



**SF Environment**

**Our home. Our city. Our planet.**

A Department of the City and County of San Francisco



EDWIN M. LEE  
Mayor

MELANIE NUTTER  
Director

**MEMORANDUM**

**DATE:** May 28, 2013  
**TO:** Commissioners, Commission on the Environment  
**FROM:** Monica Fish, Commission Secretary  
**SUBJECT:** Commission Secretary Report for the May 28, 2013 Commission Meeting

**Board of Supervisors Legislative Activity March 26 – May 28, 2013**

**March 26, 2013 Board of Supervisors Meeting**

**130268 [Supporting the Bay Area Rapid Transit District's Pilot Program to Allow Full-Time Bicycle Access] Sponsor: Avalos** Resolution supporting the Bay Area Rapid Transit District's Pilot Program to allow full-time bicycle access. **ADOPTED**

**April 2, 2013 Board of Supervisors Meeting**

**130250 [Appointments, Urban Forestry Council - John Hillan, Dan Flanagan, Sandy Sherwin, William Brock Most, and Rose Hillson]** Motion appointing John Hillan, Dan Flanagan, Sandy Sherwin, William Brock Most, and Rose Hillson, terms ending November 18, 2014, to the Urban Forestry Council. (Clerk of the Board) **Motion No. M13-051 APPROVED**

**April 9, 2013 Board of Supervisors**

**130150 [Accept and Expend Grant - Used Motor Oil Recycling - \$229,123]** Sponsor: Mar Resolution authorizing the **Department of the Environment** to accept and expend a grant in the amount of \$229,123 from the California Department of Resources Recycling and Recovery for the purpose of increasing used motor oil recycling and household hazardous waste management for the period of April 30, 2013, through June 30, 2014. **ADOPTED**

**April 23, 2013 Board of Supervisors**

**130235 [Urging the Municipal Transportation Agency to Implement a Full-Scale Bike Sharing Program by 2014] Sponsors: Wiener; Chiu** Resolution urging the Municipal Transportation Agency to implement a full-scale bike sharing program by 2014. **ADOPTED**

### April 23, 2013 Legislation Introduced

#### **130374 [Campaign and Governmental Conduct Code - Lobbying Regulations]**

**Sponsor:** Chiu Ordinance amending the Campaign and Governmental Conduct Code to expand the definition of a lobbyist; expand the list of reportable lobbying contacts; enhance lobbyist training, auditing, and record-keeping requirements; require public reports about city officials who fail to file statements of economic interest; require a public guide to local campaign finance laws; require permit consultants to register with the Ethics Commission and file regular disclosure reports; and require major developers to disclose donations to nonprofits active in the City. **ASSIGNED UNDER 30 DAY RULE to Rules Committee.**

### May 14, 2013 Board of Supervisors Meeting

#### **130224 [Agreement - Pacific Gas and Electric Company - University Mound Reservoir**

**Project - \$86,765.18] Sponsor: Campos** Ordinance authorizing the Public Utilities Commission General Manager to enter into a long-term interconnection agreement with Pacific Gas and Electric Company to connect a small renewable energy project at University Mound Reservoir to the electric system; and waiving specific requirements of the Administrative Code and the **Environment Code** in the best interests of the City for an amount of \$86,765.18 with a duration of ten years and automatic renewal every year thereafter. **FINALLY PASSED**

#### **130383 [Accept and Expend Grant - Bay Area Regional Energy Network - \$931,000] Sponsor: Mar**

Resolution authorizing the **Department of the Environment** to retroactively accept and expend a grant of \$931,000 from the Association of Bay Area Governments to perform various activities as part of a Bay Area Regional Energy Network energy efficiency program for the period of January 1, 2013, through December 31, 2014. **ADOPTED**

### May 14, 2013 Legislation Introduced

**130469 [Accept and Expend Gift - EcoCenter - \$20,000] Sponsor: Kim** Resolution authorizing the **Department of the Environment** to accept and expend a gift in the amount of \$20,000 from CH2MHill to build out the Department's EcoCenter at 1455 Market Street. **RECEIVED AND ASSIGNED to Budget and Finance Committee.**

### May 16, 2013 Rules Committee

**130408 [Appointments, Urban Forestry Council - Andrew Sullivan and Dan Kida]** Hearing to consider appointing two members, terms ending November 18, 2014, to the **Urban Forestry Council**. (Clerk of the Board) Vacant seat 2, succeeding Maria D'Agostino, term expired, must be certified by a professional tree management organization (International Society of Arboriculture, American Society of Consulting Arborists, or American Society of Landscape Architects) for the unexpired portion of a two-year term ending November 18, 2014. Vacant seat 3, succeeding Megan Sutherland, term expired, must be certified by a professional tree management organization (International Society of Arboriculture, American Society of Consulting Arborists, or American Society of Landscape Architects) for the unexpired portion of a two-year term ending November 18, 2014. **PREPARED IN COMMITTEE AS A MOTION. RECOMMENDED.**

**May 20, 2013 Land Use and Economic Development Committee**

**120488 [Environment Code - Bottle Filling Stations] Sponsor: Chiu** Ordinance amending the Environment Code, by adding Chapter 23, to require new buildings that have drinking fountains to provide bottle filling stations; setting an operative date; and making environmental and other findings. **RECOMMENDED AS AMENDED**

**COMMUNICATIONS AND CORRESPONDENCE RECEIVED  
March 26, 2013 to May 28, 2013**

\*Note. All correspondence has been emailed or routed to Commissioners as received and is available upon request. All correspondence is included in the Commission's public records files.

**Public Correspondence – Reference attached Correspondence Log of all incoming public correspondence and status of responses issued.**

Reports Issued: Third Quarter Attendance Report to Mayor issued on April 3, 2013.

Memo to Commissioners from Guillermo Rodriguez, Department staff, State/Local Legislative updates that the Department has been working on.

- # 350.org environmental news
- # Brightline Defense re. local hiring
- # City Hall Events
- # Controller's Office announcement of 2013 City Survey Report.
- # Department of the Environment event announcements, newsletters, employment opportunities, informational updates, articles, press releases.
- # Efficientgov newsletters.
- # Exploratorium invitation to opening ceremony
- # Environmental Resource Center webcasts.
- # EUEC News.
- # Garden for the Environment newsletters and workshop announcements.
- # Hydrotech news.
- # Mayor's Office Commission updates, announcements, invitations, press releases, media advisories, Notice of EIR's.
- # Mayor's Office of Neighborhood Services newsletters.
- # Monterey Bay National Marine Sanctuary Expansion Commission Resolution transmitted to NOAA.
- # Mount Sutro Neighbors – UCSF Mount Sutro EIR Public Comment Notification
- # Nature in the City news.
- # Neighborhood Empowerment Network (NEN) news.
- # San Francisco Parks Alliance Newsletters and information.
- # Sea Scavenger Conservancy event invitations, announcements.
- # SingerSF Invitation to screening of "Trashed"
- # SFPUC meeting agendas
- # SPUR event announcements
- # Sustainable City Network Top News.

Attachments: Correspondence Log, State/Local Legislative Updates



**COMMISSION ON THE ENVIRONMENT CORRESPONDENCE LOG**

<b>Name</b>	<b>Organization</b>	<b>Email</b>	<b>Phone</b>	<b>Date Received</b>	<b>Date Due</b>	<b>Topic of Correspondence</b>	<b>Status</b>	<b>Reply Requested</b>
Eddie Ahn	Brightline Defense Project			2/12/2013		Letter to SFPUC copied to Commission in support of full funding for GoSolarSF	copy to Commission. Mayor restored funding. Thank you letters issued to Mayor and SFPUC General Manager 4/5/13	
Eric Brooks	Green Party and Our City	brookse@igc.org		3/1/2013	4/1/2013	Requesting presentation on Local Power proposed Business Plan	Presentation heard at Commission 3/26/13	X
Al Weinrub	Local Clean Energy Alliance	alweinrub@comcast.net		3/1/2013	4/1/2013	Local Power Business Plan and request for presentation	Presentation heard at Commission 3/26/13	X
David McCoard	Sierra Club SF Bay Chapter, Energy and Climate Committee	dmccoard@hotmail.com		3/4/2013	4/1/2013	Local Power Business Plan and request for presentation	Presentation heard at Commission 3/26/13	X
Dr. Espanola Jackson	Black Human Rights Leadership Council of San Francisco	robert22woods@gmail.com	415-467-0535	3/7/2013	4/7/13 and 4/26/13	Diversity Report	Report issued 3/12/13. Follow-up report on residency issued 4/5/13.	X
Becky Evans	Chair, SF Group, Sierra Club	rebecca@earthlink.net		3/22/2013		Letter to Recreation and Park Department copied to Commission, Sierra Club support of the Laborers Local 261 Gardener Apprenticeship program	copy to Commission Public Comment heard at Commission meeting 3/26/13.	
Sala Chandler	Bayview Hunters Point Resident		415-287-7481	3/26/2013	4/26/2013	3450 Third Street Bayview Hunters Point Southeast Wastewater Treatment Plant toxicity concerns	Commissioners received a copy of correspondence as requested.	X
Dr. Espanola Jackson	SLAM Coalition of Bayview Hunters Point Community Organizations Advocates for Environmental Human Rights	robert22woods@gmail.com	415-467-0535	3/26/2013	4/26/2013	Concerns with dangers of Lennar Corporation's development project at the Hunters Point Naval Shipyard	Public Comment heard at Commission meeting 3/26/13. Commissioners received a copy of correspondence as requested.	X
Robert Woods		robert22woods@gmail.com	415-467-0535	3/26/2013	4/26/2013	Concerns with dangers of Lennar Corporation's development project at the Hunters Point Naval Shipyard	Public comment heard at Commission meeting on 3/26/13.	X

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To Harlan Kelly	General Manager SFPUC	hkelly@sfpwater.org		4/5/2013		GoSolarSF Thank You letter from Commission	Emailed to SFPUC Mgr 4/5/13	
To Edwin M Lee	Mayor	Nicole.Wheaton@sfgov.org		4/5/2013		GoSolarSF Thank You letter from Commission	Emailed to Ms. Wheaton for transmittal to Mayor 4/5/13 Emailed to Commissioners. Acknowledgement letter sent. Additional correspondence sent on 050713 inviting Mr. Russom to attend meeting public comment to discuss issue.	X
Michael Russom		michaelrussom@sbcglobal.net	415-846-3188	4/10/2013	5/10/2013	Park Merced development environmental impacts	Emailed to Commissioners. Acknowledgement letter sent 4/22/13. Department response letter sent 5/22/13.	
Denise D'Anne		ddanne1@sbcglobal.net	415-431-4172	4/22/2013	5/22/2013	styrofoam packaging ban	Emailed to Commissioners and acknowledgement letter sent 5/3/13. No response requested.	
Denise D'Anne		ddanne1@sbcglobal.net	415-431-4172	5/2/2013		Water bottle opposition. Copy to Commissioners, addressed to Supervisor David Chiu.	Emailed to Commissioners. Acknowledgement letter sent 5/7/13. Rate Hearing Officer to respond.	
James Collins		inchfawn@gmail.com		5/6/2013		Recology rate increase - opposition to compost bin increase only. Copy to Commissioners, addressed to DPW.	Emailed to Commissioners. Acknowledgement letter sent 5/1/13. Requested a response from the Department. Response issued 5/24/13.	X
Anastasia Glikshtern		apalk@comcast.net		5/1/2013	6/1/2013	Opposition to pesticides and herbicides in Natural Areas Program. Requested SFE involvement.	Emailed communication to Commissioners. Acknowledgement letter sent.	X
Hunter Stern	IBEW 1245	hls5@ibew1245.com	415-517-0318	5/13/2013		CleanPowerSF Update at Policy Committee Meeting of 5/13/13	SFPUC's action to adopt a schedule of rates for Phase One of CleanPowerSF program. To SFPUC; copy to Commission.	
Elizabeth Klebaner	Adams Broadwell Joseph & Cardoza, Attys at Law	eklebaner@adamsbroadwell.com	650-589-1660	5/14/2013			Emailed communication to Commissioners. Acknowledgement letter sent.	



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Edwin M. Lee  
Mayor

Melanie Nutter  
Director

TO: Commissioners  
FM: Guillermo Rodriguez  
RE: State/Local Legislative Update

The tables below reflect the State and Local legislative bills, resolutions and ordinances the department is either tracking and/or has taken an official position.

## 2013-2014 State Legislative Agenda

<u>AB 153</u>	Bonilla	AB 32 offsets, consider new protocols	Support	SFE Climate should review and discuss with Zero Waste
<u>AB 158</u>	Levine	Plastic checkout bag ban and bag charge, requires compostable bags to be charged not less than cost (potential problem)	Support	
<u>AB 215</u>	Chesbro	Eliminates need for reimbursing agencies/schools for recycling plastic packaging.	Support	
<u>AB 221</u>	Quirk-Silva	Adds use of recycled concrete to CA Green Bldg Stds Code	Support	
<u>AB 278</u>	Gatto	AB 32 low carbon fuel standard, evaluate impacts	Watch	SFE Climate should review and discuss with Zero Waste
<u>AB 323</u>	Chesbro	Eliminates diversion credit for "greenwaste" ADC and requires large commercial organics generators to subscribe to composting collection	Support	
<u>AB 333</u>	Wieckowski	Medical waste management planning	Support	
<u>AB 513</u>	Frazier	Market development - rubberized asphalt	Support	Passed 9-0 on 4/16, to A App
<u>AB 521</u>	Huseo	To reduce marine plastic pollution and shift financial responsibility to producers	Support	
<u>AB 665</u>	Alejo	Bottle bill payment change	Oppose	Hearing cancelled 4/9
<u>AB 744</u>	Gordon	Bottle bill expansion	Support	Passed AAP 17-0 on 5/1
<u>AB 794</u>	Gorell	Exempts landfill gas and composting used as for "renewable energy" from CEQA if results in ghg reduction	Oppose	
<u>AB 997</u>	Chesbro	Moves anaerobic digestion out of transformation into composting definition for unlimited diversion credit	Support	
<u>AB 1001</u>	Gordon	Bottle bill expansion	Support	Passed 6-3 on 4/29, to A App
<u>AB 1021</u>	Eggman	Market development - sales tax exemption	Support	Passed 9-0 on 4/29, to A App
<u>AB 1023</u>	Eggman	Market development - recycled content incentive funding	Support	Passed 6-3 on 4/29, to A App
<u>AB 1337</u>	Allen	Plastic bag recycling - preempts local bag ordinance	Oppose	
<u>AB 1375</u>	Chau	Creates AB 32 clean technology investment fund	Watch	

		from cap&trade collected funds		
<u>AB 1398</u>	Chesbro	Refine definition of commercial solid waste for AB 341 mandate	Support	
<u>SB 124</u>	Corbett	AB 32 contract preference for "clean energy", inc. biomass	Support	SFE Climate should review and discuss with Zero Waste
<u>SB 254</u>	Hancock, Correa	Mattress recycling	Support	Combined with SB 245. Now includes a point-of-sale fee, a mandate for a single stewardship plan and a 75% diversion date to be set by CalRecycle.
<u>SB 405</u>	Padilla	Plastic checkout bag ban and bag charge, requires compostable bags to be charged not less than cost (potential problem)	Support	
<u>SB 450</u>		Goodwill		Re-referred 5/1
<u>SB 529</u>	Leno	Disposable foodware or carryout bags must be accepted for recycling or composting	Support	
<u>SB 700</u>	Wolk	Plastic checkout bag 5¢ "tax", stores keep only .5¢, requires 2/3 vote	Watch	
<u>SB 804</u>	Lara	Redefines "conversion technologies" to incentivize and maybe fund landfill gas and very high temperature or burn technologies and report to legislature	Oppose	
<u>AB 403</u>		Producer responsibility - sharps	Support	Was heard in the Assembly Environmental Safety and Toxic Materials Committee on April 16 and passed out of the committee with a 5-2 vote. It is scheduled to be heard next in the Assembly Appropriations Committee, Room 4202, on Wednesday, May 8.
<u>AB 488</u>		Producer responsibility - batteries	Support	Was heard in the Assembly Natural Resources Committee April 15 and passed out of committee with a 6-3 vote. It is tentatively scheduled to be heard next in the Assembly Appropriations Committee, Room 4202, on Wednesday, May 8
<u>AB 1022</u>	Eggman	Market development - CRT glass		
<u>SB 727</u>		Producer responsibility - pharmaceuticals	Sponsor (approved by SLC)	Was scheduled to be heard in the Senate Environmental Quality Committee today Wednesday, May 1. Instead of a hearing, Chair Jerry Hill announced that pharmaceutical disposal was a real problem he understood first-hand and he will hold the bill in committee while stakeholder meetings are held this year which will allow the drafting of a bill to move the second year of the session which will be a mandatory, statewide approach where producers share in the responsibility for the proper management of unused medications.
<u>AB 416</u>	Gordon	This legislation proposes to create the Local Emission Reduction Program which will allocate monies to local governments for grants and other financial assistance to develop and implement greenhouse gas (GHG) emission reduction projects.	Support	passed its first committee hearing, Assembly Natural Resources, on a 6-2 vote with one member abstaining



2013 Local Legislative Agenda

AUTHOR	SUMMARY	STATUS/ACTION ITEMS/NOTES
Kim	Resolution authorizing the Department of the Environment to accept and expend a gift in the amount of \$20,000 from CH2MHill to build out the Department's EcoCenter at 1455 Market Street. RECEIVED AND ASSIGNED to Budget and Finance Committee.	Pending before Budget and Finance Committee
City Attorney's Office	Ordinance authorizing settlement of a lawsuit filed by CTIA against the City and County of San Francisco; the lawsuit was filed on July 23, 2010, in United States District Court, Northern District of California, Case No. 3:10-cv-03224 (WHA); entitled CTIA – The Wireless Association v. City and County of San Francisco; the material terms of said settlement are that: CTIA and the City will enter into a stipulated Final Judgment for the CTIA, including declaratory relief and a permanent injunction against enforcement of the Cell Phone Right-to-Know Law; the City will cease all litigation over the Cell Phone Right-to-Know Law; and, CTIA will waive its claims for attorney’s fees.	Approved BOS
Chiu	Ordinance amending the Environment Code, by adding Chapter 23, to require new buildings that have drinking fountains to provide bottle filling stations, setting an operative date, and making environmental and other findings. SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.	Approved BOS 5/21/13
Mar	Resolution authorizing the Department of the Environment to retroactively accept and expend a grant of \$931,000 from the Association of Bay Area Governments to perform various activities as part of a Bay Area Regional Energy Network energy efficiency program for the period of January 1, 2013, through December 31, 2014. (Mar)	Approved BOS 5/14/13
Mar	Resolution authorizing the Department of the Environment to accept and expend a grant in the amount of \$229,123 from the California Department of Resources Recycling and Recovery for the purpose of increasing used motor oil recycling and household hazardous waste management for the period of April 30, 2013, through June 30, 2015.	Approved BOS 5/9/13
	Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of \$13.1 million from the CPUC, through PG&E, to implement an Energy Use and Demand Reduction Through Energy Efficiency Program in the City and County of San Francisco and amending Ordinance Number 165-12 (Annual Salary Ordinance, FY 2012-13 and FY 2013-1 4) to reflect the addition of three (3) grant funded positions (3 FTE) at the Department of the Environment.	Approved BOS 1/15/13

