DEPARTMENT: Public Works  BY: Dana Hertfelder

DATE: April 1, 2008  PHONE: 966-5356

RECOMMENDED ACTION AND JUSTIFICATION:

Adopt Extended Producer Responsibility Resolution and support the California Stewardship Council by signing the Pledge of Support

On March 25, 2008, Heidi Sanborn, Executive Director of the California Product Stewardship Council (CPSC), explained the Council’s mission and focus, as well as the concept of Extended Producer Responsibility (EPR). She is seeking the Boards’ support of the CPSC. In addition, she discussed the CPSC’s Pledge of Support and their Extended Producer Responsibility resolution.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Financial Impact? ( ) Yes (x) No  Current FY Cost: $
Budgeted In Current FY? ( ) Yes ( ) No  ( ) Partially Funded
Amount in Budget: $ 
Additional Funding Needed: $ none
Source:
Internal Transfer
Unanticipated Revenue _______ 4/5’s vote
Transfer Between Funds _______ 4/5’s vote
Contingency _______ 4/5’s vote
( ) General ( ) Other

List Attachments, number pages consecutively

1. Resolution of Support
2. Pledge Form

CLERK’S USE ONLY:
Res. No.: 123456  Ord. No.
Vote – Ayes: 4  Noes: 3
Absent: 
( ) Approved
( ) Minute Order Attached  ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.
Date: 
Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: ____________________________
Deputy

COUNTY ADMINISTRATIVE OFFICER:
( ) Requested Action Recommended
( ) No Opinion
Comments: ____________________

CAO: __________________________
RESOLUTION NO. 08-126
RESOLUTION OF THE MARIPOSA COUNTY BOARD
OF SUPERVISORS
SUPPORTING EXTENDED PRODUCER
RESPONSIBILITY

WHEREAS, approximately 18,000 tons of discarded materials and products are currently sent to disposal from our community on an annual basis at a cost of $121.00 per ton; and

WHEREAS, on February 8, 2006 California’s Universal Waste Rule (CCR, Title 22, Division 4.5, Chapter 23) became effective; and

WHEREAS, the Universal Waste Rule bans landfill disposal of certain products that are deemed hazardous, including household batteries, fluorescent bulbs and tubes, thermostats and other items that contain mercury, as well as electronic devices such as video cassette recorders, microwave ovens, cellular phones, cordless phones, printers, and radios; and

WHEREAS, it is anticipated that the list of Universal and other waste products determined to be hazardous and therefore banned from landfills will continue to grow as demonstrated by the ban of treated wood effective January 2007 and sharps in September 2008; and

WHEREAS, state policies currently make local governments responsible for achieving waste diversion goals and enforcing product disposal bans, both of which are unfunded mandates; and

WHEREAS, Universal Waste management costs are currently paid by taxpayers and rate payers of the Mariposa County area and are expected to increase substantially in the short term unless policy changes are made; and

WHEREAS, local governments have no input on the design of the products, make no profit from the products, and do not have the resources to adequately address the rising volume of discarded products; and

WHEREAS, costs paid by local governments to manage products are in effect subsidies to the producers of hazardous products and products designed for disposal; and

WHEREAS, the Board of Supervisors of Mariposa County supports statewide efforts to hold producers responsible for Universal Waste products and other product waste management costs; and

WHEREAS, there are significant environmental and human health impacts associated with improper management of Universal Waste products; and

WHEREAS, Extended Producer Responsibility (EPR) is a policy approach in which producers assume responsibility for management of waste products and which has been shown to be effective; and
WHEREAS, when producers are responsible for ensuring their products are reused or recycled responsibly, and when health and environmental costs are included in the product price, there is an incentive to design products that are more durable, easier to repair and recycle, and less toxic; and

WHEREAS, EPR framework legislation establishes transparent and fair principles and procedures for applying EPR to categories of products for which improved design and management infrastructure is in the public interest; and

WHEREAS, the California Product Stewardship Council (CPSC) is an organization of California local governments working to speak with one voice in promoting transparent and fair EPR systems in California; and

WHEREAS, the Mariposa County Board of Supervisors wishes to incorporate EPR policies into the County’s product procurement practices to reduce costs and protect the environment; and

WHEREAS, the California Integrated Waste Management Board has adopted Strategic Directives to begin developing statewide EPR programs; and

NOW, THEREFORE BE IT RESOLVED the Mariposa County Board of Supervisors urges the California Integrated Waste Management Board to continue taking timely action to implement the Strategic Directive #5 on Producer Responsibility to manage Universal and other wastes; and

BE IT FURTHER RESOLVED, that the Mariposa County Board of Supervisors urges the California Legislature to enact framework EPR legislation that shifts Universal and other waste management costs from local government to the producers of the product, and which will give producers the incentive to redesign products to make them less toxic and easier to reuse and recycle; and

BE IT FURTHER RESOLVED, that the Director of Public Works of Mariposa County be authorized to send letters to the League of California Cities, the California State Association of Counties, and the California Integrated Waste Management Board, and the State legislature and to use other advocacy methods to urge support for EPR framework legislation; and

BE IT FURTHER RESOLVED, that the Chair of the Mariposa County Board of Supervisors be authorized to sign the California Product Stewardship Council (CPSC) Pledge of Support and participate by contributing $1,000.00 to CPSC to educate and advocate for EPR policies and programs; and

BE IT FURTHER RESOLVED, that the Mariposa County Board of Supervisors encourages all manufacturers to share in the responsibility for eliminating waste through minimizing excess packaging, designing products for durability, reusability and the ability to be
recycled; using recycled materials in the manufacture of new products; and providing financial support for collection, processing, recycling, or disposal of used materials; and

**BE IT FURTHER RESOLVED**, that the Mariposa County Board of Supervisors and its member agencies develop producer responsibility policies such as leasing products when feasible rather than purchasing them and requiring producers to offer less toxic alternatives and to take responsibility for collecting and recycling their products at the end of their useful life.

**PASSED AND ADOPTED** by the Board of Supervisors of Mariposa County, State of California on April 1, 2008, by the following vote:

**AYES:** TURPIN, BIBBY, FRITZ, PICKARD

**NOES:** ABORN

**ABSENT:** NONE

**ABSTAIN:** NONE

Signed: ____________________________ Date: April 1, 2008

Lyle Turpin, Chair

**ATTEST:**

Margie Williams, Clerk of the Board
Mariposa County

**APPROVED AS TO FORM**

Thomas P. Guarino
County Counsel
COUNTY of MARIPOSA
P.O. Box 784, Mariposa, CA 95338 (209) 966-3222
LYLE TURPIN, CHAIR
DIANNE A. FRITZ, VICE CHAIR
BRAD ABORN
JANET BIBBY
BOB PICKARD

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: DANA HERTFELDER, Public Works Director
FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: Adopt an Extended Producer Responsibility Resolution and Authorize the Board of Supervisors Chair to Sign a Pledge of Support for the California Product Stewardship Council

RESOLUTION 08-126

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on April 1, 2008

ACTION AND VOTE:

C) Adopt an Extended Producer Responsibility Resolution and Authorize the Board of Supervisors Chair to Sign a Pledge of Support for the California Product Stewardship Council

BOARD ACTION: Discussion was held with Dana Hertfelder, and he advised of a request from the Council for a contribution in the amount of $1,000 which he feels will be offset by services provided by the Council and it can be paid from the Solid Waste budget. The Board will have an opportunity to review the funding request annually during the budget hearing process. (M)Pickard, (S)Fritz, the Pledge of Support was approved. The motion was amended, agreeable with the maker and second, to include language in the Pledge that support is contingent that the mission and functions of the Council do not deviate from the March 25th presentation/Ayes: Turpin, Bibby, Fritz, Pickard; Abstained: Aborn. Discussion was held relative to the language in the resolution.

Input from the public was provided by the following:

Eleanor Keuning provided input and stated she feels the onerous should be on the manufacturer for the packaging of their products.

(M)Pickard, (S)Bibby, Res. 08-126 was adopted with language changes to delete the reference to “cities”; to reflect leasing products when feasible; and to correct “and” to “at” the end of their useful life/Ayes: Turpin, Bibby, Fritz, Pickard; Abstained: Aborn.

Cc: Chris Ebie, Auditor
    File
PLEDGE FORM – LOCAL GOVERNMENTS/ASSOCIATIONS

The California Product Stewardship Council (CPSC) is a coalition of local governments and regional associations across California, as well as statewide local government associations related to water quality and other cross-media issues (Associates). CPSC is a California nonprofit public benefit corporation operating through a Board of Directors. CPSC has obtained federal exempt status pursuant to Internal Revenue Code Section 501(c)(3).

MISSION: To shift California’s product waste management system from one focused on government funded and ratepayer financed waste diversion to one that relies on producer responsibility in order to reduce public costs and drive improvements in product design that promote environmental sustainability.

FUNCTIONS
1. Build capacity and knowledge among local governments and relationships with stakeholders to bring about producer financed and managed systems for product discards, including those covered by the universal waste ban.
2. Develop practical local and statewide EPR policy and educational tools such as model ordinances and legislation, newsletters, articles, policy briefings, PowerPoint presentations, etc.

The undersigned supports the mission and functions of the California Product Stewardship Council and will advocate in support of Product Stewardship at the local and state level provided for that the mission and functions of the Council do not deviate from the March 25, 2008, presentation to the Mariposa County Board of Supervisors.

Signed:

Lyle Turpin

Board of Supervisors Chair

Mariposa County Board of Supervisors

Organization / Department

Jurisdiction

4639 Ben Hur, Mariposa, CA 95338 (Public Works)

Mailing Address

(209) 966-5356
dhertfelder@mariposacounty.org

Telephone

Email

Please mail signed letter to CPSC, P.O. Box 216381, Sacramento, CA 95821

www.caproductstewardship.org

Mission To shift California’s product waste management system from one focused on government funded and ratepayer financed waste diversion to one that relies on producer responsibility in order to reduce public costs and drive improvements in product design that promote environmental sustainability.