



# SBWMA LEGISLATIVE COMMITTEE MEETING

Monday, June 6, 2022, at 2:00 p.m.

VIA ZOOM VIDEO OR TELECONFERENCE MEETING ONLY

Link to Join

<https://us02web.zoom.us/j/82257704196?pwd=WHFH3VQSUV6OWNOL2tTejZWeFAwdz09>

Phone number for voice access: 1 (669) 900 9128

Meeting ID: 822 5770 4196

Passcode: 121755

PURSUANT TO GOVERNMENT CODE 54953(e) AND

SBWMA RESOLUTION 2022-05, THE MEETING WILL BE HELD BY TELECONFERENCE AND/OR VIDEO CONFERENCE ONLY. THE PUBLIC MAY PARTICIPATE BY JOINING THE ZOOM MEETING <https://us02web.zoom.us/j/82257704196?pwd=WHFH3VQSUV6OWNOL2tTejZWeFAwdz09> AND SUBMITTING THEIR PUBLIC COMMENTS IN A LIVE MEETING FORMAT. ANY EMAILS SENT TO [rethinker@rethinkwaste.org](mailto:rethinker@rethinkwaste.org) WILL BE PROVIDED TO THE LEGISLATIVE COMMITTEE MEMBERS PRIOR TO THE MEETING.

Live verbal public comments may be made by members of the public joining the meeting via Zoom. Zoom access information is provided above. Use the "raise hand" feature (for those joining by phone, press \*9 to "raise hand") during the public comment period for the agenda item you wish to address. The CHAIR will call on people to speak by name provided or last 4 digits of phone number for dial-in attendees. Please clearly state your full name for the record at the start of your public comment

Written public comments for the record may be submitted in advance by 12:00 p.m. on the meeting date by email to: [rethinker@rethinkwaste.org](mailto:rethinker@rethinkwaste.org) and will be made part of the written record but will not be read verbally at the meeting. Written public comments submitted by email should adhere to the following: 1) Clearly indicate the Agenda Item No. or specify "Public" in the Subject Line for items not on the agenda and 2) Include the submitter's full name

#### TELECONFERENCE PARTICIPANTS

ALL LEGISLATIVE COMMITTEE MEMBERS WILL PARTICIPATE BY TELECONFERENCE AND/OR VIDEO CONFERENCE PURSUANT TO GOVERNOR NEWSOM'S EXECUTIVE ORDER N-25-20

PURSUANT TO RALPH M. BROWN ACT, GOVERNMENT CODE SECTION 54953, ALL VOTES SHALL BE BY ROLL CALL DUE TO ALL LEGISLATIVE COMMITTEE MEMBERS PARTICIPATING BY TELECONFERENCE AND/OR VIDEO CONFERENCE

ANY REQUEST FOR REASONABLE ACCOMMODATION SHOULD BE ADDRESSED TO CYNDI URMAN AT [CURMAN@RETHINKWASTE.ORG](mailto:CURMAN@RETHINKWASTE.ORG).

## AGENDA

### 1. Call to Order/Roll Call

### 2. Public Comment

Persons wishing to address the Committee on matters NOT on the posted agenda may do so. Each speaker is limited to three minutes. If there are more than five individuals wishing to speak during public comment, the Chairman will draw five speaker cards from those submitted to speak during this time. The balance of the Public Comment speakers will be called upon at the end of the Committee Meeting. If the item you are speaking on is not listed on the agenda, please be advised that the Committee may briefly respond to statements made or questions posed as allowed under The Brown Act (Government Code Section 54954.2). The Committee's general policy is to refer items to staff for attention, or have a matter placed on a future Committee agenda for a more comprehensive action or report and formal public discussion and input at that

### 3. Executive Director's Report (*Verbal Report*)

p. 3

### 4. Approval of Consent Calendar

Consent Calendar item(s) are considered to be routine and will be enacted by one motion. There will be no separate discussion on these items unless members of the Committee, staff or public request specific items be removed for separate action. *Items removed from the Consent Calendar will be moved to the end of the agenda for separate discussion.*

A. Approval of the Minutes from the May 2, 2022 Legislative Committee Meeting

**ACTION p. 7**

### 5. Legislative Updates from EEC and Committee Discussion

p. 13

### 6. Legislative Committee Member Comments

### 7. Adjourn

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#### MEMBER AGENCIES

BELMONT \* BURLINGAME \* EAST PALO ALTO \* FOSTER CITY \* HILLSBOROUGH \* MENLO PARK \* REDWOOD CITY  
\* SAN CARLOS \* SAN MATEO \* COUNTY OF SAN MATEO \* WEST BAY SANITARY DISTRICT

May 31, 2022





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# EXECUTIVE DIRECTOR'S UPDATE

Agenda Item 3 is a verbal report only at the  
06/06/2022 SBWMA Legislative Committee Meeting





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# CONSENT CALENDAR



**DRAFT MINUTES**

SOUTH BAYSIDE WASTE MANAGEMENT AUTHORITY  
MEETING OF THE LEGISLATIVE COMMITTEE

May 2, 2022 2:15PM

Via Zoom Tele or Video Conference

**Call To Order: 2:16PM**

**1. Roll Call**

Member	Present	Absent
Michael Brownrigg	X	
Adam Rak	X	
Carole Groom	X	
Fran Dehn		X

SBWMA Staff Members Present: Joe La Mariana, Julia Au, Cyndi Urman

Others Present: Kayla Robinson, Environmental and Energy Consulting; Reed Addis, Environmental and Energy Consulting

**2. Public Comment**

Pursuant to Government Code Section 54954.3(a), members of the public wishing to address the Committee may do so, and the comments shall be limited to the Special Meeting notice topic(s). Speakers may join the Zoom meeting via the meeting link and using the “raise hand” feature and the Clerk of the Board will call on people.

None

**3. Executive Director’s Welcome**

Executive Director La Mariana gave a brief Executive Director’s report noting that he had just given an extensive report at Thursday’s Board meeting. He noted that tomorrow is the kickoff for the Site Optimization Study, and there is excitement on the Agency’s sponsored legislation which will be discussed at today’s meeting.

**4. Approval of Consent Calendar**

Consent Calendar item(s) are considered to be routine and will be enacted by one motion. There will be no separate discussion on these items unless members of the Committee, staff or public request specific items be removed for separate action. *Items removed from the Consent Calendar will be moved to the end of the agenda for separate discussion.*

A. Approval of the Minutes from the April 4, 2022, Legislative Committee Meeting

Motion/Second: Groom/Rak  
 Roll Call Vote: 3-0-0-1

Member	Yes	No	Abstain	Absent
Michael Brownrigg	X			
Adam Rak	X			
Carole Groom	X			
Fran Dehn				X

**5. Legislative Updates from Environmental and Energy Consulting (EEC) and Committee Discussion**

Kayla Robinson gave a timeline update on the legislative process. Last Friday was the last day for policy committees for fiscal bills, and next Friday is the last day for non-fiscal bills. Now, everyone is gearing up for May 19, when the Assembly and Senate hold their appropriations suspense file hearings.

Member Groom asked about the \$60B plus surplus and if the Agency was going to put forth some projects for that surplus.

Kayla Robinson answered that the Senate put out their budget priorities proposal last week, gearing up for the Governor’s revised budget that comes out mid-May. She noted that the proposal did put forth additional money for SB1383 funding for infrastructure and local governments. So, the Senate is advocating for additional surplus, but there isn’t technically new money in this year’s budget, it’s money that has been spread out over two years for 1383. Reed Addis added that there is a difference between the Senate and the Assembly, and the Assembly has changed its tune over the last few weeks on the availability of surplus dollars, and they are now saying there is not a lot of money left over.

The committee then discussed the Agency’s priority bills:

**SB1215/AB2440** – Kayla Robinson noted that at this point, the main opposition groups have taken a neutral stance. Because of that neutral stance, the bills have done well in committee, and even a few republicans have voted aye on the bills. Now that the bills are out of policy committees, the opposition groups have come forward with a lot of technical feedback, so EEC is trying to set up some strategic meetings to hear their concerns and merge their interests to find a path forward. Because there are bills in both houses, there is more confidence this year, so they are trying to think more long term about getting these bills to the floor.

Reed Addis added that because the appropriations committee meets at the end of the month, if the committee members haven’t already, this would be a good time to generate extra support by reaching out to contacts through various networks. He suggested trying to agendize support at other local agency’s groups that the committee members might sit on as well as reaching out to colleagues throughout the state to have a conversation about the bills ahead of the appropriations committee meeting and asking them to call their state legislator and asking them to support the bills.

Executive Director La Mariana thanked EEC for their efforts in getting the California Professional Firefighters Union to support the bills.

**AB1985** – Kayla Robinson noted that this bill is the mechanism for SB1383 procurement issues. It is sitting in appropriations and was fiscally flagged as expensive. EEC is working on back channeling to let appropriations know that the bill in print is not the goal, the goal is to open the door to have a conversation with CalRecycle to

come up with a solution to the procurement issues. May 19th they will know if their back channeling was successful.

The committee then discussed other bills EEC wanted to highlight.

**SB54** – Kayla Robinson gave an update on the plastics ballot initiative. She noted that there is a process by which the legislature can put a bill in place that would replace the ballot initiative. Currently there are conversations happening trying to balance opposition and support, so there could be language for this bill that tries to get that initiative removed from the ballot and that language could be available by Wednesday. Kayla Robinson noted that the Attorney General subpoenaed Exxon Mobile related to plastic and holding the gas industry accountable for misinformation around plastic. Reed Addis added that he was a little unclear how the Attorney General's action interplays with the bill and the ballot initiative, but it's fair to say that it will have some interplay.

Member Brownrigg commented that at the request of Californians Against Waste he attended the League of Cities Environmental Quality Policy Committee meeting where they were debating whether to take a position of in favor of or opposed to this ballot initiative. He noted that he was surprised by the number of people who were opposed to it. He did note that the committee did vote about 60/40 in favor of support, but it was a very significant no vote. Most of the opposition came from wanting this to happen in the legislature rather than through the initiative, or around no new taxes equating the \$0.01 fee to a tax.

Reed Addis commented that EEC is trying to raise money for some polling on this issue.

Member Groom added that in San Mateo County they are regularly hearing no new taxes, so if they think it's a tax it will be a hard sell.

Member Brownrigg thought that the support position missed out on some salient points. One being the sheer costs to agencies like the SBWMA to handle this material, costs which get passed on through the garbage rates, and while it is a fee at the consumer level it is to avoid other costs that the consumers will have.

Kayla Robinson added that it's likely that the initiative would have to pass for the \$0.01 fee to move forward, what is being worked on via the legislature doesn't have the fee.

Member Brownrigg asked if the SBWMA would still be in favor without the \$0.01 fee.

Executive Director La Mariana commented that he thought the Agency would be in favor of anything that would help get at plastics reduction and pollution. And he agreed with Member Brownrigg's comments to rebrand the marketing as a cost avoidance message.

Reed Addis noted that there are some challenges in that there is opposition and there is no coordinated campaign yet.

Member Brownrigg suggested a quick review of the initiative to brief the full board on this issue.

Executive Director La Mariana noted he would put it on the June Board Agenda.

**SB1013** – Kayla Robinson noted that the Senate Pro Tem has introduced this bill related to the Bottle Bill. It would add alcoholic beverage containers into the Bottle Bill, which is a major shift, and because of the Senate Pro Tem backing it, it does look like there will be movement this year to add alcoholic beverage containers. She

also noted that this support from the Senate Pro Tem has made Senator Wieckowski back off SB38, which had intended to completely revamp the Bottle Bill.

Member Brownrigg asked if the Agency gets money from the CRV program. Executive Director La Mariana answered yes, the Agency gets reimbursement for this through a CalRecycle formula and CalRecycle then audits annually against what the Agency has reported. Member Brownrigg asked for a calculation of potential revenue implications if alcoholic containers are added to the program. Executive Director La Mariana noted he would work on getting a rough calculation to the committee.

Member Rak asked for a brief update on the ability of residents to find recycling centers in the County.

Kayla Robinson noted that this is an ongoing issue that the Bottle Bill is grappling with. Grocery stores that sell CRV items are required to take them back, but many of them are paying a fee instead of taking them back or telling CalRecycle they are taking them back, but they don't. She noted that this issue has created a surplus, because bottles and cans aren't being redeemed. So CalRecycle is using that surplus to try to come up with some creative solutions to get the deposits back to the consumers. Reed Addis added that part of CalRecycle's budget proposal is to create collection locations at schools and community colleges to make them more accessible.

Member Brownrigg noted that inherently schools don't seem like a great idea unless it creates a source of revenue for the schools. Reed Addis noted that CalRecycle has not explained the policy reason to him yet. Member Brownrigg thought diluting the aggregation of the material was not a good idea and that by moving it to a school or a municipality, that agency would then have to become an accountant to repay the deposit fees, and the state has already invested in a recycling system, so this approach feels redundant unless someone can make an argument that it will lead to more diversion.

Member Groom now absent 2:57PM

Executive Director Joe La Mariana added that accounting for this program is quite complicated and that he thought it wasn't a good fit for schools to manage this program. He also noted that the County of San Mateo received a grant from the State to add recycling locations. Staff Au added that the County has three new recycling locations, one is in North Fair Oaks, the other two are in Half Moon Bay and Daly City, these are not permanent sites, but they are not mobile either. She also didn't know how long the grant would last but having more locations has helped to alleviate demand.

## **6. Legislative Committee Member Comments**

## **7. Adjourn 3:05PM**



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# LEGISLATIVE UPDATES





## STAFF REPORT

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**To:** SBWMA Legislative Committee Members  
**From:** Julia Au, Sr. Outreach, Education and Compliance Manager  
**Date:** June 6, 2022 Legislative Committee Meeting  
**Subject:** Legislative Updates from Environmental and Energy Consulting (EEC) and Committee Discussion

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### Recommendation

This staff report is for discussion purposes only.

### Summary

The Agency’s lobbyist, Environmental and Energy Consulting (EEC) will provide an update on the most up-to-date 2022 California Legislative Session activities, including updates about the three bills the Agency is co-sponsoring this legislative session and other bills the Agency is supporting and tracking.

Notable updates include Agency co-sponsored battery bills **AB 2440 (Irwin)** and **SB 1215 (Newman)** both passed out of their respective houses of origin and are now headed to their other houses. AB 2440 passed off the Assembly Floor with a 58-7-13 vote on May 23 with bi-partisan support. SB 1215 passed off the Senate Floor with a 28-8-4 vote on May 24. In addition, Agency co-sponsored **AB 1985 (R. Rivas)** to work on a long-term solution to the SB 1383 procurement requirements also passed off the Assembly Floor with a 75-0-3 vote on May 26.

Attachment A contains the list of bills EEC is currently tracking for the Agency.

### Attachments:

Attachment A – Bill Tracking for 2022 Session updated as of May 31, 2022

## RethinkWaste Legislative Update Tuesday, May 31, 2022

### Priority 1 (High)

**[AB 1985](#) (Rivas, Robert D) Organic waste: list: available products.**

**Status:** 5/27/2022-In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 5/27/2022-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law requires, no later than January 1, 2018, the State Air Resources Board to approve and begin implementing a comprehensive short-lived climate pollutant strategy to achieve a reduction in statewide emissions of methane by 40%, hydrofluorocarbon gases by 40%, and anthropogenic black carbon by 50% below 2013 levels by 2030. Current law requires the methane emissions reduction goals to include a 50% reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75% reduction by 2025. Current law requires the Department of Resources Recycling and Recovery, in consultation with the state board, to adopt regulations to achieve these organic waste reduction goals, including a requirement intended to meet the goal that not less than 20% of edible food that is currently disposed of be recovered for human consumption by 2025. This bill would require the department to compile and maintain on its internet website a list, organized by ZIP Code, of information regarding persons or entities that produce and have available in the state organic waste products and update the list at least every 6 months.

<b>Client</b>	<b>Position</b>	<b>Priority</b>
RethinkWaste	Sponsor	Priority 1 (High)

**Notes:** Support letter submitted.

**[AB 2440](#) (Irwin D) Responsible Battery Recycling Act of 2022.**

**Status:** 5/24/2022-In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 5/24/2022-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would make the Rechargeable Battery Recycling Act of 2006 and the Cell Phone Recycling Act of 2004 inoperative as of September 30, 2026, and would repeal those acts as of January 1, 2027.

<b>Client</b>	<b>Position</b>	<b>Priority</b>
RethinkWaste	Sponsor	Priority 1 (High)

**Notes:** Support letter submitted.

**[SB 54](#) (Allen D) Plastic Pollution Producer Responsibility Act.**

**Status:** 5/5/2022-Referred to Com. on NAT. RES.

**Location:** 5/5/2022-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would establish the Plastic Pollution Producer Responsibility Act, which would prohibit producers of single-use, disposable packaging or single-use, disposable food service ware products from offering for sale, selling, distributing, or importing in or into the state such packaging or products that are manufactured on or after January 1, 2032, unless they are recyclable or compostable.

<b>Client</b>	<b>Position</b>	<b>Priority</b>
RethinkWaste	Watch	Priority 1 (High)

**[SB 1215](#) (Newman D) Responsible Battery Recycling Act of 2022.**

**Status:** 5/27/2022-Referred to Coms. on E.S. & T.M. and NAT. RES.

**Location:** 5/27/2022-A. E.S. & T.M.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:** 6/14/2022 1:30 p.m. - State Capitol, Room 444 ASSEMBLY ENVIRONMENTAL SAFETY AND TOXIC MATERIALS, QUIRK, Chair

**Summary:** The Rechargeable Battery Recycling Act of 2006 requires every retailer, as defined, to have in place a system for the acceptance and collection of used rechargeable batteries for reuse, recycling, or proper disposal. The Cell Phone Recycling Act of 2004 prohibits the sale of a cell phone in this state to a consumer unless the retailer of that cell phone has in place a take-back system for the acceptance and collection of used cell phones for reuse, recycling, or proper disposal. This bill would make the



**Notes:** Support letter submitted.

**[AB 2026](#) (Friedman D) Recycling: plastic packaging.**

**Status:** 5/27/2022-In Senate. Read first time. To Com. on RLS. for assignment.

**Location:** 5/27/2022-S. RLS.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would prohibit an online retailer that sells or offers for sale and ships purchased products in or into the state from using single-use plastic shipping envelopes, cushioning, or void fill to ship or transport the products, on and after January 1, 2024, for large online retailers, as defined, and on and after January 1, 2026, for small online retailers, as defined. The bill would prohibit a manufacturer, retailer, producer, or other distributor that sells or offers for sale and ships purchased products in or into the state from using expanded or extruded polystyrene to package or transport the products. The bill would establish exemptions from these prohibitions.

**Client** RethinkWaste  
**Position** Watch  
**Priority** Priority 2 (Medium)

**[AB 2208](#) (Kalra D) Fluorescent lamps: sale and distribution: prohibition.**

**Status:** 5/25/2022-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on E.Q.

**Location:** 5/18/2022-S. E.Q.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Calendar:** 6/8/2022 9 a.m. - 1021 O Street, Room 1200 SENATE ENVIRONMENTAL QUALITY, ALLEN, Chair

**Summary:** Would prohibit, on and after January 1, 2024, a compact fluorescent lamp, as defined, and, on and after January 1, 2025, a linear fluorescent lamp, as defined, from being offered for final sale, sold at final sale, or distributed in this state as a new manufactured product. The bill would exempt various lamps that meet specified criteria from that prohibition, including lamps used for image capture and projection and lamps used for disinfection.

**Client** RethinkWaste  
**Position** Support  
**Priority** Priority 2 (Medium)

**Notes:** Sign-on support letter submitted.

**[AB 2374](#) (Bauer-Kahan D) Crimes against public health and safety: illegal dumping.**

**Status:** 5/25/2022-Referred to Com. on PUB. S.

**Location:** 5/25/2022-S. PUB. S.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Current law prohibits the dumping of waste matter upon a road or highway or in other locations, as specified. A violation of this prohibition, generally, is an infraction punishable by specified fines that escalate for subsequent convictions. Under current law, the court may, as a condition of probation, order the convicted person to remove, or pay for the removal of, the waste matter. This bill would increase the maximum fine for the dumping of commercial quantities of waste by a business that employs more than 10 employees from \$3,000 to \$5,000 for the first conviction, from \$6,000 to \$10,000 for the second conviction, and from \$10,000 to \$20,000 for the third and any subsequent convictions. The bill would require a court, when imposing a fine, to consider the defendant's ability to pay, as specified.

**Client** RethinkWaste  
**Position** Watch  
**Priority** Priority 2 (Medium)

**[AB 2387](#) (Garcia, Eduardo D) Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022.**

**Status:** 5/19/2022-In committee: Held under submission.

**Location:** 5/11/2022-A. APPR. SUSPENSE FILE

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would enact the Safe Drinking Water, Wildfire Prevention, Drought Preparation, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022, which, if approved by the voters, would authorize the issuance of bonds in the amount of \$7,430,000,000 pursuant to the State General Obligation Bond Law to finance projects for safe drinking water, wildfire prevention, drought preparation, flood protection, extreme heat mitigation, and workforce development programs.







handling or battery recycling facility to provide that data to the department in the form requested by the department and on or before the date requested by the department.

<b>Client</b>	<b>Position</b>	<b>Priority</b>
RethinkWaste	Watch	Priority 2 (Medium)

**SB 1256 (Wieckowski D) Waste management: disposable propane cylinders.**

**Status:** 5/27/2022-Referred to Coms. on NAT. RES. and JUD.

**Location:** 5/27/2022-A. NAT. RES.

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Summary:** Would, on and after January 1, 2028, prohibit the sale of disposable propane cylinders, as defined, and would make the violation of this provision subject to specified civil penalties. The bill would authorize a city attorney or county counsel to impose these civil penalties, as provided.

<b>Client</b>	<b>Position</b>	<b>Priority</b>
RethinkWaste	Support	Priority 2 (Medium)

**Notes:** Sign-on support letter submitted.

**Total Measures: 21**

**Total Tracking Forms: 21**