

1 **Resolution No. 007-04-COE**

2

3 **[Bag Fee]**

4 **URGING THE MAYOR AND THE BOARD OF SUPERVISORS OF THE CITY**
5 **AND COUNTY OF SAN FRANCISCO TO ADOPT AN ORDINANCE**
6 **REQUIRING A FEE ON SUPERMARKET CHECKOUT BAGS.**

7

8 WHEREAS, Bags use increasingly scarce resources including energy, and
9 create pollution from production through disposal; and,

10 WHEREAS, In 1999, more than 14 million trees were felled to produce the 10
11 billion paper grocery bags used by Americans¹; and,

12 WHEREAS, In the U.S. alone, an estimated 12,000,000 barrels of oil are
13 required to produce the 100 billion plastic bags used annually²; and,

14 WHEREAS, Bags create significant litter problems for San Francisco's streets,
15 beaches, sewer system and the marine environment; and,

16 WHEREAS, In every square mile of ocean it is estimated that there are over
17 46,000 pieces of plastic, of which plastic bags are a component³; and,

18 WHEREAS, Over 100,000 marine animals die every year from plastic
19 entanglement⁴; and,

¹ Paper or Plastic?, Delicious Living,

[<http://www.deliciouslivingmag.com/magazine/index.cfm?fuseaction=article&articleid=222>]

² Reusable Bags Tackle Plastic Bag Mess, Organic Trade Association,

[http://www.theorganicreport.com/pages/445_reusable_bags_tackle_plastic_bag_mess.cfm]

³ Keep the Sea Plastic Free—Bin It, Australian Government, [<http://www.deh.gov.au/industry/waste/plasticdebris.html>]

⁴ Sea Turtles Don't Shop, Earth Resource Foundation, [<http://www.earthresource.org/seaturtlesdontshop.htm>]

1 WHEREAS, The San Francisco Commission on the Environment and Board of
2 Supervisors of the City and County of San Francisco adopted citywide goals of
3 75% landfill diversion by 2010 and zero waste by 2020; and,

4 WHEREAS, Bags are perceived as disposable products and are an
5 impediment to San Francisco's landfill diversion and other goals; and,

6 WHEREAS, Plastic bags are difficult to recycle or compost and are currently
7 major contaminants in San Francisco's recycling and composting programs; and,

8 WHEREAS, Nationally only 0.6 percent of plastic bags are recycled⁵; and,

9 WHEREAS, Dozens of governments around the world have placed fees on
10 bags or even banned plastic bags; and,

11 WHEREAS, A fee of 15 cents per bag on plastic shopping bags in the
12 Republic of Ireland has cut their use by more than 90% and raised millions of
13 euros to be spent on environmental projects⁶; and,

14 WHEREAS, The ordinance should include measures to assure that any fee
15 not adversely impact residents with low or fixed incomes and residents with large
16 families; and,

17 WHEREAS, Mayor Newsom and Supervisor Mirkarimi have introduced a
18 resolution instructing the Department of the Environment to complete a nexus
19 study with an independent consultant on a local fee for supermarket checkout
20 bags, Board of Supervisors file number 050062; now, therefore, be it

21 RESOLVED, That the Department of the Environment contract with an
22 independent, external entity to complete a nexus study in order to identify the

⁵ Plastic Bags, Worldwatch Institute, [<http://www.worldwatch.org/pubs/goodstuff/plasticbags/>]

⁶ Irish Bag Tax Hailed Success, BBC News, [<http://news.bbc.co.uk/2/hi/europe/2205419.stm>]

1 relationship between the use of disposable supermarket checkout bags and
2 various costs to the City, and to determine the legality and appropriateness of a
3 local fee on these bags; and, be it

4 FURTHER RESOLVED, This study or an additional external study should
5 determine the economic impact of this fee on San Francisco residents,
6 particularly those residents with low or fixed incomes and residents with large
7 families; and, be it

8 FURTHER RESOLVED, That the ordinance mitigate any adverse impacts on
9 residents with low or fixed incomes and residents with large families; and, be it

10 FURTHER RESOLVED, That the Department of the Environment should work
11 with the Office of the Treasurer, City and County of San Francisco, to determine
12 the cost of collecting and disbursing user fees, which must be included in nexus;
13 and, be it

14 FURTHER RESOLVED, That a Scope Committee be formed to insure the
15 success and completeness of the nexus study and report back to the
16 Commission at the next Commission meeting; and, be it

17 FURTHER RESOLVED, That the Commission on the Environment urges the
18 Mayor and Board of Supervisors of the City and County of San Francisco to
19 adopt an ordinance requiring a 17 cent fee on each bag, or such fee as
20 determined by the nexus study, provided at supermarket⁷ checkout counters to

⁷ The proposed ordinance would apply to supermarkets that create a recycling convenience zone under California's bottle bill. As defined by the California Department of Conservation, a convenience zone originates around a supermarket that is identified in the Progressive Grocer Marketing Guidebook, has gross annual sales of \$2 million or more, and sells a "full line" of dry groceries, canned goods, or non-food items and perishable goods.
[<http://www.consrv.ca.gov/DOR/dmr/retailers/cz.htm>]

1 reduce the proliferation of unnecessary bags and provide funds to mitigate the
2 negative impacts caused by them; and, be it

3 FURTHER RESOLVED, That the ordinance require supermarkets to submit
4 the fee to the San Francisco Treasurer to then be distributed by the Department
5 of the Environment for related purposes and programs to be outlined in the
6 ordinance, but be allowed to keep up to half of the fee for Department of the
7 Environment approved programs such as providing discounted durable reusable
8 checkout bags to low income residents, compostable⁸ bags in produce and bulk
9 aisles, compostable bags and food service ware on store shelves, in-store
10 collection of bags and other packaging for recycling, and outreach on waste
11 prevention and recycling programs; and, be it

12 FURTHER RESOLVED, That the ordinance require supermarkets to provide
13 an annual report to the Department of the Environment summarizing bag
14 revenues and program expenditures, and submit any funds collected from bag
15 fees that remain unspent or allocated to unapproved programs at the end of each
16 calendar year to the San Francisco Treasurer to be distributed by the
17 Department of the Environment; and, be it

18 FURTHER RESOLVED, That the ordinance contain provisions to allow the
19 Department of the Environment to adjust the amount of the fee retained by
20 supermarkets and in the future apply the fee beyond checkout bags and to
21 smaller markets, drug stores, department stores, hardware stores, dry cleaners,
22 food takeout, newspapers and other bag distributors; and, be it

⁸ The proposed fee would apply to all supermarket checkout bags including compostable ones. San Francisco's composting programs currently only accept paper products and plastic products certified by the Biodegradable Products Institute (BPI) and labeled BPI compostable. BPI, [<http://www.bpiworld.org/>]

1 FURTHER RESOLVED, That the fee not be implemented for a period of six
2 months after the passage of the ordinance to allow for public education which will
3 insure the effective implementation of the program.

4

5 I hereby certify that this resolution was adopted by the Commission on the Environment
6 at its special meeting on January 25, 2005.

7

8 Monica Fish

9 *Monica Fish, Commission Secretary*

10

11 Vote:

12 Ayes: Commissioners Crowder, Pelosi Jr., Desser, King, Mok, Rodriguez, Wald

13 Noes: None

14 Absent: None

