

1 **[Resolution instructing the Department of Environment to complete a nexus study on a**  
2 **local fee for supermarket checkout bags.]**

3 **Resolution instructing the Department of Environment to complete a nexus study in**  
4 **order to identify the relationship between the use of disposable supermarket checkout**  
5 **bags and various costs to the City, and to determine the legality and appropriateness**  
6 **of a local fee on these bags.**

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8 WHEREAS, The City and County of San Francisco has adopted citywide goals of 75%  
9 landfill diversion by 2010 and zero waste by 2020; and,

10 WHEREAS, The expansive usage of shopping bags and their typical disposal creates an  
11 impediment to San Francisco's landfill diversion goals; and,

12 WHEREAS, Plastic bags are difficult to recycle and currently contaminate material that  
13 is processed through San Francisco's recycling and composting programs; and,

14 WHEREAS, Shopping bags create significant litter problems in San Francisco's  
15 neighborhoods, highlighted by local residents in a series of townhall meetings held by the  
16 Department of the Environment, and also litter community beaches, sewer systems and the  
17 San Francisco Bay; and,

18 WHEREAS, on a global level, the production of shopping bags has significant  
19 environmental impacts each year, including the felling of over 10 million trees, use of over 12  
20 million barrels of oil, and the deaths of over 100,000 marine animals from plastic  
21 entanglement; and

1           WHEREAS, governments in several countries have placed fees on bags, including the  
2 Republic of Ireland, which achieved a 90% decrease in shopping bag usage due to the  
3 introduction of a bag fee; and

4           WHEREAS, The Commission on the Environment introduced a Resolution on November  
5 10, 2004 urging the Mayor and Board of Supervisors to adopt an ordinance requiring a fee on  
6 plastic and paper bags in San Francisco supermarkets, and

7           WHEREAS, California State law mandates that fee must directly relate to the activity to  
8 which it is applied, must be set at a proportional and reasonable level which cannot exceed  
9 the cost of addressing problems of the subject activity, must be not levied for unrelated  
10 purposes, and must bear a reasonable relationship to the payer's burden or benefit from the  
11 regulated activity, and

12           WHEREAS, The Department of the Environment has completed a preliminary analysis of  
13 costs incurred by the City due to usage of shopping bags and has suggested a fee of 17 cents  
14 per bag to cover those costs; and

15           WHEREAS, a broader external nexus study is necessary to definitively determine the  
16 relationship between usage of shopping bags and problems identified by the Department of  
17 the Environment, to quantify the costs to the City of dealing with problems created by the use  
18 of shopping bags, and if appropriate, to determine a fair and reasonable user fee to fund City  
19 costs associated with usage of shopping bags; therefore be it

20           RESOLVED, That the Mayor and Board of Supervisors of the City and County of San  
21 Francisco requests the Department of Environment to contract with an independent, external  
22 entity to complete a nexus study in order to identify the relationship between the use of  
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1 disposable supermarket checkout bags and various costs to the City, and to determine the  
2 legality and appropriateness of a local fee on these bags; and

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

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

9 FURTHER RESOLVED, That the Department of Environment is instructed to utilize non-  
10 General Fund monies to complete this study; and

11 FURTHER RESOLVED, that the Department of Environment is instructed to complete this  
12 study by April 31, 2005; and

13 FURTHER RESOLVED, That the Department of Environment will report in writing to the  
14 Mayor and Members of the Board of Supervisors on the results of this nexus study  
15 immediately upon its completion.  
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