



SMALL BUSINESS COMMISSION  
OFFICE OF SMALL BUSINESS



CITY AND COUNTY OF SAN FRANCISCO  
EDWIN M. LEE, MAYOR

May 27, 2016

Ms. Angela Calvillo, Clerk of the Board  
City Hall Room 244  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

RE: BOS File No. 160383 [Environment Code - Food Service and Packaging Waste Reduction]

Small Business Commission Recommendation to the Board of Supervisors: **Approval with Four (4) Recommendations**

Dear Ms. Calvillo,

On May 9, 2016, the Small Business Commission voted unanimously (6-0, 1 absent) to recommend that the Board of Supervisors approve BOS File No. 160383 with four (4) changes. The Small Business Commission extends its appreciation to President London Breed, Conor Johnston, and the Department of Environment for engaging the business community and the Office of Small Business during the process of drafting this legislation. A positive consequence of that engagement is that the legislation reflects a balance between meeting the City's Zero Waste goals and protecting the viability of the City's small business community. The legislation provides flexibility to the Department of Environment to consider the diversity of small businesses, through exclusions of certain categories for which no alternative presently exists or accommodations for industries with special needs.

The Small Business Commission recommends:

1. The creation of a multilingual application for a waiver that may be easily accessed and submitted online.
2. The creation of a multilingual application for a depletion permit that may be easily accessed and submitted online. The Small Business Commission noted the potential situation in which a business presently possesses more than a 7-month supply of prohibited food service wares or packaging materials. In such a situation, the business would have excess stock that could not be legally sold after January 1, 2017. A permit would resolve this issue by allowing the business to deplete the excess stock.
3. Consideration of a credit for those who would like to dispose of prohibited material that has not yet been depleted on the date the law goes into effect. The Commission did not elaborate on the details of the credit. The Office of Small Business staff is happy to work with the Department of the Environment to define this.
4. The provision of a list of potential alternative suppliers. The legislation specifies that the Director "shall create, maintain, and regularly update the product lists..." In addition to this, the Small Business Commission requests the provision of a list of suppliers of compliant food service wares and packaging materials.

In closing, the Small Business Commission commends the legislative sponsors and the Department of Environment for a well-thought-out piece of legislation. Thank you for considering the Commission's comments. Please feel free to contact me should you have any questions.

Sincerely,



Regina Dick-Endrizzi  
Director, Office of Small Business

cc: London Breed, Board of Supervisors  
Aaron Peskin, Board of Supervisors  
Norman Yee, Board of Supervisors  
Nicole Elliott, Mayor's Office  
Deborah Rafael, Department of Environment  
Lisa Pagan, Office of Economic and Workforce Development  
Erica Major, Government Audit & Oversight Committee