



MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer-  
Clerk of the Board of Supervisors  
383 Kenneth Hahn Hall of Administration  
Los Angeles, California 90012

At its meeting held January 22, 2008, the Board took the following action:

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The following statement was entered into the record for Supervisors Burke and Yaroslavsky:

“On April 10, 2007, this Board instructed the Chief Executive Officer to work with the Director of Internal Services and the Director of Public Works to investigate polyethylene plastic and paper sack consumption in the County and explore alternatives for reducing the related grocer and retail sack waste. While the finalized report is expected to come before the Board in January 2008, the Department of Public Works issued an interim report last August entitled “An Overview of Carryout Bags in Los Angeles County” which highlighted the considerable number of single-use bags used in the County and the detrimental environmental and ecological impacts of inappropriate disposal.

“Discussed in this report was the effectiveness of a per bag fee that has reduced the consumption of plastic carryout bags elsewhere. This program also provides flexibility to the consumer in the event they don’t have their reusable bags at the time of purchase. This concept has proven very effective in Ireland, where a 25¢ (U.S.) fee on each bag has reduced consumption by 95%. The collected revenue is used to fund litter abatement and other environmental initiatives.

“A per bag fee, coupled with public education, could have a profound impact in decreasing the 6 billion single-use plastic bags consumed in Los Angeles County each year, resulting in fewer plastic bags littered. However, current California state law preempts local governments from imposing a per bag fee on plastic carryout bags at supermarkets and retail businesses.”

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Therefore, on motion by Supervisor Yaroslavsky, seconded by Supervisor Burke, duly carried by the following vote: Ayes: Supervisors Yaroslavsky, Knabe and Burke; Noes: Supervisor Antonovich; Absent: Supervisor Molina, the Board instructed the Chief Executive Officer to include in the 2007-08 State Legislative Agenda the sponsoring or pursuit of legislation to enact the following:

1. Repeal the provision of Assembly Bill 2449 (Section 42254(b)(2) of the Public Resources Code) which prohibits any public agency, including local governments, from imposing a fee on plastic carryout bags at supermarkets and retail stores; and
2. Implement a Statewide fee on plastic carryout bags, with the provision that funds raised would be directed to local governments on a per-capita basis for litter prevention and source reduction efforts; or, establish Statewide benchmarks to reduce the consumption of plastic carryout bags and increase at-store recycling of plastic bags.

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(SEE ALSO BOARD ORDER NO. 19 THIS DATE)



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COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

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At its meeting held January 22, 2008, the Board took the following action:

19

The following item was called up for consideration:

The Chief Executive Officer's recommendation to adopt the "County of Los Angeles' Single Use Bag Reduction and Recycling Program," which provides the framework for implementing voluntary single use bag reduction and recycling by the County, and large supermarkets and retail stores, with the Program to include specific goals for the reduction of carryout plastic bags and preparation of an ordinance to ban such plastic bags in County unincorporated areas if reduction goals are not met by prescribed deadlines; instruct the Chief Executive Officer, in partnership with the Directors of Public Works, Internal Services, Public Health, and the Sanitation Districts, and key stakeholders, including large supermarkets and retail stores, the plastic bag industry, environmental organizations, and recyclers, to implement the voluntary Single Use Bag Reduction and Recycling Program by July 1, 2008 that: promotes reusable bags; reduces the use of disposable plastic bags; increases at-store recycling of plastic bags; increases post-consumer recycled content of paper bags; and promotes public awareness of litter impacts and consumer responsibility; instruct County Counsel, in consultation with the Chief Executive Office, Public Works, Internal Services, Public Health, and the Sanitation Districts, to complete by April 1, 2009, a draft ordinance 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; and receive and file the report entitled, "An Overview of Carryout Bags in Los Angeles County."

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Also consideration of Supervisors Burke and Yaroslavsky's recommendation to instruct the Single Use Bag Reduction and Recycling Program Work Group to take the following actions; and instruct the Chief Executive Officer to send a five-signature letter and draft resolution to all Mayors, City Managers and Councils of Governments within the County requesting their participation in the Single Use Bag Reduction and Recycling Program:

- a) Report back to the Board by July 1, 2008 on a plan for integrating convenience stores and other appropriate franchise stores whose cumulative square footage exceeds 10,000 sq ft into the Program by July 1, 2009, consistent with the County's adopted goals; and
- b) Consider the following approaches when verifying the data that will be included in the Disposal Rate Measurement: a manifest system; tipping fees; third-party verification; County verification; and ensure that a draft framework is made available to stakeholders for review prior to adoption.

Also consideration of Supervisors Antonovich and Knabe's recommendation as presented on the Supplemental Agenda, to direct the Chief Executive Officer, working with the Director of Public Works and County Counsel, to prepare an ordinance for the Board consistent with the staff recommendations in Alternative 5 which recommends implementing a voluntary "Single Use Bag Reduction and Recycling Program," and incorporate the following revisions:

1. Reduce the benchmarks in Alternative by 5% (2010 benchmark reduced from 35% to 30% and 2013 benchmark from 70% to 65%);
2. With respect to the one-year extension if benchmarks are not achieved, reduce "forgiveness" rate from 5% to 3%;
3. Change the completion date of a draft ordinance banning plastic bags from April 1, 2009 to April 1, 2010, with an understanding that staff will initiate and complete the required California Environmental Quality Act review in advance of the 2010 target date; and
4. Direct staff to provide quarterly progress reports to the Board of Supervisors and interested stakeholders.

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Jennifer Forkish, spokeswoman for the California Grocers Association; Mark Gold, President of Heal the Bay; and other interested persons addressed the Board.

Richard Weiss, Assistant, County Counsel; Donald Wolfe, Director and Paul Alba, Senior Civil Engineer, Department of Public Works answered questions posed by the Board.

Supervisor Yaroslavsky made the following statement:

“Each year, six billion single-use plastic carryout bags are consumed by residents Countywide. A significant number become litter since they are lightweight and easily windblown, ending up in our waterways, the ocean, our streets, our parks, and our open space. This has led to a serious detrimental impact on our quality of life, our natural environment and the County’s recreational economy. Because plastic carryout bags contribute disproportionately to the litter stream, making up as much as 20% of the litter collected, it has also resulted in significant costs to residents.

“To reduce the number of plastic bags littered, Assembly Bill 2449 requires, among other things, plastic carryout bags to have the following words imprinted, ‘please return to a participating store for recycling.’ Although this recycling message is important, we can and must do more to raise consumer awareness of the environmental impacts associated with littered plastic bags. By making consumers more aware of the problem, consumers would be motivated to use reusable bags more often, thereby ensuring the success of the Single Use Bag Reduction and Recycling Program.

“I therefore recommend that the Board of Supervisors:

1. Instruct the Single Use Bag Reduction and Recycling Program Work Group to develop an environmental awareness message to be imprinted on each plastic carryout bag distributed by large supermarkets and retail stores describing the negative impacts littered plastic carryout bags have on the environment and wildlife, and the need to use reusable bags. This environmental awareness message would be a required feature under Alternative 5, Large Supermarket and Retail Store Responsibilities, Item 3;

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2. Instruct County Counsel, with input from the Single Use Bag Reduction and Recycling Program Work Group to explore the development of an ordinance mandating the environmental awareness message described above to be imprinted on each plastic carryout bag distributed by, at a minimum, large supermarkets and retail stores in the unincorporated County areas; and
3. Instruct the Chief Executive Officer to include in the 2007-2008 State Legislative Agenda the sponsoring or pursuit of legislation to amend the provision of Assembly Bill 2449 (Section 42252(a) of the Public Resources Code) to also require an environmental awareness message imprinted on each plastic carryout bag describing the negative impacts littered plastic carryout bags have on the environment and wildlife, and the need to use reusable bags. Currently, Assembly Bill 2449 only requires plastic carryout bags to have the following words imprinted, 'please return to a participating store for recycling.'

Supervisor Yaroslavsky made a motion, seconded by Supervisor Burke, for consideration of his foregoing motion for Board approval.

After further discussion, Supervisor Yaroslavsky made a suggestion to divide the question.

Therefore, on motion of Supervisor Knabe, seconded by Supervisor Antonovich, duly carried by the following vote: Ayes: Supervisors Knabe, Antonovich and Burke; Noes: Supervisors Molina and Yaroslavsky, Supervisors Knabe and Antonovich's recommendation, regarding Alternative 5 which recommends implementing a voluntary "Single Use Bag Reduction and Recycling Program, was approved.

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Furthermore, on motion by Supervisor Burke, seconded by Supervisor Yaroslavsky, duly carried by the following vote: Ayes: Supervisors Molina, Yaroslavsky, Knabe, Antonovich and Burke; Noes: None, the Chief Executive Officer's aforementioned recommendation, including Supervisors Burke and Yaroslavsky's amendment on the posted agenda and Supervisor Yaroslavsky's amendment introduced at the meeting, were approved.

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Copies distributed:

- Each Supervisor
- Chief Executive Officer
- County Counsel
- Chief Engineer and General Manager
  - County Sanitation Districts
- Director of Health Services
- Director of Internal Services
- Director of Public Health
- Director of Public Works

(ALSO SEE BOARD ORDER NO. 18 THIS DATE)



MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

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At its meeting held February 6, 2008, the Board took the following action:

6

Supervisor Molina made the following statement:

“Plastic carryout bags have a significant negative impact on wildlife and the environment. The California Integrated Waste Management Board found that Los Angeles County uses enough plastic bags to form a string long enough to reach the moon and back five times. That’s the equivalent of a string of plastic bags 2,388,569 miles long.

“Last week the Board approved a policy aimed at reducing the use of plastic carryout bags in the unincorporated areas of Los Angeles County. The policy set the thresholds for participation in the program and voluntary reduction goals. While this policy is a step in the right direction, our Board requires additional information, which is critical to adequately assess the impacts a 30 percent and a 65 percent reduction will have on the overall proliferation of plastic bag litter, such as the number of grocery and retail stores in the unincorporated areas, which would be subject to the policy. This information is essential in assessing if the Board’s policy will have any meaningful reduction in the use of plastic carryout bags.

“The unincorporated areas of my District do not have many grocery and retail stores fitting the provisions for inclusion under AB 2449. In fact, the majority of the residents in my unincorporated areas shop at small family owned neighborhood stores. Consequently, as currently defined, a 65 percent reduction in the use of plastic carryout bags in the unincorporated areas of my District may be meaningless in its impact on reducing actual plastic bag litter.

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“The unincorporated areas in my District are surrounded by the San Gabriel and Los Angeles Rivers, and are subject to a number of Total Maximum Daily Loads requirements by the Regional Water Board, including a zero trash limit. Our Department of Public Works has been struggling to meet these requirements for some time. The County is currently considering a parcel fee to help fund water quality improvements as our existing sources are not sufficient to meet our obligations. The more effective we are in reducing the usage of plastic bags in our unincorporated areas, the less public funds we will need to spend to meet our clean up requirements.”

Therefore, Supervisor Molina made a motion that the Board instruct the Chief Executive Officer and the Director of Public Works to do the following actions:

1. Report back within 60 days on the following:
  - A listing of stores in the unincorporated areas that will be subject to the County’s plastic bag policy;
  - The methodology that will be used to monitor, track and evaluate the progress these stores are making in meeting the Board’s policy’s goals; and
  - A listing of the grocery and retail stores not subject to the policy by relying on information from public health and business licenses; and
2. Request the plastic bag working group to evaluate other methods to reduce the use of plastic carryout bags in smaller stores located in the unincorporated areas of the County. At a minimum, evaluate instituting a standard prohibition on the use of plastic bags via the County’s business licensing and conditional use permits.

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Supervisor Antonovich made the following statement:

“Recently the Board of Supervisors adopted a comprehensive policy to reduce significantly the use of plastic bags in County unincorporated areas. The proposed motion (Item 6) provides additional direction to County staff and the Plastic Bag Working Group regarding implementation of the Board-approved policy. It is important that elected officials be kept informed of the on going work of the Plastic Bag Working Group and staff, that the workings of this Group be consistent with State environmental laws, and that any proposed restrictions applied to all future County permits be reviewed and considered by the Board before adoption.”

Therefore, Supervisor Antonovich made a suggestion that Supervisor Molina’s motion be amended to further direct the Chief Executive Officer and the Director of Public Works to:

1. Invite representatives from all Board offices to all scheduled meetings of the Plastic Bag Working Group;
2. Forward to the Board written reports of the deliberations of every Plastic Bag Working Group meeting;
3. Prepare the appropriate California Environmental Quality Act clearance relative to the environmental impacts of any alternatives to disposable plastic bags (paper bags, compostable plastic bags, reusable bags, or other alternatives); and
4. Bring back to the Board for deliberation any prohibition on plastic bags that is proposed to be required on all future Conditional Use Permits and business licenses.

Supervisor Molina’s motion, as amended, seconded by Supervisor Yaroslavsky, was unanimously carried.

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Copies distributed:

Each Supervisor  
Chief Executive Officer  
County Counsel  
Director of Public Works