

COUNCIL AGENDA: 05-13-08
ITEM: 3.09

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Lee Price, MMC
City Clerk 

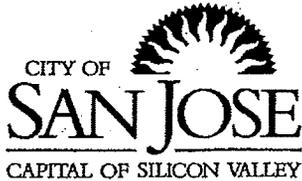
**SUBJECT: SB 1625 (CORBETT) – ADD ALL
PLASTIC CONTAINERS TO THE
STATE BOTTLE AND CAN
RECYCLING LAW**

DATE: 05-09-08

RECOMMENDATION

As referred by the Rules and Open Government Committee of May 7, 2008 and outlined in the attached memo previously submitted to the Rules and Open Government Committee, consider a position of support for SB 1625 (Corbett) – Add All Plastic Containers to the State Bottle and Can Recycling Law.





Memorandum

TO: RULES AND OPEN
GOVERNMENT COMMITTEE

FROM: John Stufflebean

SUBJECT: SEE BELOW

DATE: 04-29-08

Approved

Date 5/1/08

**SUBJECT: SUPPORT FOR SB 1625 (CORBETT) TO ADD ALL PLASTIC
CONTAINERS TO THE STATE BOTTLE AND CAN RECYCLING LAW**

RECOMMENDATION

It is recommended that:

1. The Mayor and City Council support SB 1625 (Corbett).
2. The Committee approve a one-week turnaround for Mayor and City Council review.

OUTCOME

If the Rules and Open Government Committee and the Mayor and City Council accept the recommendation, the City lobbyist will begin seeking support for SB 1625 (Corbett).

BACKGROUND

The California Beverage Container Recycling and Litter Reduction Act require that distributors pay the Department of Conservation the redemption value for certain containers. This payment is placed in a recycling fund which is used to pay refund values and processing fees. Funds not spent for this purpose can be used for grants to promote recycling and litter abatement.

SB 1625 is a bill before the California Legislature that would, in part, increase the types of plastic bottles eligible for redemption. SB 1625 is consistent with the following 2008 Legislative Guiding Principles:

Protect and Increase Local Funding. No Unfunded Mandates

7. Support policies that incorporate the costs of recycling, and disposal of products and materials to producers and users.

Promote Livability, Sustainable Development, and Environmental Protection

1. Protect the environment through conservation and, preservation of natural resources, habitat, and improving the health of local watersheds.
7. Support Source Reduction and increased recycling and composting in order to achieve Zero Waste.

Moreover, one of Council's 2008 Legislative Priorities is to increase the Department of Conservation grants for recycling and litter abatement. The City is working with Senator Padilla on SB 1357, which includes a provision to provide an additional \$20 million in grant funding from 2009 to 2011. Approval of SB 1625 would help ensure that sufficient funds remain in the unredeemed recycling deposits so that current grants can be continued while leaving sufficient funds for SB 1357.

ANALYSIS

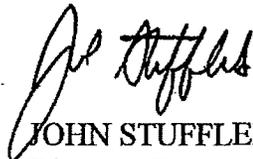
A fact sheet and analysis of SB 1625 is attached.

COORDINATION

This memorandum was coordinated with the City Attorney's Office, the Intergovernmental Relations Director in the City Manager's Office, and the City's Legislative Representative in Sacramento.

POLICY ALIGNMENT

The attached fact sheets and analyses are consistent with the Council-adopted 2008 Legislative Guiding Principles, and the Council-adopted guidelines:



JOHN STUFFLEBEAN
Director, Environmental Services

For questions, please contact Jo Zientek, Deputy Director, Environmental Services Department, at (408) 535-8557.

Attachment:

SB 1625 (CORBETT) - ADD ALL PLASTIC CONTAINERS TO THE STATE BOTTLE AND CAN RECYCLING LAW

What's the issue the bill is trying to resolve?

Plastic litter is a serious and growing problem. Up to 80% of marine debris pollution consists of plastic from urban litter. SB 1625 has the potential to significantly reduce the amount of plastic litter entering our stormwater system, creeks, San Francisco Bay, and the marine environment by expanding the types of plastic bottles which can be redeemed. Containers which have a redemption value (i.e. 5 cents or 10 cents depending on the size) under the state law are less likely to become litter. Plastics are the fastest growing component of the waste stream, and currently only about 50% of plastic bottles can be redeemed. Californians Against Waste, the sponsor of this bill, estimates that this measure would result in recycling more than 3 billion additional plastic bottles Statewide, reducing litter and landfilled plastic waste by 130,000 tons annually, and providing local governments with an additional \$100 million dollars annually.

How would the passage of this bill affect San Jose?

Plastic bottles make up the bulk of the items visible in trash rafts that accumulate in the Coyote Creek and Guadalupe River. The City conducted a waste composition study in March 2008. The study showed significant numbers of plastic bottles are not recycled but landfilled each year including about 3,400 tons from single-family residences, 10,000 tons from commercial generators, and more than 7,000 tons from multi-family homes, self-haul loads, and other sources. The passage of SB 1625 could help to recycle millions of additional plastic bottles each year with San Jose reducing its disposal by 5,000 tons or more each year.

Since the payments for the plastic beverage containers and other CRV containers that this bill would make subject to the act would be deposited in a continuously appropriated fund, the bill would make an appropriation. The bill would also impose a state-mandated local program by creating new crimes relating to CRV containers.

The City's curbside recycling contractors would receive more than a million dollars each year from the additional redemption value of the plastic bottles. Moreover, residents and businesses turning plastic bottles in at recycling centers would receive another million dollars or more each year.

The increase value of plastic containers would make removal of such containers from mixed waste much more cost-effective by offsetting the cost of waste processing. An increase in the number of plastic containers recycled should result in an annual savings of up to \$100,000 each year, the cost attributed to the disposal of residual waste. If residents turn in more plastic bottles for refunds, there may be fewer containers for pick-up from the curb side which may also result in a decrease in the cost of residential service of possibly more than one million dollars each year. Finally, litter collection costs should be reduced as fewer containers are littered or placed in City litter cans and as more are salvaged by individual collectors.

What is staff's Proposed Position?

Staff recommends that the City support SB 1625.

Who are the bill's supporters and opponents?

As of April 11, 2008, no staff analyses have been identified by legislative analysts. Californians Against Waste is the sponsor of the bill. They identify the following support: Californians Against Waste (sponsor), Alameda County Waste Management Authority, California League of Conservation Voters, California State Association of Counties (CSAC), Recycling and Waste Reduction Commission of Santa Clara County, City and County of San Francisco Department of Environment, City of Fairfield, City of Manteca, City of Sacramento, City of Santa Barbara Environmental Services, Glass Packaging Institute, Heal the Bay, Owens-Illinois, Planning and Conservation League, Waste Management

CAW has also identified the following opponents: American Chemistry Council, California Nevada Soft Drink Association, Clorox, Coalition of Independent Recyclers, Soap and Detergent Association

What is the current status of the measure?

On April 14, 2008, SB 1625 was heard by the Senate Environmental Quality Committee. It goes to Appropriations on May 5.