

File No. 230989

Committee Item No. 2

Board Item No. 27

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee

Date October 4, 2023

Board of Supervisors Meeting

Date October 17, 2023

#### Cmte Board

- |                                     |                                     |  |
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| <input type="checkbox"/>            | <input type="checkbox"/>            | Motion                                       |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution                                   |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Ordinance                                    |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Legislative Digest                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Introduction Form                            |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/>            | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER (Use back side if additional space is needed)

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|-------------------------------------|-------------------------------------|---|
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Public Resource Code, Section 48000</u>          |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <u>ENV Supplemental Information Memo 10/12/2023</u> |
| <input type="checkbox"/>            | <input type="checkbox"/>            | _____   |
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Completed by: Brent Jalipa

Date September 28, 2023

Completed by: Brent Jalipa

Date October 5, 2023

1 [Apply for Grants - California Department of Resources Recycling and Recovery Funds]

2

3 **Resolution authorizing the Department of the Environment to submit applications on**  
4 **behalf of the City and County of San Francisco for all grants offered by the California**  
5 **Department of Resources Recycling and Recovery for which it is eligible, effective for**  
6 **five years upon approval of this Resolution.**

7

8 WHEREAS, Public Resources Code, Sections 48000 et seq., authorize the Department  
9 of Resources Recycling and Recovery (CalRecycle) to administer various grant programs  
10 (grants) in furtherance of the State of California’s (state) efforts to reduce, recycle and reuse  
11 solid waste generated in the state thereby preserving landfill capacity and protecting public  
12 health and safety and the environment; and

13 WHEREAS, In furtherance of this authority, CalRecycle has established procedures  
14 governing the application, awarding, and management of grants; and

15 WHEREAS, CalRecycle’s grant application procedures require, among other things, an  
16 applicant’s governing body to declare by resolution certain authorizations related to the  
17 administration of CalRecycle grants; now, therefore, be it

18 RESOLVED, That the Department of the Environment (“Environment Department”), on  
19 behalf of the City and County of San Francisco, is authorized to submit application(s) to  
20 CalRecycle for all grants for which the Environment Department is eligible; and, be it

21 FURTHER RESOLVED, That the Director of the Environment Department, or the  
22 Director’s designee, is hereby authorized and empowered to execute in the name of the  
23 Environment Department, on behalf of the City and County of San Francisco, all grant  
24 documents, including but not limited to, applications, agreements, amendments and requests

25




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### PUBLIC RESOURCES CODE - PRC

**DIVISION 30. WASTE MANAGEMENT [40000 - 49654]** ( *Division 30 added by Stats. 1989, Ch. 1096, Sec. 2. )*

**PART 7. OTHER PROVISIONS [47000 - 48706]** ( *Part 7 added by Stats. 1989, Ch. 1095, Sec. 22. )*

**CHAPTER 2. Finances [47901 - 48028]** ( *Chapter 2 added by Stats. 1989, Ch. 1095, Sec. 22. )*

**ARTICLE 2. Management of the Fund [48000 - 48008]** ( *Heading of Article 2 added by Stats. 1990, Ch. 35, Sec. 89. )*

**48000.** (a) Each operator of a disposal facility shall pay a fee quarterly to the State Board of Equalization, which is based on the amount, by weight or volumetric equivalent, as determined by the Department of Resources Recycling and Recovery, of all solid waste disposed of at each disposal site.

(b) (1) The fee for solid waste disposed of shall be one dollar and thirty-four cents (\$1.34) per ton. Commencing with the 1995–96 fiscal year, the amount of the fee shall be established by the Department of Resources Recycling and Recovery at an amount that is sufficient to generate revenues equivalent to the approved budget for that fiscal year, including a prudent reserve, but shall not exceed one dollar and forty cents (\$1.40) per ton.

(2) On and after July 1, 2012, the amount of the fee established by the Department of Resources Recycling and Recovery pursuant to paragraph (1) shall be increased by twelve cents (\$0.12) per ton for each operator of a solid waste landfill whose owner has notified the department that it elects to participate in the State Solid Waste Postclosure and Corrective Action Trust Fund pursuant to Article 2.1 (commencing with Section 48010).

(c) The Department of Resources Recycling and Recovery shall notify the state board on the first day of the period in which the rate shall take effect of any rate change adopted pursuant to paragraphs (1) and (2) of subdivision (b).

(d) The Department of Resources Recycling and Recovery and the state board shall ensure that all of the fees for solid waste imposed pursuant to this section that are collected at a transfer station are paid to the state board in accordance with this article.

(e) (1) The fee imposed by paragraph (2) of subdivision (b) shall not be operative on or after July 1, 2012, unless the Department of Resources Recycling and Recovery receives, on or before January 1, 2012, letters of participation in the State Solid Waste Postclosure and Corrective Action Trust Fund from landfill owners representing at least 50 percent of the total volume of waste disposed of in 2010.

(2) The Department of Resources Recycling and Recovery shall notify the state board, on or before February 29, 2012, if the fee imposed by paragraph (2) of subdivision (b) shall become operative pursuant to paragraph (1).

(Amended by Stats. 2010, Ch. 417, Sec. 1. (AB 1004) Effective January 1, 2011.)

**48001.** The revenue from the fees paid pursuant to paragraph (1) of subdivision (b) of Section 48000 shall, after payment of refunds and administrative costs of collection, be deposited in the Integrated Waste Management Account, which is hereby created in the fund.

(Amended by Stats. 2009, Ch. 318, Sec. 2. (AB 274) Effective January 1, 2010.)

**48001.5.** (a) The revenue from the fees paid pursuant to paragraph (2) of subdivision (b) of Section 48000 shall, after payment of refunds and administrative costs of collection, be deposited in the State Solid Waste Postclosure and Corrective Action Trust Fund, which is hereby created in the State Treasury.

(b) Fees, revenues, and all interest earned shall be available to the board, upon appropriation by the Legislature, to carry out the purposes of Article 2.1, including all of the following:

(1) Corrective action and postclosure activities pursuant to subdivision (b) of Section 48011.

(2) Administrative costs incurred by the board in implementing Article 2.1.

(3) Any startup costs incurred by the board in implementing Article 2.1 that were incurred before fees were paid pursuant to paragraph (2) of subdivision (b) of Section 48000.

*(Added by Stats. 2009, Ch. 318, Sec. 3. (AB 274) Effective January 1, 2010.)*

**48002.** The state board shall adopt rules and regulations to carry out Section 48000, including, but not limited to, provisions governing collections, reporting, refunds, and appeals.

*(Added by Stats. 1989, Ch. 1095, Sec. 22.)*

**48003.** The state board may not spend more than  $\frac{1}{2}$  percent of the total revenues deposited, or anticipated to be deposited, in the account during a fiscal year for the administration of this chapter during that fiscal year.

*(Amended by Stats. 2003, Ch. 742, Sec. 8. Effective January 1, 2004.)*

**48004.** (a) The money in the account shall be used by the Department of Resources Recycling and Recovery, upon appropriation by the Legislature, for the following purposes:

(1) The administration and implementation of this division by the Department of Resources Recycling and Recovery.

(2) The state water board's and regional water boards' administration and implementation of Division 7 (commencing with Section 13000) of the Water Code at solid waste disposal sites.

(b) It is the intent of the Legislature that an amount that is sufficient to fund state water board and regional water board regulatory activities for solid waste landfills be appropriated from the account by the Legislature in the annual Budget Act. Those persons who are required to pay the fee imposed pursuant to Section 48000 shall not be required to pay the annual fee imposed pursuant to subdivision (d) of Section 13260 of the Water Code with regard to the same discharge if the requirements for the waiver of that fee set forth in paragraph (3) of subdivision (d) of Section 13260 of the Water Code are met.

(c) Notwithstanding subdivisions (a) and (b), if the fee established pursuant to Section 48000 does not generate revenues sufficient to fund the programs specified in this section, or if the amount appropriated by the Legislature for these purposes is reduced, those reductions shall be equally and proportionally distributed between funding for the solid waste programs of the state water board and the regional water boards and the Department of Resources Recycling and Recovery.

*(Amended by Stats. 2010, Ch. 718, Sec. 20. (SB 855) Effective October 19, 2010.)*

**48005.** Unless otherwise specified, all money received by the board shall be deposited in the Integrated Waste Management Account and shall be used by the board, upon appropriation by the Legislature, for the purposes for which it was collected or, if not expressly specified for a particular purpose, for the purposes of this division, except Part 6 (commencing with Section 46000), which shall be funded by fees pursuant to Section 46801.

*(Added by Stats. 1989, Ch. 1095, Sec. 22.)*

**48006.** The board may exempt from all fees any operator of a solid waste landfill that receives less than a monthly average of five tons per operating day of solid waste.

*(Added by Stats. 1989, Ch. 1095, Sec. 22.)*

**48007.** (a) Recycled materials and inert waste removed from the waste stream and not disposed of in a solid waste landfill shall not be included for the purpose of assessing fees imposed pursuant to Section 48000.

(b) For purposes of this section, and only for the purpose of determining whether fees shall be imposed pursuant to Section 48000, "inert waste removed from the waste stream and not disposed of in solid waste landfills" includes the use, disposal, or placement of solely inert waste on property where surface mining operations, as defined in Section 2735, are being conducted, or have been conducted previously, as long as the use, disposal, or placement is for purposes of reclamation, as defined in Section 2733, pursuant to either of the following:

(1) A reclamation plan approved pursuant to Section 2774.

(2) For surface mining operations conducted prior to January 1, 1976, an agreement with a city or county, or a permit issued by a city or county, that provides for a fill appropriately engineered for the planned future use of the reclaimed minesite.

(c) For purposes of this section, "inert waste" means rock, concrete, brick, sand, soil, and cured asphalt only. In addition, inert waste does not include any waste that meets the definition of "designated waste" as defined in Section 13173 of the Water Code or "hazardous waste" as defined by Section 40141.

(d) This section shall remain operative until the operative date of the regulations adopted by the board pursuant to Section 48007.5 and, as of the January 1 following that operative date, this section is repealed, unless a later enacted statute deletes or extends the dates on which it becomes inoperative and is repealed.

*(Amended (as amended by Stats. 1999, Ch. 600, Sec. 6) by Stats. 2001, Ch. 811, Sec. 1. Effective January 1, 2002. Inoperative on date prescribed by its own provisions. Repealed on January 1 after inoperative date, by its own provisions. See later operative version, as amended by Sec. 2 of Ch. 811.)*

**48007.** (a) Recycled materials and inert waste removed from the waste stream and not disposed of in a solid waste landfill shall not be included for the purpose of assessing fees imposed pursuant to Section 48000.

(b) This section shall become operative on the operative date of the regulations adopted by the board pursuant to Section 48007.5.

*(Amended (as added by Stats. 1999, Ch. 600, Sec. 7) by Stats. 2001, Ch. 811, Sec. 2. Effective January 1, 2002. Section operative on date prescribed in subd. (b).)*

**48007.5.** (a) On or before January 1, 2004, the board shall adopt and file with the Secretary of State, pursuant to Section 11346.2 of the Government Code, regulations that establish an appropriate level of oversight of the management of construction and demolition waste, and the management of inert waste at mine reclamation sites.

(b) For purposes of this section, "inert waste" has the same meaning as defined in subdivision (c) of Section 48007, as that section read on January 1, 2002.

*(Added by Stats. 2001, Ch. 811, Sec. 3. Effective January 1, 2002.)*

**48008.** (a) Any operator of a solid waste landfill that pays a fee pursuant to this chapter may impose on its users an administrative fee of not more than 5 percent of the fees paid to the State Board of Equalization during the previous quarter pursuant to Section 48000.

(b) Administrative fees imposed pursuant to subdivision (a) shall reflect, to the extent feasible, the actual costs of collecting and accounting for fees paid to the State Board of Equalization.

*(Amended by Stats. 1990, Ch. 1355, Sec. 57. Effective September 27, 1990.)*



## **Supplementary Recycling Information for Resolution 230989**

The San Francisco Environment Department (SFE) routinely applies for an array of grant/funding opportunities through CalRecycle that help fund local environmental programs. CalRecycle often requires cities and counties to have a current "Apply to Resolution" passed by their governing body for relevant city departments that are seeking funding. The Environment Department's current "Apply to Resolution" is expiring. File # 230989 is the renewal of that authorization.

Some of the grant and programmatic funding that SFE receives from CalRecycle includes:

### **Oil Payment Program – Used Oil Recycling**

The Oil Payment Program (OPP) funds SFE staff to maintain the 20 Certified Collection Centers for automobiles and three waterfront used oil sites for boaters. SFE conducts two visits to each site annually. OPP also helps fund an annual outreach campaign to help increase oil collection and minimize illegal dumping in San Francisco. More recently, SFE worked on used oil pollution prevention projects such as an oil drain valve and drain pan giveaway.

### **Household Hazardous Waste**

SFE's household hazardous waste grant programs have provided residents the opportunity to dispose of hazardous waste safely during life transitions. Residents are more likely to look for options to dispose of more hazardous and difficult items when welcoming a new baby, moving, or cleaning out the home of a loved one who has passed. SFE has also operated a program to help the watercraft community dispose of hazardous items such as marine flares. All these items are difficult to dispose of and require special attention to ensure they do not end up in landfill.

### **Edible Food Recovery Programs - Food Waste Prevention and Compost Procurement Grants - SB 1383 Implementation**

SFE has two active grants related to SB 1383 Implementation. The first is technical and financial assistance to help support partnerships between food generating businesses and food recovery organizations to prevent food waste, maximize edible food recovery, and feed local communities. The second grant promotes compost development and distribution.

### **Annual Bottle Bill CRV Allocation Funding**

San Francisco, like other cities throughout California, receives annual funding, based on the population size of the city, to promote CRV recycling (bottles and cans).

### **CRV Mobile Recycling - BottleBank**

BottleBank is a state CRV pilot program that is funded and overseen by CalRecycle and implemented locally by Our Planet Recycling. SFE has partnered with Our Planet Recycling and CalRecycle to launch and promote BottleBank, which is serving the residents of San Francisco with convenient options to recycle and redeem their bottles and cans across the city using a mobile device. The program has been in operation for 22 months and has grown to cover 20 locations. As of the end of September, BottleBank has recycled 4,462,544 bottles and cans and returned \$242,450.35 in CRV funds to recyclers.



**There are 22 locations to recycle bottles and cans in the City and County of San Francisco.**

**CalRecycle Certified Recycling Centers located in San Francisco:**

1. One Planet Recycling - 445V Bayshore Boulevard - San Francisco, CA 94124
2. Sunset Recycling Center - 345 Williams Ave San Francisco, CA 94124

**CalRecycle Certified Mobile BottleBank Drop Sites:**

1. Safeway - 15 Marina Blvd. San Francisco - Hours: Wednesday 1PM – 4PM
2. Safeway - 145 Jackson St. San Francisco - Hours: Friday 9AM – 12PM
3. Safeway - 1335 Webster St. San Francisco - Hours: Tuesday 9am – 1:00pm
4. Safeway - 735 7th Ave. San Francisco - Hours: Monday 9AM – 1PM
5. Safeway - 850 La Playa St. San Francisco - Hours: Friday 1PM – 7PM
6. Safeway - 2020 Market St. San Francisco - Hours: Thursday 9AM – 1PM
7. Safeway - 2350 Noriega St. San Francisco - Hours: Tuesday 1PM – 4PM
8. Safeway - 730 Taraval St. San Francisco - Hours: Tuesday 4:30PM – 7PM
9. Safeway - 3350 Mission St. San Francisco - Hours: Wednesday 9 AM – 1 PM
10. Safeway - 625 Monterey Blvd. San Francisco - Hours: Thursday 1PM – 4M
11. Safeway - 4950 Mission St. San Francisco - Hours: Monday 1PM – 4PM
12. Whole Foods Market - 1765 California St. San Francisco - Hours: Monday 4:30PM – 7PM
13. Whole Foods Market - 690 Stanyan St. San Francisco - Hours: Wednesday 4:30pm – 7pm
14. CVS Pharmacy - 375 32nd Ave. San Francisco - Hours: Wednesday 9AM – 12PM
15. Grocery Outlet - 6333 Geary Blvd. San Francisco - Hours: Tuesday 9 AM – 12 PM
16. Grocery Outlet - 1245 S Van Ness Ave. San Francisco - Hours: Thursday 9 AM – 12 PM
17. Walgreens Pharmacy - 25 Point Lobos, San Francisco - Hours: Tuesday 9AM – 1PM
18. 13 Street Drop Location - 250 13th St. San Francsico - Hours: Monday 9AM – 1PM
19. Andronico's - 1200 Irving St. San Francisco - Hours: Thursday 4:30pm – 7pm
20. Stonestown Galleria Shopping Center - 511 Buckingham Way, San Francisco  
Hours: W,Th,F,Sa 9AM – 1PM



**From:** [Conine-Nakano, Susanna \(MYR\)](#)  
**To:** [BOS Legislation, \(BOS\)](#); [Jue, Tyrone \(ENV\)](#); [Angulo, Sunny \(BOS\)](#)  
**Cc:** [Paulino, Tom \(MYR\)](#); [Piasecki, Joseph \(ENV\)](#); [Sheehan, Charles \(ENV\)](#)  
**Subject:** Mayor -- Resolution -- California Department of Resources Recycling and Recovery  
**Date:** Tuesday, September 19, 2023 4:59:57 PM  
**Attachments:** [Public Resources Code sections 48000.pdf](#)  
[CalRecycle RESO V.4.docx](#)

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Hello Clerks,

Attached for introduction to the Board of Supervisors is a Resolution authorizing the Department of the Environment to submit applications on behalf of the City and County of San Francisco for all grants offered by the California Department of Resources Recycling and Recovery for which it is eligible.

[@Jue, Tyrone \(ENV\)](#), can you please reply-all to confirm your approval? Thanks!

[@Angulo, Sunny \(BOS\)](#), can you please reply-all to confirm Supervisor Peskin's cosponsorship?  
Thanks!

Best,  
Susanna

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