44% decrease in plastic bags found in Alameda County Storm drains and a 69% decrease in paper and plastic bags at point of sale, and the number of shoppers bringing a reusable bag to affected stores, or not using a bag at all, has more than doubled.
- (l) Member Agencies are required by the Municipal Regional Permit 3.0 (MRP) for storm water to reduce trash by 970% by 2023~~17~~ and 100% by 2025~~2~~, ~~with cities having the option to implement plastic bag bans to achieve these requirements.~~
- (m) There are several alternatives to single-use carry-out bags readily available.
- (n) Despite the positive impacts of the ~~existing~~ 2012 ordinance, ~~it is~~ in 2016 it was estimated that 62% of the projected 764 million bags distributed in Alameda County ~~are~~ were distributed by currently affected stores. Further efforts are needed to decrease single-use checkout bags.
- (o) The Authority prepared the Mandatory Recycling and Single Use Bag Reduction Ordinances Environmental Impact Report, which considered two separate projects and included the environmental review required by the California Environmental Quality Act for this Ordinance. The Authority certified those portions of the EIR relevant to this Ordinance. The Authority prepared an Addendum that analyzed the environmental impacts associated with amending the reusable bag ordinance and found that the amendments would not result in any new significant environmental impacts that were not addressed in the EIR and will not cause any impacts to be substantially greater than were identified in the EIR. Nor do changed circumstances or new information reveal the ordinance would have any significant impacts not considered in the EIR or result in increases in the severity of any impacts identified in the EIR.
- (p) This ordinance will be enforced using the principle of progressive enforcement with the objective of bringing the regulated community into compliance. Progressive enforcement measures shall be used in the following order in order to promote compliance: (i) official notification of non-compliance, (ii) warning of an impending administrative citation and related fine, (iii) issuance of an administrative citation and fine, and (iv) civil enforcement and/or criminal enforcement if warranted by the nature of the violation.
- (q) **In 2024 the State of California amended the State law regarding single-use carryout bags to require state regulated stores to provide customers needing a bag**

with only recycled paper bags, eliminating an earlier exception allowing distribution of certain types of plastic film bags. The amendments take effect January 1, 2026. This ordinance was amended in 2025 to provide that stores subject to the State single-use carryout bag law are required only to comply with the terms of that law. Stores not subject to that law remain subject to this ordinance. The 2025 ordinance amendments take effect on January 1, 2026.

SECTION 3 (Definitions)

The definitions set forth in this Section shall govern the application and interpretation of this ordinance.

- (a) “Alameda County” means all of the territory located within the incorporated and unincorporated areas of Alameda County.
- (b) “Authority” means the Alameda County Waste Management Authority created by the Joint Exercise of Powers Agreement for Waste Management (JPA).
- (c) “Authority Representative” means any agent of the Authority designated by the Enforcement Official to implement this Ordinance, including Member Agency employees, or private contractors hired for purposes of monitoring and enforcement.
- (d) “Covered Jurisdiction” means a Member Agency of the JPA that has not opted out of coverage under Ordinance 2012-02 or Ordinance 2016-02 pursuant to Section 8 of this Ordinance. “2012 Covered Jurisdiction” means a Member Agency. “2016 Covered Jurisdiction” means a Member Agency that has not opted out of coverage under Ordinance 2016-02.
- (e) “Customer” means any Person obtaining goods from a Store.
- (f) “Enforcement Official” means the Executive Director of the Authority or his or her authorized designee.
- (g) “Executive Director” means the individual appointed by the Authority Board to act as head of staff and perform those duties specified by the Authority Rules of Procedure and by the Board.
- (h) “Member Agency” means a party to the JPA. Current member agencies are the County of Alameda, the Cities of Alameda, Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Newark, Oakland, Piedmont, Pleasanton, San Leandro, Union City, and the Castro Valley and Oro Loma Sanitary Districts. The service areas for the purpose of Section 8 of this Ordinance are:
 - (1) The legal boundaries of each of the 14 incorporated municipalities within Alameda County.
 - (2) The unincorporated sections of the County.

- (i) "Nonprofit Charitable Reuse Organization" means a charitable organization recognized as having Section 501 (c)(3) status by the Internal Revenue Code of 1986, or a distinct operating unit or division of the charitable organization, that reuses and recycles donated goods or materials and receives more than fifty percent (50%) of its revenues from the handling and sale of those donated goods or materials.
- (j) "Person" means an individual, firm, public or private corporation, limited liability company, partnership, industry or any other entity whatsoever.
- (k) "Postconsumer recycled material" means a material that would otherwise be destined for solid waste disposal, having completed its intended end use and product life cycle. Postconsumer recycled material does not include materials and byproducts generated from, and commonly reused within, an original manufacturing and fabrication process.
- (l) "Primary Enforcement Representative" is the chief executive of a Covered Jurisdiction or a qualified designee who will coordinate with the Authority regarding implementation of the Ordinance. A qualified designee shall have at least two years of municipal code enforcement experience or have undergone at least the level one municipal code compliance training program of the California Association of Code Enforcement Officers, or equivalent training program approved by the Enforcement Official.
- (m) "Produce/Product Bags" are bags that are integral to the packaging of the product, or bags without handles provided to the Customer (i) to transport produce, bulk food or meat from a produce, bulk food or meat department within a Store to the point of sale, (ii) to hold prescription medication dispensed from a pharmacy, or (iii) to segregate food or merchandise that could damage or contaminate other food or merchandise when placed together in a Reusable Bag or Recycled Content Paper Bag.
- (n) "Public Eating Establishment" means a restaurant, take-out food establishment or other business (including, but not limited to, food sales from vehicles or temporary facilities open to the public) that receives 90% or more of its revenue from the sale of prepared and ready-to-consume foods and/or drinks to the public.
- (o) "Recycled Content Paper Bag" has the meaning set forth in Public Resources Code section 42280(e) for "Recycled paper bag" as it may be amended from time to time. As of January 1, 2026 that law provides that it means "a paper carryout bag provided by a store to a customer at the point of sale that meets all of the following requirements:
 - (1) Is accepted for recycling in curbside programs in a majority of households that have access to curbside recycling programs in the state.
 - (2) Has printed on the bag the name of the manufacturer, the country where the bag was manufactured, and the percentage of postconsumer content.
 - (3) (A) Contains a minimum of 50 percent postconsumer recycled materials.
 - (B) The requirement in subparagraph (A) applies on and after January 1, 2028."

~~means a paper bag provided by a Store to a Customer at the check stand, cash register, point of sale, or other location for the purpose of transporting food or merchandise out of the Store and that contains no old growth fiber and a minimum of forty percent (40%) postconsumer recycled material; is one hundred percent (100%) recyclable and compostable, consistent with the timeline and specifications of the American Society of Testing and Materials (ASTM) Standard D6400; and has printed in a highly visible manner on the outside of the bag the words "Recyclable," the name and location of the manufacturer, and the percentage of post-consumer recycled content.~~

~~(p)~~ "Reusable Bag" means a bag with handles that is specifically designed and manufactured for multiple reuse and meets all of the following requirements: 1) has a minimum lifetime of 125 uses, which for purposes of this subsection, means the capability of carrying a minimum of 22 pounds 125 times over a distance of at least 175 feet; 2) has a minimum volume of 15 liters; 3) is machine washable or is made from a material that can be cleaned or disinfected; 4) does not contain lead, cadmium or any other heavy metal in toxic amounts, as defined by applicable state and federal standards and regulations for packaging or reusable bags; 5) has printed on the bag, or on a tag that is permanently affixed to the bag, the name of the manufacturer, the location (country) where the bag was manufactured, a statement that the bag does not contain lead, cadmium, or any other heavy metal in toxic amounts, and the percentage of postconsumer recycled material used, if any; and 6) if made of plastic, is a minimum of at least 2.25 mils thick.

~~(q)~~ "Single-Use Carryout Bag" means a bag other than a Reusable Bag provided at the check stand, cash register, point of sale or other location for the purpose of transporting food or merchandise out of the Store. Single-Use Carryout Bags do not include Produce/Product Bags.

(r) "Store" means any of the following stores located within Covered Jurisdictions:

(1) **"State Regulated Stores" which are stores defined in Public Resources Code section 42280(f) as it may be amended from time to time. As of January 1, 2026 that section provides that a store is a retail establishment that meets any of the following requirements:**

(1) A full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000) or more that sells a line of dry groceries, canned goods, or nonfood items, and some perishable items.

(2) Has at least 10,000 square feet of retail space that generates sales or use tax pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law (Part 1.5 (commencing with Section 7200) of Division 2 of the Revenue and Taxation Code) and has a pharmacy licensed pursuant to Chapter 9 (commencing with Section 4000) of Division 2 of the Business and Professions Code.

(3) Is a convenience food store, foodmart, or other entity that is engaged in the retail sale of a limited line of goods, generally including milk, bread, soda, and snack foods, and that holds a Type 20 or Type 21 license issued by the Department of Alcoholic Beverage Control.

(4) Is a convenience food store, foodmart, or other entity that is engaged in the retail sale of goods intended to be consumed off the premises, and that holds a Type 20 or Type 21 license issued by the Department of Alcoholic Beverage Control.

(5) If not otherwise subject to paragraph (1), (2), (3), or (4), if the retail establishment voluntarily agrees to comply with the requirements imposed upon a store pursuant to this chapter, irrevocably notifies the department of its intent to comply with the requirements imposed upon a store pursuant to this chapter, and complies with the requirements established pursuant to Section 42284.

~~(a) Within 2012 Covered Jurisdictions a full line, self-service retail store with gross annual sales of two million dollars (\$2,000,000), or more, that sells a line of dry grocery, canned goods, or nonfood items and some perishable items;~~

~~(2) (b) Within 2012 Covered Jurisdictions a store of at least 10,000 square feet of retail space that generates sales or use tax pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law (Part 1.5 (commencing with Section 7200) of Division 2 of the Revenue and Taxation Code) and that has a pharmacy licensed pursuant to Chapter 9 (commencing with Section 4000) of Division 2 of the Business and Professions Code; or~~

~~(3) (c) Within 2012 Covered Jurisdictions a drug store, pharmacy, supermarket, grocery store, convenience food store, foodmart, or other entity engaged in the retail sale of goods that include milk, bread, soda, and snack foods, including those stores with a Type 20 or 21 license issued by the Department of Alcoholic Beverage Control.~~

(2) "Locally Regulated Stores" which are:

~~(4) (a) Within 2016 Covered Jurisdictions on and after May 1, 2017 the stores listed in sections 3(e)(1), (2) and (3) above and any other commercial establishment operating from a permanent enclosed structure that sells perishable or nonperishable goods including, but not limited to, clothing, food and personal items directly to a customer and that is not a State Regulated Store; and~~

~~(5) (b) Within 2016 Covered Jurisdictions on and after November 1, 2017 any Public Eating Establishment.~~

SECTION 4 (Carryout Bag Restrictions)

The restrictions set forth in subsections (a)-(f) below apply only to Locally Regulated Stores. State Regulated Stores shall comply with the restrictions set forth in the Single-Use Carryout Bag law set forth in the Public Resources Code, Division 30, Part 3, Chapter 6.3, . In subsections (a) through (f) below all references to “Store” are references to Locally Regulated Stores.

- (a) No Store shall provide a Single-Use Carryout Bag or Reusable Bag to a Customer at the check stand, cash register, point of sale or other location for the purpose of transporting food or merchandise out of the Store except as provided in this Section.
- (b) A Store may make available for sale to a Customer a Recycled Content_Paper Bag or a Reusable Bag for a minimum price of ten cents (\$0.10).
- (c) A Store that is a Public Eating Establishment may make available to a Customer a Recycled Content Paper Bag at no charge, or a Reusable Bag for a minimum price of ten cents (\$0.10).
- (d) No Store may make available for sale a Recycled Content Paper Bag or Reusable Bag unless the amount of the sale of the Recycled Content Paper Bag and Reusable Bag is separately itemized on the sales receipt.
- (e) A Store may provide a Reusable Bag at no charge if it is distributed as part of an infrequent and limited time promotion. An infrequent and limited time promotion shall not exceed a total of 90 days in any consecutive 12 month period.
- (f) A Store may provide free Reusable Bags or free Recycled Content Paper Bags at the point of sale to a Customer participating in the California Special Supplemental Food Program for Women, Infants, and Children pursuant to Article 2 (commencing with Section 123275) of Chapter 1 of Part 2 of Division 106 of the California Health and Safety Code; a Customer participating in CalFresh pursuant to Chapter 1 commencing with Section 18900) of Part 6 of Division 9 of the California Welfare and Institutions Code; and a Customer participating in the Supplemental Food Program pursuant to Chapter 10 (commencing with Section 15500) of Part 3 of Division 9 of the California Welfare and Institutions Code, as necessary to carry the items purchased at the Store by each such Customer.

SECTION 5 (Permitted Bags)

Nothing in this Ordinance prohibits Customers from using bags of any type that they bring to the Store themselves or from carrying away goods that are not placed in a bag.

SECTION 6 (Exemptions)

This Ordinance does not apply to:

- (a) Produce/Product Bags.
- (b) Single-Use Carryout Bags or Reusable Bags used by Nonprofit Charitable Reuse Organizations.
- (c) Stores operating in a certified farmers' market registered in accordance with Section 47020 of the California Food and Agricultural Code.

SECTION 7 (Enforcement and Phasing)

- (a) Pre-enforcement Consultation. An enforcement action shall not be taken in any Covered Jurisdiction without written approval from the Primary Enforcement Representative of that Covered Jurisdiction. The Primary Enforcement Representative shall provide approval or disapproval of a proposed enforcement action in a timely manner.
- (b) Administrative Enforcement. Violation of any provision of this Ordinance shall constitute grounds for assessment of a notice of violation and fine by an Authority Representative in accordance with Government Code § 53069.4 or as the code shall subsequently be amended or reorganized. Where an enforcement action is necessary to enforce this Ordinance, the Enforcement Official will typically issue a notice of violation as authorized in this subsection prior to taking the actions authorized pursuant to sections 7(c) or 7(d) of this Ordinance. A separate notice of violation and fine may be imposed for each day on which a violation occurs. The fine shall not exceed the amounts detailed for misdemeanors in Section 7(d) of this Ordinance. The notice of violation shall list the specific violation and fine amount and describe how to pay the fine and how to request an administrative hearing to contest the notice of violation. The fine must be paid within 30 days of the notice of violation and must be deposited prior to any requested hearing. A hearing, by a hearing officer, will be held only if it is requested within 30 days of the notice of violation. Evidence may be presented at the hearing. If it is determined that no violation occurred, the amount of the fine shall be refunded within 30 days. The Authority shall serve the final order on the Person subject to the notice of violation by first class, overnight or certified mail.
- (c) Civil Action. Violation of any provision of this Ordinance may be enforced by a civil action including an action for injunctive relief. **Violations by State Regulated Stores may also be enforced in accordance with Public Resources Code section 42285.**
- (d) Infractions and Misdemeanors. Violation of any provision of this Ordinance shall constitute a misdemeanor punishable by a fine not to exceed \$500 for the first violation, a fine not to exceed \$750 for the second violation within one year and a fine not to exceed \$1000 for each additional violation within one year. Violation of

any provision of this Ordinance may also be enforced as an infraction punishable by a fine not to exceed \$100 for the first violation, a fine not to exceed \$200 for the second violation within one year and a fine not to exceed \$500 for each additional violation within one year. There shall be a separate offense for each day on which a violation occurs.

- (e) Authorized Representatives. Enforcement pursuant to this Ordinance may be undertaken by the Authority through its Executive Director, counsel, or any Authority Representative. In any enforcement action, the Authority shall be entitled to recover its attorneys' fees and costs from any Person who violates this Ordinance. Authority Representatives are authorized to conduct any inspections reasonably necessary to further the goals of this Ordinance, subject to applicable laws.
- ~~(f) Phasing. Notwithstanding the foregoing inspection and enforcement authorization of the amendments to this ordinance adopted by Ordinance 2016-02 shall be phased on the following schedule. Prior to the date that a type of establishment will be considered a Store, those establishments will be notified and public education and outreach activities will take place. Enforcement actions will be taken as needed beginning November 1, 2017 for Stores described in Section 3(r)(4) and beginning May 1, 2018 for Stores described in Section 3(r)(5).~~

SECTION 8 (Local Regulation and Opt-Out and Opt-In Provisions)

- (a) Local Regulation. Nothing in this Ordinance shall be construed to prohibit any Member Agency from enacting and enforcing ordinances and regulations regarding the distribution of Single-Use Carryout Bags and Reusable Bags, including more stringent requirements than those in this Ordinance.
- (b) Opt-Out Provision. Any Member Agency by a resolution of its governing body prior to December 9, 2016 may choose to exclude its service area from the amendments to Ordinance 2012-02 adopted by Ordinance 2016-02 on October 26, 2016.
- (c) Opt-In Provision. Any Member Agency that chooses to exclude its service area may request of the Authority by a resolution of its governing board to be re- included in coverage of the Ordinance at any subsequent time. Such coverage under the Ordinance, however, shall not occur unless it is accepted in writing by the Enforcement Official or the Authority Board, and shall become effective only on the date specified in such written acceptance. Such acceptance shall not be unreasonably withheld or delayed.
- (d) Dispute Resolution. In the event of a dispute between the Authority and a Covered Jurisdiction regarding the implementation of this Ordinance, either party may request a meeting, in which case the Enforcement Official and the Primary Enforcement Representative for the Covered Jurisdiction (or other designee of the chief executive of the Covered Jurisdiction) shall meet to discuss implementation of the Ordinance. After such meeting, the parties may agree to enter into mediation to resolve any disputes between the parties related to implementation of the Ordinance. In addition, after

meeting to seek to resolve any disputes between the parties and possible mediation, the Authority Board or the governing body of the Covered Jurisdiction, with at least 30 days public notice, may by resolution choose to exclude the service area of the Covered Jurisdiction from this Ordinance.

SECTION 9 (Severability)

If any provision of this Ordinance or its application to any situation is held to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 10 (Notice and Verification)

~~This Ordinance shall be posted at the Authority Office after its second reading by the Board for at least thirty (30) days and shall become effective thirty (30) days after the second reading.~~

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**April 2025
Meetings Schedule**

Alameda County Waste Management Authority, the Energy Council, Source Reduction & Recycling Board, and Programs and Administration Committee
(Hybrid meetings are held at StopWaste Offices unless otherwise noted)

SUN	MON	TUES	WED	THURS	FRI	SAT
		1	2	3	4	5
6	7	8	9	10 Programs & Administration Committee CANCELLED <hr/> Planning Committee & Recycling Board NO MEETING IN LIEU OF JOINT MEETING ON 04/23/2025	11	12
13	14	15	16	17	18	19
20	21	22	23 3:00 P.M. Joint Meeting Waste Management Authority, Energy Council, Planning Committee & Recycling Board Key Items: 1. FY 2026 Budget Presentation 2. Reusable Bag Ordinance Amendments	24	25	26
27	28	29	30			

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Energy Council
TECHNICAL ADVISORY GROUP (TAG)
Tuesday, March 11, 2025 – 1:00 pm to 2:00 pm

Attendance (all virtual):

County of Alameda: Emily Sadigh, Naomi Schroeder (Fellow), Jeffery Moridani (Fellow)
City of Alameda: Jenna MacKouse (Fellow)
City of Albany: Michelle Plouse
City of Berkeley: Marna Schwartz
City of Dublin: Shannan Young
City of Emeryville: Matt Anderson
City of Fremont: Kranti Kapur, Allyn McAuley
City of Hayward: Erik Pearson, Mireille Vargas, Stephanie Dumont, Ava Samuels (Fellow), Ben Jex (Fellow), Kayden Nguyen (Intern)
City of Livermore: Tricia Pontau
City of Oakland: Shayna Hirshfield-Gold, Nick Kordesch
City of Piedmont: Deniz Ergun, Andrew Kaplowitz (Fellow)
City of Pleasanton: Megan Campbell
City of San Leandro: Kimberly Anderson
City of Union City: Mayank Patel, Justin Africawala (Fellow)
Guests: Cait Cady, Ava Community Energy
StopWaste: Jennifer West, Emily Alvarez, Miya Kitahara, Karen Kho, Robin Plutchok

Introductions

Ask TAG

- Let StopWaste know if your jurisdiction is pursuing a reach code for the 2025 building code cycle and, if so, what support you would like to see from BayREN
- Share with StopWaste any legislation your jurisdiction is watching/supporting/opposing related to TAG, such as AB 306
- What software do you use for building permits?
- Are you submitting for the BayREN Decarbonization Showcase (due 3/18)?

Announcements

- Energy Council Board update - Legislative priorities were adopted for 2025 on 1/22/25
- [Topic Brief](#) linked on BayREN (Feb 2025)
- March 19 - [BayREN Forum on Embodied Carbon 9:00 am - 12:00 pm](#)
- March 19 - [Office Hours for Energy Concierge 2:00 pm](#)
- Annual in person TAG/TAC meeting will be April 15 with a focus on building materials, including deconstruction and reuse
- BayREN joined the East Bay Rental Housing Association's (EBRHA) Housing Collaborative, who hosted their inaugural annual housing collaborative on February 8th in Oakland. EBRHA's housing collaborative is meant to match renters and property owners with a range of helpful resources including energy savings rebates, home renovation subsidies, rent relief programs, and more. Learn more [here](#).
- [Gridworks presented](#) at LGSEC on the CPUC gas decommissioning proceeding and report.

CARB Embodied Carbon Process Update – Miya Kitahara, StopWaste

- CARB is creating a framework for measuring the carbon intensity of building materials as part of implementation of AB 2446 (2022) and AB 43 (2023)
 - Over time, the state will need to achieve a 40% net reduction in GHG emissions of building materials
- Manufacturers of building materials will need to provide Environmental Product Declarations (EPD), cost and background data for materials
- Developers and builders will have to produce life cycle assessments (LCA) and quantity of materials used
- Data collection will be helpful for tracking consumption of materials
- CARB is currently soliciting feedback from stakeholders: what are current EPD availabilities and practices and what are projects using to quantify emissions?
- CARB workshop is held March 13 on rulemaking to develop framework, public comment period is March 13-April 14
 - Want to see biobased and salvage/reuse of materials to be included in the state methodology and for the data collected to be shared
 - StopWaste will be participating and issuing comments and can share if others want to use those comments as a template

BayREN Update and Overview – Karen Kho and Emily Alvarez, StopWaste

- Emily and Karen gave a similar presentation at the February 26 Joint Energy Council/WMA Board Meeting. Content included:
 - Overview of the history of the Energy Council, Technical Advisory Group (TAG), Agency's external funding for energy programs, and the formation of BayREN (2013)
 - Introduced BayREN funding sources, structure, and budget
 - Brief introduction on the 10 BayREN programs
- TAG expressed interest in hearing more about the commercial program at a future TAG meeting