

**ENVIRONMENTAL QUALITY POLICY COMMITTEE
HIGHLIGHTS**

Thursday, March 28, 2019

Hilton Orange County/Costa Mesa, Pacific Ballroom 1, 3050 Bristol Street, Costa Mesa

ATTENDANCE

Members: Mireya Turner (Chair), Allan “Doc” Bernstein (V.Chair), Emily Beach, Kristi Becker, Thomas Butt, Jon Canavan, Catherine Carlton, Jennifer Cavanaugh, Teresa Chen, Margaret Clark, Robert Collacott, Kaila DeFries, Denise Diaz, Jim Diaz, Pat Eklund, Dan Kalb, Mina Layba, Jesse Loren, Lawrence Mainez, Julio Martinez, Marjorie Mohler, Vong Mouanoutoua, Oley Olsen, June Overholt, David Pollock, Randall Putz, Jason Pyle, Gabe Quinto, Lisa Ann Rapp, Chris Rogers, Robert Schultz, Mario Sierra, George Spurr, Tom Stallard, Matthew Summers, Russ Utz, Gillian van Muyden, Fabian Villenas, Arwen Wacht, Kerri Warren, Kevin Wilk, James Wood

League Partners: Tim James

Staff: Derek Dolfie

I. State Budget and General Briefing

Stacey Mattina, Chair, League Housing, Community and Economic Development Policy Committee, gave a brief introduction to the General Briefing Session. After her welcome, she introduced League President Jan Arbuckle, Council Member, Grass Valley, who welcomed everyone to the second round of policy committee meetings of the year. President Arbuckle then introduced Rich Garbarino, League Immediate Past President, Carolyn Coleman, League Executive Director, and acknowledged all of the League Partners in the room.

President Arbuckle then shared a highlight of the most recent League board meeting where the Board had the pleasure of meeting with newly elected Governor Gavin Newsom. Arbuckle stated that the Governor’s decision to visit the League Board of Directors and his willingness to stay for over an hour demonstrates the importance of our collective city voice. She encouraged everyone in the room to register for the League’s Legislative Action Day and remain engaged, then handed the meeting over to Carolyn Coleman.

Ms. Coleman thanked President Arbuckle for all of the hard work she dedicates to her role, and then emphasized the importance of the policy committees in developing the Leagues positions on key issues. She then introduced Dan Carrigg, League Deputy Executive Director and Legislative Director. The rest of the briefing was presented by the League’s legislative team.

Mr. Carrigg began by reinforcing the importance of showing up for Legislative Action Day and meeting with Assembly Members and Senators face to face. Mr. Carrigg then introduced the League’s fiscal advisor, Michael Coleman, to walk everyone through the State Budget update. Mr. Coleman briefly discussed the moderate growth of the economy, but acknowledged that there are some signs of a slowing economy, and stressed the importance of maintaining a balanced budget.

Mr. Carrigg then gave an overview of the political dynamics of having a new Governor, a Democratic legislative super majority, and longer legislative term limits. He said that legislators and interest groups are inclined to test Governor Newsom by sending him many bills Governor Brown would not previously sign. This would be a year when we will all find out what the Governor is willing to say no to.

Mr. Carrigg went on to discuss two important economic development bills, SB 5 and AB 11. Both of these measures would reinvest the state into tax increment financing. A renewed investment would greatly improve opportunities for economic development and provide a great opportunity for the state to work with locals to accomplish shared state and local goals. Mr. Carrigg then referred to [a hand out with a list of the current economic development tools](#) currently available to cities. In addition, Mr. Carrigg discussed ACA 1 and several initiatives that have qualified for the ballot including the split roll, bail reform, and the Grocers and Police Chiefs criminal justice reform initiative. Then Mr. Carrigg introduced the League's lobbyists to discuss their respective issue areas.

Jason Rhine, League Assistant Legislative Director, focused on the housing affordability and availability challenges throughout the state. Mr. Rhine noted that housing legislation is a high priority for the Governor, Legislature, and the League this year. He noted that if achieved, Governor Newsom's goal of producing 3.5 million housing units by 2025 would create an unprecedented level of housing production in the state. Additionally, Mr. Rhine encouraged members to engage and advocate for legislation that will help local governments address their housing challenges while preserving appropriate local control.

Mr. Rhine also briefly discussed the Governor's housing trailer bill proposal and [a short list of bills of significant concern](#). This year, he said, housing related legislation touches on nearly every section of housing law before many of the laws enacted over the past two years have had time to be implemented. The League has been working closely with the Governor's office and Legislators on the trailer bill language and the 200+ housing related bills introduced this legislative session.

Dane Hutchings, League Legislative Representative, briefed members on issues related to governance, transparency, and labor relations. Mr. Hutchings began by discussing the political realities in Sacramento surrounding employee relations legislation and then briefly discussed several bills regarding worker compensation and elections. Mr. Hutchings also highlighted AB 1332, which would significantly limit the ability for state and local agencies to cost-effectively contract for a variety of public services, create an ever-evolving blacklist of prohibited companies and create millions of dollars of unfunded mandates. Mr. Hutchings also briefly discussed the recent [Cal Fire pension decision](#) and its impact.

Charles Harvey, League Legislative Representative, gave an update on various public safety related issues including cannabis and cannabis deliveries, drones, police use of force, and gun legislation. On the topic of cannabis, Mr. Harvey discussed the legislative and expected judicial challenges of the recent Bureau of Cannabis Control regulations authorizing cannabis deliveries in any jurisdiction in the state. In addition, Mr. Harvey discussed AB 392 (Weber), the re-introduction of a police use-of-force bill from last year, which the League opposed, and SB 230 (Caballero) an alternative bill backed by police chiefs that the League would likely support.

Derek Dolfie, League Legislative Representative, highlighted evolving environmental and community issues that will be big in 2019. A major issue is organic waste diversion and the regulations that will implement a 50% reduction target coming out this summer. Mr. Dolfie also discussed various proposals that seek to provide clean water to California residents. He also touched on bills regarding recycling, energy, disaster preparedness, storm water, aging, homelessness and tobacco use regulations.

Rony Berdugo, League Legislative Representative, discussed transportation, communications, and public works. Mr. Berdugo began by discussing the proposal to link SB 1 transportation

dollars with housing production. The proposal was met with hostility by many legislators and Mr. Berdugo suggested that folks in the room speak to their legislator and tell them that this proposal should not move forward. Next, he discussed the FCC small cell order and how the League and others have attempted to push back against this in the courts and on the federal level. Finally, Mr. Berdugo discussed emergency alert legislation and disaster preparedness regarding seismic safety.

Lastly, Dan Carrigg briefly discussed issues related to revenue and taxation. Mr. Carrigg touched on the League's support of AB 147 (Burke) which would implement the *Wayfair* decision in California and increase revenue for local governments, and discussed legislation that would limit sales tax agreements that shift revenue from other jurisdictions.

II. Welcome and Introductions

Chair Mireya Turner and Vice Chair Allan "Doc" Bernstein, welcomed the committee members and asked them to briefly introduce themselves.

III. Public Comment

No public comment.

IV. Legislative Agenda

League Legislative Representative Derek Dolfie presented the legislative agenda to the committee.

[SB 54 \(Allen\)](#) & [AB 1080 \(Gonzalez\)](#) California Circular Economy and Plastic Pollution Reduction Act.

Derek Dolfie summarized SB 54/AB 1080, these identical bills would require the Department of Resources Recycling and Recovery (CalRecycle), in consultation with the State Water Resources Control Board (SWRCB) and the Ocean Protection Council (OPC), to adopt regulations to source reduce and recycle at least 75% of single-use packaging and products sold or distributed in California by 2030, require that all single-use plastics sold or distributed in California be recyclable or compostable by 2030, and require CalRecycle to develop a scoping plan to achieve those requirements.

The committee discussed several aspects of the bill including some technical and implementation related questions. The committee made several motions. The first motion was to approve the staff recommendation to support the bill, but direct staff to address several questions. Then a substitute motion was made to take no action on the bill. After taking numerous questions, the motion to take no action failed, and the motion to support the bill addressing certain questions passed.

Committee Recommendation:

Approve the staff recommendation to take a support position and direct staff to address various details on SB 54 (Allen) and AB 1080 (Gonzalez).

The details and questions included:

- If the bill could make a larger commitment to recycling infrastructure;
- Why the author is using 2030 as the date to implement the bill;
- Why the author decided to make single use plastics compostable and recyclable and not only compostable,
- Who makes the determination on what is considered a "single use plastic"; and
- How CalRecycle will implement the program.

- Additionally, the committee would like to see if an amendment could be made in section 42045(d)(1), by changing the “may” into a “shall” in the sentence, “In implementing this section, the department **may** consult with local governments and representatives of the solid waste industry, the recycling industry, the compost industry, and single-use packaging or product is recyclable, reusable, or compostable” (emphasis added).

Committee Action: Approved on a 25-9 vote.

V. **California Refuse and Recycling Council Presentation**

Chair Turner welcomed Kathryn Lynch and John “Kelly” Astor from the [California Refuse Recycling Council, Southern District](#) (CRRC) to the committee. Ms. Lynch and Mr. Astor gave a brief overview of CRRC and explained that their association represents waste haulers in Southern California and has worked in collaboration with the League and local governments on solid waste issues in the past.

Ms. Lynch and Mr. Astor then gave a brief presentation on some of the challenges that waste haulers are facing on various issues, including the implementation of the new [SB 1383](#) (Lara, 2016) administered by the [California Department of Resources Recycling and Recovery](#) (CalRecycle). They explained that the mandates in the regulations put forth by CalRecycle are nearly impossible to comply with and will cost local governments and haulers millions if not billions to comply. They stressed that this could cause costs to go up for their customers and our constituents.

Additionally, Ms. Lynch and Mr. Astor also discussed with the committee the collapse of recycling markets in California. For years, California sold the majority of its recyclable materials to China. But, over the last several years, China has implemented severe restrictions on what recyclable materials they will accept and have announced that they will no longer take any recyclable materials by 2020. With this change in global recycling markets, local governments and haulers have less and less buyers for their recyclable materials. Ms. Lynch and Mr. Astor stressed that this problem is another looming problem local governments and haulers must face.

Lastly, Ms. Lynch and Mr. Astor also discussed the partnerships that they would like to strengthen with local governments to push back on these regulations and other legislative proposals that seek to infringe on local control in the solid waste industry.

After their presentation, Ms. Lynch and Mr. Astor took numerous questions from the committee. Some of the committee members expressed their frustration with the presentation given by CRRC, and asked what solutions could be developed for the issues discussed. Ms. Lynch and Mr. Astor reiterated that they share the frustration of local governments on this issue and wanted to work with them on developing solutions, but did not have immediate answers. Committee members also asked the speakers about CRRC’s commitment to moving to more environmentally sustainable products and reducing the amount of waste in the waste stream. Ms. Lynch and Mr. Astor are supportive of developing more environmentally friendly products and are at the table to work on those solutions as they are being developed.

VI. **Legislative Update**

Mr. Dolfie gave a legislative update to the committee on several bills related to environmental quality. The main categories of bills discussed were solid waste, safe and affordable drinking water fund, disaster prevention, preparedness and resiliency, and energy, utilities, and water.

2019 Work Plan Items Covered to Date:

- Storm water and water quality;

- Governor’s Trailer Bill on Water Tax – Update/Presentation
- SB 669 (Caballero) Water Quality: Safe Drinking Water Fund – Update/Presentation
- SB 200 (Monning) Safe and Affordable Drinking Water Fund – Update/Presentation
- AB 217 (E. Garcia) Safe Drinking Water for All Act – Update/Presentation
- AB 134 (Bloom) Safe, clean, affordable, and accessible drinking water – Update/Presentation
- AB 755 (Holden) California tire fee: Stormwater Permit Compliance Fund – Update/Presentation
- SB 205 (Hertzberg) Business licenses: stormwater discharge compliance – Update/Presentation
- SB 332 (Hertzberg) Waste Water Treatment: Recycled Water – Update/Presentation
- Solid waste and recycling markets:
 - AB 1171 (Chen) Recycling: grocery store food packaging: sustainability standards – Update/Presentation
 - SB 33 (Skinner) Solid waste: reduction and recycling – Update/Presentation
 - SB 54 (Allen) / AB 1080 (Gonzalez) California Circular Economy and Plastic Pollution Reduction Act – Action Item
 - SB 667 (Hueso) Greenhouse gases: recycling infrastructure and facilities – Update/Presentation
 - SB 515 (Caballero) California Renewables Portfolio Standard Program: bioenergy renewable feed-in tariff – Update/Presentation
 - SB 1383 (Lara, 2016) Implementation, CalRecycle – Update/Presentation
- Disaster prevention, preparedness, and resiliency:
 - SB 45 (Allen) Wildfire, Drought, and Flood Protection Bond Act of 2020 – Update/Presentation
 - SB 209 (Dodd) Wildfire: California Wildfire Warning Center: weather monitoring – Update/Presentation

VII. Additional Comments

After the committee’s lengthy discussion on reducing waste, single-use plastics, and recycling markets, several committee members expressed their desire to reduce the amount of waste the League’s policy committee lunches’ generate. Those members requested that League staff look into if and how the policy committee lunch waste could be reduced for future meetings.

League legislative staff has informed the League’s Education & Member Services department, who handle meeting and conference planning, of the committee’s request. League staff will continue to look into this issue to assess the best possible way to reduce policy committee lunch waste in the future.

Next Meeting: Thursday, June 13, Sacramento Convention Center, Sacramento