



SF Environment

Our home. Our city. Our planet.



GAVIN NEWSOM
Mayor

JARED BLUMENFELD
Director

Department of the Environment STATE LEGISLATIVE PLAN

2009-2010 LEGISLATIVE SESSION

In accordance with the mission of the Department of the Environment, this Legislative Plan is intended to serve as a guide to the City's policy positions on legislative, regulatory and budget issues that impact the Department and the long-term wellbeing of San Francisco. To implement its Legislative Plan, the Department works in collaboration with the Mayor's office, the Board of Supervisors, other City departments, the City's State lobbyist, community partners in both the public and private sectors and in coalition with issue-based and industry-based advocacy groups.

The Department would support legislation that:

1) Green Building/Energy

- a) Promotes the adoption of state-wide residential green building guidelines, imposes energy conservation or performance and green building standards on residential property at time of sale, or encourages adaptive reuse of existing structures.
- b) Provides increased financial incentives for green building, energy efficiency and renewable energy projects in private sector development.
- c) Bans hazardous substances such as PVCs and added formaldehyde from being used in new construction.
- d) Promotes new development on remediated brownfield sites and preserves open space.
- e) Requires or incentivizes commercial buildings to have Performance Verification or Retro-Commissioning at specified time intervals (e.g. every 5 years).
- f) Reduces toxics and indoor air contaminants in residential buildings, especially low-income housing through use of green building practices.
- g) Funds research and development of renewable energy, or increases the current renewable energy portfolio standard for utilities.
- h) Allows California Public Utilities Commission to assign administration of all or part of the Public Goods Charge funds to the California Energy Commission, local governments, or independent administrators, or allows Public Goods Charge funds to cover costs for local energy efficiency ordinances outside of utility contracts or outside of the utility performance incentive structure.
- i) Requires leased refrigeration, clothes washing and other equipment to be Energy Star rated, including units placed in retail stores by beverage companies.

- j) Requires energy efficiency training for all licensed contractors that work on buildings or equipment in buildings.
 - k) Promotes the adoption of state-wide commercial green building standards, or imposes energy conservation and green building standards on commercial property at time of sale.
 - l) Allows local governments to establish green building codes and/or guidelines that exceed State codes/guidelines.
 - m) Incentives or mandates the deployment of residential and commercial smart grid technologies by major utility providers.
 - n) Incentivizes residential investment in energy efficiency work and capital projects through government sponsored funds, tax leans, or other mechanisms.
 - o) Links and tracks heating and airconditioning equipment from the distributor to the contractor or retailer to the building permit to prevent installation of equipment without a permit.
-
- 2) **Clean Air/Climate Change**
 - a) Creates a firm, enforceable and decreasing cap on statewide emissions
 - i. Indicates or assigns partnership roles for municipal governments and regional air boards.
 - b) Creates a standard and designates a tracking mechanism/entity to regulate and manage carbon accounting at the state wide level.
 - c) Directs a significant portion of revenues generated from greenhouse gas related fees or taxes to local or municipal government entities.
 - d) Creates a cap and trade, mechanism with the following attributes: a firm, enforceable, and decreasing cap, 100% auction of cap and trade allowances, clear definitions of acceptable carbon offsets with an emphasese on distributed, micro power generation.
 - e) Generates or provides funding for restoring climate vunerable ecosystems, including but not limited to: natural waterways, shorelines and wildlife corridors.
 - f) Encourages or incentivizes large employers to help reduce their employee's commute by offering commuter assistance programs.
 - g) Creates a state managed fee bate structure to disinseintize the sale of low mpg vehicles through increased fees and taxes and incentize the retirement of older, dirtier, low mpg vehicles through return vouchers or rebates.
 - h) Improves air quality by:
 - i. regulating stationary or automobile sources emissions;

- ii. providing incentives for the purchase of low emission vehicles and alternative fuels;
 - iii. ensuring funding for air quality mitigation projects;
 - iv. strengthening existing air quality regulations and providing stiffer enforcement penalties
- i) Supports additional distributed generation on the grid.
 - j) Requires State Dept. of Education to revise framework in science curriculum to include specified topics in environmental education including climate change.

3) Environmental Justice

- a) Increases the ability of low-income communities to access locally grown, fresh, and organic produce.
- b) Directs cap and trade allowances towards community funds or municipalities for the express purpose of mitigating negative environmental impacts (including but not limited to health and education) on low income communities.
- c) Provides financial and technical assistance to low-income residents and communities of color to prevent and reduce disproportionate impacts of climate change.

4) Zero waste

- a) Sets higher landfill diversion goals for local or state agencies, improves measurement and reporting system, or puts more responsibility on producers.
- b) Mandates strong waste prevention or recovery goals for products (such as supermarket bags and water bottles) through such mechanisms as consumer fees or deposits including support for a national bottle bill.
- c) Bans polystyrene foam or PVC and requires disposable items (such as foodware or packaging) to be compostable or recyclable.
- d) Requires products to be made more recyclable (such as container lids) or compostable, or with more recycled content.
- e) Improves labeling of products that are compostable, recyclable or neither, and provides for State enforcement.
- f) Creates a strong producer responsibility framework or product category specific requirements for manufacturers to reformulate their products to make them less toxic and easier to recycle or compost, as well as take actual or financial responsibility for handling disposal of their products.
- g) Expands the California Beverage Container Recycling and Litter Reduction Act to further encourage redemption, include items such as wine and liquor bottles, milk jugs, aseptics and cartons, or other plastic containers and promote reuse.
- h) Strengthens adequate and convenient space requirements for recycling and composting or restricts trash chutes that work against landfill diversion.

- i) Mandates recycling or composting for businesses, residences, schools and institutions.
- j) Disallows materials such as yard trimmings or cardboard in landfills or reduces diversion credit for using materials as alternative daily cover that have higher and better uses.
- k) Encourages siting composting and anaerobic digestion facilities, discourages siting landfills and requires maximum recovery of landfill gas.
- l) Helps give proper greenhouse gas emissions reduction credit to waste prevention, recycling and composting, including creating a better system to allocate greenhouse gas.
- m) Increases payments to Cities and Counties or fees at landfills to fund waste reduction activities.

5) Toxics

- a) Requires manufacturers to develop and fund systems for collecting and recycling/properly disposing of certain products (such as batteries, paint, pharmaceuticals, or electronics) at the end of their useful life
- b) Strengthens California's regulation of chemicals in consumer products.
- c) Expands the number of chemicals tracked in the State's Bio-monitoring program (authorized in SB 1379).
- d) Strengthens chemical labeling requirements on consumer products.
- e) Empowers the Department of Toxic Substance Control to require manufacturers to submit health and environmental data on the chemicals they sell in California
- f) Mandates that recycled content be used in motor oil sold in California.
- g) Opposes or limits spraying of pesticides in urban areas, pending a rigorous alternatives assessment.

6) Urban Forestry

- a) Requires use of sustainably harvested or reclaimed wood for state government projects and contracts.
- b) Increases funding for urban forestry programs.
- c) Creates conservation easements for land near metropolitan areas.
- d) Includes tree planting, maintenance, and protection as mitigation for new infrastructure initiatives (transportation, utilities, etc).
- e) Incentivizes tree planting, maintenance and protection and other "green space" activities to be included as part of climate change adaptation and resiliency planning.

- f) Creates an emergency tree plan designating chain of command, equipment and funds to deal with tree clean up and disposal resulting from natural disasters.

The Department would oppose legislation that:

7) Energy

- a) Decreases the rebate provided to renewable energy or energy efficiency projects in CA
- b) Pre-empts local government energy or green building policies.

8) Zero Waste

- a) Pre-empts local government waste reduction efforts.
- b) Gives diversion or carbon credits to high-temperature “conversion technologies” or incineration, or landfill gas recovery

9) Clean Air/Climate

- a) Weakens clean air standards
- b) Discourages use of alternative fuel or low emission vehicles
- c) Pre-empts local government vehicle or air quality efforts.
- d) Supports the creation of new coal fired power plants as suppliers of Californian electricity.
- e) Incentivizes landfill gas capture through inclusion in offset projects.
- f) Allows for regulated businesses or sectors to meet their emission reduction mandates or renewable portfolio standards, completely, through the purchase of offsets.

10) Toxics

- a) Promotes the use of chemically based fire retardants in bedding and other consumer products
- d) Pre-empts local government toxics reduction efforts.