



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Public Works
Department No.: 054
For Agenda Of: 5/24/2022
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Scott D. McGolpin, P.E., Director, (805) 568-3010
Director(s)
Contact Info: Leslie Wells., Deputy Director, (805) 882-3605

SUBJECT: Assembly Bill 1276 Single-Use Foodware Accessories and Standard Condiments –
All Supervisorial Districts

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form:

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- a) Approve and declare the Director of the Santa Barbara County Public Works Department, or their designee, as the enforcement authority of AB 1276, specifically Chapter 5.2 Single-Use Foodware Accessories and Condiments of Part 3 of Division 30 of Public Resources Code, within the unincorporated area of Santa Barbara County, by signing the attached Resolution (Attachment A); and
- b) Find the proposed Resolution does not constitute a “Project” within the meaning of the California Environmental Quality Act, pursuant to 14 CCR 15378 (b)(5) (administrative activity of government).

Summary Text:

Assembly Bill 1276 (2021) Single-Use Foodware Accessories and Standard Condiments (AB 1276) intends to reduce the generation and disposal of single-use plastics in certain food facilities. The bill requires that food facilities only provide single-use foodware accessories or standard condiments to consumers upon request. The bill also prohibits bundling of these items.

Non-compliance of this mandate may be met with a fine. First and second violations result in a notice of violation, and any additional violation carries a \$25 fine not to exceed \$300 annually.

AB 1276 requires that cities and counties establish a local enforcement agency by June 1, 2022. It has been determined that the Santa Barbara County Public Works Department (Public Works) is best suited to enforce the new law. Public Works plans to educate businesses about the new requirements via social media and by providing online resources. Enforcement will be conducted via a complaint portal, where individuals can submit a complaint of a business being out of compliance. This would trigger a site visit by Public Works to conduct in-person outreach and education with business owners and staff. Fines would be issued as a last resort.

Background:

Single-use foodware accessories and standard condiments are very common in the waste stream and have only increased since the onset of the COVID-19 pandemic. In many instances, these items are given to customers without consent, creating needless waste. These items are not recyclable, so these items are destined for the landfill as soon as they are manufactured. Their small size also makes them prone to be littered. Restaurants are also spending large amounts of money on these items, when reusable alternatives are common and practical. For customers in need, AB 1276 does allow businesses to still provide single-use foodware accessories and standard condiments upon request. The following food facilities are not affected by AB 1276: correctional institutions, licensed health care facilities, residential care facilities, or public and private school cafeterias.

Reducing the generation, use, and disposal of single-use foodware accessories will help save landfill space and decrease littering in our community.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

Narrative: This resolution and its associated costs are included in the proposed FY 22/23 budget for the Resource Recovery & Waste Management Division.

Key Contract Risks:

N/A

Special Instructions:

Please provide a copy of the signed Resolution, and a minute order to the Public Works Department Resource Recovery & Waste Management Division, Attn: Kaitlyn C. Haberlin.

Attachments:

Attachment A: Resolution

Authored by:

Kaitlyn Haberlin, Program Specialist, Resource Recovery & Waste Management Division, Department of Public Works, ext. 23603.