

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

DATE: October 26, 2022

TO: The Honorable Mitch O'Farrell, Chair
The Honorable Paul Koretz, Member
The Honorable Paul Krekorian

FROM: Barbara Romero, Director and General Manager
LA Sanitation and the Environment



SUBJECT: CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) NOTICE OF EXEMPTION AND DRAFT ENVIRONMENTAL ANALYSIS FOR THE ZERO WASTE CITY FACILITIES AND EVENTS ON CITY PROPERTY ORDINANCE (COUNCIL FILE # 21-0064)

On April 27, 2022, the Los Angeles City Council approved the Energy, Climate Change, Environmental Justice, and River Committee (ECCEJR) report, instructing the City Attorney to draft an ordinance for Zero Waste City Facilities and Events on City Property, and for the draft ordinance to come back to ECCEJR Committee, along with the required California Environmental Quality Act (CEQA) analysis (COUNCIL FILE # 21-0064). LASAN is hereby recommending the Los Angeles City Council to:

RECOMMENDATIONS FOR COUNCIL ACTION:

1. Following the requirements of the California Environmental Quality Act (CEQA), the City of Los Angeles - LA Sanitation and the Environment has prepared a draft Notice of Exemption (NOE), and accompanying Environmental Analysis report attached thereto, based upon its environmental review of the proposed project: Zero Waste City Facilities and Events on City Property Ordinance (Council File # 21-0064). Staff recommends that City Council make the following determination as its first recommended action before approving the remaining recommended actions that approve the project:
 - a. Determine that the City's actions approving the the Zero Waste City Facilities and Events on City Property Ordinance project are categorically exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines Sections 15301 (Class 1), 15307 (Class 7), and 15308 (Class 8) and that no exceptions to the exemptions under CEQA Guidelines Section 15300.2 exist, including that no unusual circumstances exist that would cause a significant impact on the environment, as more fully described in the Notice of Exemption (NOE) and accompanying Environmental Analysis report submitted by LASAN in the Council File for this action.
2. Approve the Zero Waste City Facilities and Events on City Property Ordinance provided by the City Attorney.
3. Request all Proprietary Departments and their respective Boards to adopt and implement the Zero Waste at City Facilities and Events Ordinance.

4. Direct LASAN to prepare an outreach program to educate City departments and businesses about the Zero Waste City Facilities and Events on City Property Ordinance.
5. Direct all City departments to report back to ECCEJR within 6 months of the adoption of this draft ordinance on their compliance with the Ordinance and their zero waste plan.
6. Request the City Attorney to develop the standardized contract, lease, or event agreement language to confirm with the Zero Waste City Facilities and Events on City Property Ordinance.

BACKGROUND

The Los Angeles City Council and the Mayor have demonstrated strong leadership by approving ordinances that focus on green energy, reducing water consumption, zero waste, and single-use plastics reduction. In addition, the council adopted ordinances that focused on reducing plastics pollution, with measures such as the plastic bag ordinance of 2014, to the more recent plastic straws on request and single-use foodware accessories-on-request ordinances. The City should continue to model zero waste behaviors at all City sponsored events, facilities and parks as directed by Council and Mayor Garcetti Executive Directive 25, "L.A.'s Green New Deal: Leading by Example".

The City's objectives for the ordinance include the following:

- Reducing the volume of solid waste that will be sent to local landfills.
- Minimizing the City's contribution to solid waste streams in support of the City's goal of achieving zero waste by 2050.

DISCUSSION

As analyzed in the attached Draft Environmental Analysis, the ordinance would have substantial environmental benefits. The Ordinance would not result in a significant impact, either direct, indirect, or cumulative. These findings are based on the fact that at City events/facilities, there will be a shift away from disposable foodware and accessories that cannot be composted or recycled due to the ordinance requiring reusable, compostable, or recyclable products. There would also be a reduction in food waste (donation of eligible edible surplus food, composting of food scraps, offering smaller portion options), which would contribute to less material in solid waste landfills from City events/facilities.

Schedule

The ordinance would be effective for all City contracts and amendments to contracts entered into on or after January 1, 2023.

Statewide Legislation

In 2011, the Legislature and Governor Brown set a goal of 75 percent recycling, composting, or source reduction of solid waste by 2020, calling for the state and CalRecycle to take a statewide approach to decreasing California's reliance on landfills (AB 341, Chesbro).

The Plastic Pollution Prevention and Packaging Producer Responsibility Act (Senate Bill 54) was passed in June 2022 and contains provisions requiring 30% of single-use packaging and plastic single-use food service ware be recycled beginning January 1, 2028; at least 40% be recycled by January 1, 2030; and at least 65% be recycled by January 1, 2032. The Act also requires a 25% source reduction for single-use packaging and plastics by January 1, 2032.

Education and Outreach

LASAN has met with City Departments and also hosted two virtual workshops to provide an overview of the proposed ordinance, and obtain feedback on the proposed ordinance. LASAN has also sent a survey to City Departments to obtain feedback on the proposed ordinance.

Upon Council approval of the draft ordinance, LASAN will conduct further education and outreach. Because the draft ordinance applies to the entire City of Los Angeles, LASAN plans to send informational emails to all City employees; conferring/meeting with City Departments that lease space to food/beverage facilities and/or permit/host/organize/coordinate events on City property at which vendors provide food and beverages, so that these City Departments can revise their leases and event agreements/guidelines/policies, as necessary or applicable, to conform with the Zero Waste City Facilities and Events on City Property Ordinance.