

Communication from Public

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Council File No: 21-0064

Comments for Public Posting: Reusable LA strongly supports the first phase of action proposed by the E&E Committee and are prepared to offer support for the recommended motions that align with our priorities. We again urge the certification of the PEIR and recommend that the Council also approve all recommended discretionary actions proposed by the Committee today. We look forward to collaborating further to refine these initiatives and ensure their effective implementation. Thank you for considering our comments and recommendations. Please feel free to reach out to us for any additional discussions or clarifications.



September 30, 2024

Los Angeles City Council
200 N Spring St.
Los Angeles, CA 90012

**RE: Los Angeles City Council October 1, 2024 Meeting Agenda Item #8, Council File 21-0064;
Bureau of Sanitation report relative to the Final Program Environmental Impact Report for the
Comprehensive Plastics Reduction Program - SUPPORT**

Submitted electronically via: <https://cityclerk.lacity.org/publiccomment/?cfnumber=21-0064>

Dear Council President Harris-Dawson and Honorable Councilmembers:

The undersigned organizations, including members and allies of the Reusable LA coalition, have decades of combined experience in combating plastic pollution and its associated impacts. We have been working closely with the City Bureau of Sanitation and Environment (LASAN) on the development and implementation of the Comprehensive Plastics Reduction Program, and are strongly supportive. We deeply appreciate the City's ongoing efforts to combat the innumerable harms caused by plastic pollution to our communities. **We urge the City Council to vote for certification of the Programmatic Environmental Impact Report (PEIR). We also ask that the Councilmembers approve the discretionary actions brought forward by the Energy & Environment Committee (September 13, 2024), including drafting a Reuse for Dine-In Ordinance and Compostable & Recyclable Foodware Ordinance, and further actions to support pilot programs for reuse.**

The undersigned Reusable LA coalition members and allies have carefully reviewed the final PEIR and the response to comments. We support certification of the PEIR as written and we respectfully offer perspectives on next steps for several key issues along with more details on the recommended discretionary actions as follows:

1. Upstream Elements: We urge the City to consider additional program elements beyond the PEIR, such as regulations on artificial turf and Poly-Vinyl Chloride (PVC).
2. Downstream Elements: We strongly urge the City to avoid further consideration of harmful downstream processes such as advanced recycling or incineration.
3. Analysis and Policies: We strongly support the strong emphasis on eliminating single-use plastics and urge the City to focus on reuse and refill as a primary solution.

4. Discretionary Action: We support the Energy and Environment Committee's approved discretionary actions and support moving forward with developing Reuse for Dine-In and Recyclable & Compostable Foodware Ordinances immediately.

These comments and recommendations are further detailed below.

Upstream Elements: We urge the City to consider additional program elements beyond the PEIR, such as regulations on artificial turf and poly-vinyl Chloride (PVC).

In response to our request for additional upstream elements, such as regulations on artificial turf and PVC, we understand that the City is not incorporating these elements into the current Program. We acknowledge that the scope of the Final PEIR aligns with the Los Angeles City Council's recommendations from Council File #21-0064. We appreciate that future program elements may be considered as outlined in the Program Description, Section 2.2.6. However, we stress the importance of including a thorough analysis of these upstream elements in future iterations, as they are critical in achieving comprehensive waste reduction goals. We support the City's commitment to additional CEQA review for any new elements, ensuring that future discretionary actions are thoroughly assessed.

Downstream Facilities: We strongly urge the City to avoid further consideration of harmful downstream processes such as advanced recycling or incineration.

Regarding the downstream facilities, we recognize that the Notice of Preparation (NOP) for the Draft PEIR did not specify facility types due to the preliminary nature of the draft Program Description. We agree that further site-specific Environmental Impact Reports (EIRs) will be necessary for any future facilities to ensure comprehensive environmental analysis. Nonetheless, we urge the City to *avoid endorsing or advancing waste-to-energy, incineration technologies, or other advanced recycling methods that have been historically problematic*. Our support for the certification of the current PEIR does not imply endorsement of these technologies, and we will continue to advocate against their use in waste management strategies.

Analysis and Policies: We strongly support the strong emphasis on eliminating single-use plastics and urge the City to focus on reuse and refill as a primary solution.

Master Response #6 emphasizes that the analysis of downstream effects relies on evidence from the Solid Waste Integrated Regional Plan (SWIRP) and acknowledges that the PEIR supports the City's goal of zero waste by 2050. We support the emphasis on reducing single-use plastics and promoting reusable alternatives. We also appreciate the incorporation of recent legislative developments, such as Assembly Bill 1857 (2022), which prohibits diversion credits for incinerators and requires rigorous evaluation of all feasible waste reduction methods. We also strongly encourage the City to move forward with policies requiring refillable and returnable plastic bottles as soon as possible.

Discretionary Action: We support the Energy and Environment Committee's approved discretionary actions and support moving forward with developing Reuse for Dine-In and Recyclable and Compostable Foodware ordinances immediately.

Reusable LA strongly supports the motion put forward by E&E Committee Chair Yaroslavsky and approved by the entire Committee to both certify the PEIR and move forward with certain discretionary actions, including drafting elements of three ordinances as mentioned above, and providing a scope of

work on reuse and refill pilot programs, including reusable and refillable to-go foodware. We would like to recommend certain ordinance elements for LASAN's consideration and provide details below:

Reuse for Dine-In Ordinance:

We strongly support the Energy & Environment Committee's recommendation to move forward with developing an Ordinance for Reuse for Dine In. As was discussed during the committee meeting, dozens of other cities in California have already undertaken this effort and found great success. In addition, the City has already completed a very successful restaurant microgrant program providing reusable foodware to over 100 restaurants in the City and those facilities have reported great success and financial savings from this effort. A Reuse for Dine-In Ordinance would expand these benefits across the entire City, saving businesses money and preventing plastic waste.

We strongly recommend that the Reuse for Dine-In Ordinance-impacted entities include all food and drink establishments with onsite eating options. The ordinance should include facilities with shared dining on premises such as food halls, cafeterias, arenas, stadiums, large event venues, etc. We also recommend that this ordinance contain strong enforcement measures, education and outreach programs, a phased implementation schedule, and built-in hardship waivers.

We strongly support the City's intent to conduct intensive stakeholder engagement in the development of this ordinance and urge the City to continue to work with a range of businesses that serve diverse communities, as well as community-based organizations, environmental justice groups, and coalitions like Reusable LA.

We also strongly recommend enforcement/implementation schedules for the Reuse for Dine In Ordinance which include strong enforcement with an education and outreach plan, phased implementation, and hardship waivers or clauses.

Recyclable & Compostable Foodware Ordinance:

We strongly support the Energy & Environment Committee's recommendation to craft language for a Recyclable and Compostable Foodware Ordinance. "Recyclable" and "compostable" definitions should be crafted to be logistically feasible for the seven contracted franchised waste haulers in the City. Therefore, the definitions should be created in partnership with relevant stakeholders, including but not limited to waste haulers, businesses, community-based organizations, etc.

Further, the City may want to consider relevant definitions from SB 54, given that the City will have to be compliant with SB 54.

Pilot Programs:

We strongly support the Energy & Environment Committee's motion for a report back on supporting pilot programs, including but not limited to approving and dispersing funds for the Pilot Program for Reusable and Returnable Take-out Foodware found in Page A1 of the Appendix. Pilot programs for reusables in the City have already been proven to be effective in reducing waste, and we support the City moving forward in determining the logistics and feasibility of supporting pilots regarding returnable and reusable food ware.

Closing

Reusable LA strongly supports the first phase of action proposed by the E&E Committee and are prepared to offer support for the recommended motions that align with our priorities. **We again urge the certification of the PEIR and recommend that the Council also approve all recommended discretionary actions proposed by the Committee today.**

We look forward to collaborating further to refine these initiatives and ensure their effective implementation. Thank you for considering our comments and recommendations. Please feel free to reach out to us for any additional discussions or clarifications.

Sincerely,

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