[Resolution instructing the Department of Environment to complete a nexus study on a local shopping bag fee and or any other appropriate policy alternatives.]

Resolution instructing the Department of Environment to complete a nexus study in order to identify the relationship between the use of disposable supermarket shopping bags and various costs to the City, and to determine the legality and appropriateness of a local fee on these bags and or any other appropriate policy alternatives.

WHEREAS, The City and County of San Francisco has adopted citywide goals of 75% landfill diversion by 2010 and zero waste by 2020; and,

WHEREAS, The expansive usage of shopping bags and their typical disposal creates an impediment to San Francisco’s landfill diversion goals; and,

WHEREAS, Plastic bags are difficult to recycle and currently contaminate material that is processed through San Francisco’s recycling and composting programs; and,

WHEREAS, Shopping bags create significant litter problems in San Francisco’s neighborhoods, highlighted by local residents in a series of townhall meetings held by the Department of the Environment, and also litter community beaches, sewer systems and the San Francisco Bay; and,

WHEREAS, on a global level, the production of shopping bags has significant environmental impacts each year, including the felling of over 10 million trees, use of over 12 million barrels of oil, and the deaths of over 100,000 marine animals from plastic entanglement; and
WHEREAS, governments in several countries have placed fees on bags, including the Republic of Ireland, which achieved a 90% decrease in shopping bag usage due to the introduction of a bag fee; and

WHEREAS, The Commission on the Environment introduced a Resolution on November 10, 2004 urging the Mayor and Board of Supervisors to adopt an ordinance requiring a fee on plastic and paper bags in San Francisco supermarkets, and

WHEREAS, California State law mandates that fee must directly relate to the activity to which it is applied, must be set at a proportional and reasonable level which cannot exceed the cost of addressing problems of the subject activity, must not be levied for unrelated purposes, and must bear a reasonable relationship to the payer's burden or benefit from the regulated activity, and

WHEREAS, The Department of the Environment has completed a preliminary analysis of costs incurred by the City due to usage of shopping bags and has suggested a fee of 17 cents per bag to cover those costs; and

WHEREAS, a broader external nexus study is necessary to definitively determine the relationship between usage of shopping bags and problems identified by the Department of the Environment, to quantify the costs to the City of dealing with problems created by the use of shopping bags, and if appropriate, to determine a fair and reasonable user fee to fund City costs associated with usage of shopping bags; therefore be it

RESOLVED, That the Mayor and Board of Supervisors of the City and County of San Francisco requests the Department of Environment to contract with an independent, external entity to complete a nexus study in order to identify the relationship between the use of

Mayor, Supervisor Mirkarimi
BOARD OF SUPERVISORS

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disposable supermarket checkout bags and various costs to the City, and to determine the
legality and appropriateness of a local fee on these bags and any other appropriate policy
alternatives; and

FURTHER RESOLVED, This study or an additional external study should determine the
economic impact of this fee on San Francisco residents, particularly those residents with low
or fixed incomes and residents with large families; and

FURTHER RESOLVED, That the Department of the Environment should work with the
Office of the Treasurer, City and County of San Francisco and the Board of Supervisors, to
determine the cost of collecting and disbursing user fees, which must be included in nexus;
and

FURTHER RESOLVED, That the Department of Environment is instructed to utilize non-
General Fund monies to complete this study; and

FURTHER RESOLVED, that the Department of Environment is instructed to complete this
study by April 31, 2005; and

FURTHER RESOLVED, That the Department of Environment will report in writing to the
Mayor and Members of the Board of Supervisors on the results of this nexus study
immediately upon its completion.

 Mayor, Supervisor Mirkarimi
 BOARD OF SUPERVISORS
Resolution instructing the Department of Environment to complete a nexus study in order to identify the relationship between the use of disposable supermarket shopping bags and various costs to the City, and to determine the legality and appropriateness of a local fee on these bags.

February 8, 2005 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Mirkarimi

February 8, 2005 Board of Supervisors — ADOPTED AS AMENDED
Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Peskin, Sandoval
Excused: 1 - Mirkarimi
I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on February 8, 2005 by the Board of Supervisors of the City and County of San Francisco.

Date Approved

Mayor Gavin Newsom