

ALTERNATIVE 5 – The County, in partnership with large supermarkets and retail stores, the plastic bag industry, environmental organizations, recyclers and other key stakeholders will develop a voluntary Single Use Bag Reduction and Recycling Program to: promote reusable bags, increase at-store recycling of plastic bags, reduce consumption of single use bags, increase post-consumer recycled content of paper bags, and promote public awareness of litter impacts and consumer responsibility. In addition, an ordinance aimed at implementing a plastic bag ban, to be effective if the County program goals are not met, will be brought to the Board for adoption.

To reduce plastic bag litter and promote a change in consumer behavior, the County's working group (in close partnership with large supermarkets, retail stores, industry, recycling and waste management companies, cities, environmental organizations, and consumers) will develop a comprehensive Single Use Bag Reduction and Recycling Program no later than July 1, 2008. The County working group, at a minimum, consists of all Supervisorial Districts, the Chief Executive Office, Department of Public Works, Internal Services Department and Department of Public Health. The goals of the program include promoting reusable bags, increasing at-store recycling of plastic bags, reducing single-use bag consumption, increasing the post-consumer recycled content of paper bags, and promoting public awareness of litter impacts and consumer responsibility Countywide.

Single Use Bag Reduction and Recycling Program

The Bag Reduction Program shall include the following minimum elements:

Large Supermarket and Retail Store Responsibilities

Each large supermarket and retail store will develop and implement store-specific programs from a menu of options within each of the following key components:

1. A plan to train store personnel to promote the purchase/use of reusable bags, smart bagging techniques to reduce single use bag consumption, and increased promotion of at-store recycling of plastic bags.
2. Establishing incentives for reducing single use bag consumption, such as reusable bag credits, a per-bag fee for single use bags, or other incentives.
3. Participation in reusable bag promotions and other educational efforts, including reusable bag giveaways, consumer education programs, elementary school programs, in-kind contributions, and other opportunities for promoting environmental awareness.

Manufacturer and Trade Association Responsibilities

1. Encourage members and other retailers to participate in the Bag Reduction and Recycling Program and in promoting the recycling of single-use bags.
2. Provide technical assistance to other retailers and County staff on how to set up at-store recycling programs so that the collected materials are marketable.
3. Participate in media events to promote the Bag Reduction and Recycling Program.
4. Work with large supermarkets and retail stores to provide the County with plastic bag consumption and at-store recycling data (including end markets for recovered plastic bags), as required by Assembly Bill 2449, on a semi-annual basis (reporting dates anticipated to be by April 1 and October 1 each year beginning in 2008), following the development of a reporting framework by the California Integrated Waste Management Board.
5. Work with large supermarkets and retail stores to promote the use of at least 40 percent post-consumer recycled content paper bags by January 1, 2009.

County Working Group Responsibilities

The success of the Bag Reduction and Recycling Program will be the result of efforts made by all stakeholders, including the County. In order to maximize the effectiveness of the Bag Reduction and Recycling Program, the County working group (in close partnership with large supermarkets, retail stores, industry, recycling and waste management companies, cities, environmental organizations, and consumers) will:

1. Facilitate regular stakeholder meetings on at least a quarterly basis.
2. Define "large supermarkets and retail" stores. At a minimum, the definition would include all stores required to comply with Assembly Bill 2449.
3. Develop the framework for the store-specific programs under "Large Supermarkets and Retail Store Responsibilities" no later than July 1, 2008. The framework would establish minimum participation expectations, including participation levels and minimum program implementation at each store. In order to encourage participation by individual stores and expand the Bag Reduction and Recycling Program's effectiveness, minimum participation expectations would be adjusted annually.
4. Create a program to recognize large supermarkets and retail stores who have shown a commitment to participating in the Bag Reduction and Recycling Program.
5. Purchase reusable bags for large-scale giveaways to promote consumer use of reusable bags.

6. Work with County departments and facilities to phase out the purchase and use of single use plastic bags, and maximize the recycled content of paper bags, meeting a minimum 40 percent recycled content.
7. Develop performance measurements and indicators that reflect the Bag Reduction and Recycling Program outcomes.
8. Communicate and collaborate with the 88 Cities in Los Angeles County and local Council of Governments to create a Countywide coordinated and consistent anti-litter campaign, and develop a sample resolution for cities to adopt the Bag Reduction and Recycling Program.
9. The County, in collaboration with participating cities, would identify “hot spots” where plastic bag litter is acute, based on existing studies, and establish additional litter prevention programs (including best management practices and a framework for measuring litter reduction in these hot spots).
10. Work with the State and other experts to develop and expand the recycling market infrastructure.
11. Develop public educational materials that promote reusable bags and at-store recycling with a consistent message, and work with County departmental recycling coordinators to ensure distribution of promotional materials to employees and at facilities, events, or other appropriate opportunities.
12. Develop strategies to reduce the consumption and disposal and increase the recycling of all single use bags and maximize the post-consumer recycled content of all bags provided to the public in order to help develop markets for recyclable materials and decrease use of raw materials.
13. Establish the disposal rate measurement methodology to evaluate the success of the County goals (as described below). At a minimum, the methodology will measure the reduction in consumption of plastic bags, increased at-store recycling of plastic bags, and plastic bags recovered at recycling facilities, on a semi-annual basis, while fully protecting confidential industry information. The County shall establish a framework by which the data submitted is confirmed to be accurate and verifiable on a regular basis.
14. Develop semi-annual progress reports to the Board regarding implementation of the Bag Reduction and Recycling Program.
15. 60 days prior to each milestone date identified in the County Goals below, develop a report in concert with all stakeholders which measures the success of the Bag Reduction and Recycling Program, identifies barriers to success, and makes recommendations for adjustments to the methodology and/or goals, as appropriate.

County Goals To Measure The Success Of The Bag Reduction and Recycling Program

The County working group will work collaboratively towards the following goals, which will serve to measure the success of the Bag Reduction and Recycling Program.

County Goals

Using total consumption for Fiscal Year 2007-08 as the baseline, reduce the disposal rate of plastic bags by:

- a. A minimum of 35 percent by the end of Fiscal Year 2009-10.
- b. A minimum of 70 percent by the end of Fiscal Year 2012-13.

Enforcement

To ensure the success of the Bag Reduction and Recycling Program, County Counsel, with input from the County working group, will draft an ordinance by April 1, 2009 banning plastic carryout bags at large supermarkets and retail stores, upon completion of any necessary environmental review in compliance with the California Environmental Quality Act. This ban, which would require Board of Supervisors' prior approval of the ordinance, could be effective as early as July 1, 2010, if either of the above County Goals are not met by the prescribed deadlines.

Within the report provided to the Board 60 days prior to each milestone date above, the County working group shall make a determination, in concert with stakeholders, regarding the success of the program and implementation of the County Goals. In making this determination, the County working group will take into consideration "good faith" efforts by stakeholders to achieve these goals, along with additional measures of success (such as participation levels in the Bag Reduction and Recycling Program, successful implementation of store-specific programs, and reduction of litter at identified hot spots, as appropriate). The County working group may recommend to the Board a one-year extension to meet the County goal, provided the achieved reduction is within a five percent margin of the County goal and all components of the Bag Reduction and Recycling Program have been satisfied.