A G E N D A

CITY OF SEASIDE
ENIRONTMENTAL COMMITTEE

REGULAR MEETING
CITY HALL
440 Harcourt Avenue
Tuesday, December 11, 2018
5:30 PM

PLEASE TURN OFF YOUR CELL PHONES UPON ENTERING THE MEETING

1. **CALL TO ORDER**

2. **ROLL CALL - ESTABLISHMENT OF QUORUM**

3. **ENVIRONMENTAL COMMITTEE**

4. **REVIEW OF AGENDA**
   If there are any items that arose after the 72-hour posting deadline, this is the point in the meeting where a vote may be taken to add the item to the agenda. (A 2/3-majority vote is required).

5. **PUBLIC COMMENT**
   Members of the public wishing to address the City Council on matters within the jurisdiction of the City of Seaside, but not on this agenda, may do so during the Public Comment period for up to three minutes. Public Comments on specific agenda items are heard under that item. For the public record, please state your name.

6. **APPROVAL OF MINUTES**

   A. **APPROVE MINUTES OF NOVEMBER 13, 2018**

   RECOMMENDATION: REVIEW MINUTES OF NOVEMBER 13, 2018

7. **BUSINESS ITEMS**

   A. **DISCUSSION OF SINGLE-USE PLASTICS ORDINANCES FROM MONTEREY AND SANTA CRUZ**

   RECOMMENDATION: The purpose of this item is for the committee to discuss the Monterey and Santa Cruz ordinances city code related to plastics prohibitions as well as Monterey's code amendments to clarify multifamily dwellings are not required to provide organic waste recycling services consistent with state law.

B. CONSIDERATION OF A RESOLUTION OF SUPPORT FOR HR 7173: ENERGY INNOVATION AND CARBON DIVIDEND ACT OF 2018.

RECOMMENDATION: The purpose of this item is for the Environmental Committee of Seaside to consider authoring a memorandum addressed to the City Council regarding their support of a Resolution of Support for HR 7173:Energy Innovation and Carbon Dividend Act of 2018.
https://community.citizensclimatelobby.org/energy-innovation-act/

C. PRIORITIZATION UPDATE AND CONTINUATION OF DISCUSSION

RECOMMENDATION: The purpose of this item is to continue the discussion of the brainstorming results of the prioritization exercise at the previous meeting and discuss next steps.

8. REPORTS FROM COMMISSIONERS

9. REPORTS FROM STAFF

A. UPDATE ON SPECIAL PLANNING COMMISSION MEETING REGARDING THE BEEKEEPING ORDINANCE

RECOMMENDATION: The purpose of this item is for staff to provide the committee with information on the rescheduled Planning Commission meeting regarding the proposed ordinance amendments regarding beekeeping.

10. ADJOURNMENT

Next Regularly Scheduled Meeting:
JANUARY 8, 2019
Seaside City Hall
5:30PM

The City of Seaside is committed to providing accessible facilities and accommodating people with disabilities in all of its services programs and activities. If special considerations are needed by any person to fully participate in this meeting, they are asked to contact the City Clerk at 899-6707 no fewer than two business days prior to the meeting to allow reasonable arrangements. The City Council chamber is equipped with a portable microphone and assisted listening devices are available at all meetings.

Agenda-related writings or documents provided during public meetings are available for public inspection during the meeting or from the office of the City Clerk. This agenda is posted in compliance with California Government Code Section 54954.2(a) or Section 54956.

DRAFT MINUTES

CITY OF SEASIDE
ENVIRONMENTAL COMMITTEE

REGULAR MEETING
COUNCIL CHAMBER

Tuesday, November 13, 2018
5:30PM

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1. **CALL TO ORDER**
   The meeting was called to order at 5:30 pm.

2. **ROLL CALL – ESTABLISHMENT OF QUORUM**
   PRESENT: Raak, Revelas, Wizard, Murphy
   Molle (Arrived Late), Abraham-Panni (Arrived Late)
   ABSENT: Coble

3, **ENVIRONMENTAL COMMITTEE**
   No information was reported.

4, **REVIEW OF AGENDA**
   Staff Liaison Beth Rocha requested a business item be added to the agenda after the 72hr posting deadline: Item: The Environmental Committee consider a letter/memo of support addressed to the Planning Commission regarding the proposed amendments to the municipal code regarding beekeeping, to include review of the memo and suggestions to content.

5. **PUBLIC COMMENT**
   Dan Fernandez, CSUMB professor provided comment regarding the attendance and participation of his capstone students at the Environmental Committee meeting.

6. **APPROVAL OF MINUTES**
   A. APPROVE MINUTES FROM SEPTEMBER 11, 2018
   On motion by Committee Member Wizard, second by Committee Member Revelas and passed by a unanimous vote, the minutes for the October 9, 2018 meeting were approved.

7. **BUSINESS ITEMS**

   A. PRESENTATION BY LEE HEDGPETH AND LINDA CHARLES OF CITIZENS' CLIMATE LOBBY, MONTEREY
   Presented information on CCL, Carbon Fee and Dividend (CFD) history and proposal, and informed the committee of resolutions of support from local jurisdictions for the CFD and their desire to have a resolution of support from the City of Seaside.

B. PRESENTATION FROM JEFF LINDENTHAL OF MRWMD

Jeff provided an overview of the district and CM Campbell's role on the board. Spoke about their state of the art processing facility, designed to recover 95% of items received as recycling. State goal is to recycle 75%. Survey: Samples from Seaside (10 loads from 10 trucks, 100lb samples) and 19.6% (peninsula average) of material in bins were materials that could not be recycled ("contaminated"). There will be a focus on educating the community on what belongs in recycle bins in Seaside and county-wide, ask contamination amounts were greater in some communities when compared to Seaside. Covered recycling methods and distribution now that China has decided they will no longer accept plastics and is requiring 99.5% non-contaminated recycled items. MRWMD had to slow down the operation of their processing facility, but is meeting the 99.5%. Provided an overview of food-scrap program and participating businesses in Seaside.

Public comment: Dan Fernandez, CSUMB, What are the implications of having contaminated recyclables (extra labor, can't recycle whole load, etc.)? A. It makes it more difficult to meet 99.5%, extra work to clean items.

Committee Discussion:

Murphy: Recommended continuing our conversation regarding waste management now that we have a better understanding of how this local program is operating.

Molle: Asked clarifying questions regarding data presented re. recycling, yard waste, and garbage. A. Jeff: Yard waste is a significant contributor to recycling in Seaside.

Abraham-Panni: Asked further questions regarding how contamination affects overall recycling numbers.

Revelas: Why can't food scraps be placed in yard waste? A: Jeff: Yard waste is turned into mulch, then it's composted. It's very clean and certified for use in organic agriculture. Once you add food scraps to that, then it can't be certified for use in organic ag. Also, most of the compost produced goes back to Salinas for row crops and due to contamination concerns of food scraps, it's excluded.

Jeff: We'd like to do some pilot projects for food scrap collection, as SB 1383 will required this around 2022. You can recommend this to Jason Campbell, who is on our board.

Molle: Is there any insight you can give us on type of contamination? Jeff: It's a little of everything: trash and plastic film bags.

Wizard: Asked a question about how the sorting machine works to pull out plastic film. Jeff explained process.

Murphy: What would the district request of the EC to assist in recycling efforts? A: Jeff: Look at single-use plastics. Straws have been of focus recently. Monterey will be hearing an ordinance next week prohibiting plastic straws in restaurants. The state law only pertains to sit-down establishments, not fast-food or take-out. Also includes cutlery. Look at their ordinance and discuss its relevance to the City of Seaside.

Revelas: Thanked all those who recycle, etc. It changes all the time: What goes where, what changes happened, outreach is essential. Outreach through the schools is the way to go for information to be taught to parents.

C. <u>PROJECT PRESENTATION BY CSUMB STUDENTS: NATURE FOR THE COMMUNITY: A VISUAL TREE, PLANT AND FLOWER GUIDE FOR THE CITY OF SEASIDE; NATURALEZA PARA LA COMUNIDAD: UN GUIA VISUAL DE ARBOLES, PLANTAS, Y FLORES PARA LA CUIDAD DE SEASIDE.</u>

The group introduced themselves and provided an overview of the work they've done so far regarding their capstone, including 26 surveys. More data will be provided.

Committee Discussion:

Molle: I would like to see info on where to purchase recommended species.
Wizard: Simple communication is best, as the latin name will not be helpful to me.
Abraham-Panni: I look forward to who this is for, what you want them to do, defining of terms, and how the guide will be distributed to the community.
Molle: Pollinator-friendliness would be helpful to know.
Staff liaison Rocha: Will indoor plants be included to address indoor air quality. Explain more about survey process.
A: 40% of the community is Spanish speaking. For the most part we introduced ourselves in Spanish and switched to English if needed. There were both English and Spanish surveys. We will survey more at more locations.
Raak: Outreach/surveys should include going to the nurseries themselves and asking if people are able to plant where they live (renter regs, etc.).
Wizard: Could you include icons that indicate plant care (for example, drops of water, green thumbs, etc).
Murphy: Guide should include locations in Seaside where mature plants are located, especially with work done with Return of the Natives.

D. <u>CSUMB INTERN: EPP COMPLIANCE PROJECT UPDATE</u>

Maddy shared some of her recent work, resources found, difficulties discovered, and her approach to broaden her original scope. Maddy to provide an update to the EC members ASAP through staff liaison Rocha.

Committee Discussion:

Molle: Peninsula Plastics Coalition has done a lot of work. Post that info publically is a great idea. We might have some committee openings, so keep this in mind for local business owners.

E. <u>PRIORITIZATION UPDATE AND CONTINUATION OF DISCUSSION</u>

Staff liaison Rocha provided an overview of the prioritization update, as information has been complied in groups and will be shared with the committee. This item will be placed on the next agenda for further discussion and committee members taking on specific tasks.

Committee Discussion:

Raak: Suggested to continue this item to the next meeting. Abraham-Panni motioned to continue this item, second by Molle. Unanimous approval.

F. LETTER OF SUPPORT FOR BEEKEEPING AMENDMENTS

Staff liaison Rocha explained the basics of the amendments, which will result in beekeeping being permitted by-right city wide with the limitations outlined in the proposals to title 6 and 17. CM Campbell is supportive of the Environmental Committee communicating their support via a memorandum.

Public Comment:

Jeff (MRWMD): As a long-time beekeeper, it's great that you're going to make it easier for people to beekeeping. Dependent on the size of the lot, three hives is a lot. Good for streamlining!

Committee Discussion:

Molle: Has comments for the proposed amendments. Rocha: We can still work on details since the language is not being included in the memo.

Motion to support memo by Molle, second by Revelas. Wizard abstains, all others voted in favor.

8. REPORTS FROM COMMISSIONERS

City Council meeting, Item 10A breeding ground for bird on Robert's Lake, so if this is of interest to you I encourage you to attend.

9. REPORTS FROM STAFF

2018 Beacon Spotlight Award given to the City of Seaside for reducing electricity usage through lighting retrofits and street lights.

Cal APA Conference summary provided by staff liaison Rocha. Shared information packet prepared that includes company links and projects being done that are innovative and inclusive.

10. ADJOURNMENT

Having no further business, the meeting was adjourned at 7:00 pm.

ORDINANCE NO. ____ C.S.

Date: November 20, 2018

Item No: 16.

AN ORDINANCE OF THE COUNCIL OF THE CITY OF MONTEREY

AMENDING CHAPTER 14 OF THE MONTEREY CITY CODE RELATED TO GARBAGE AND REFUSE TO PROHIBIT USE OF PLASTIC BEVERAGE STRAWS AND AMEND THE DEFINITION OF DISPOSABLE FOOD SERVICE WARE TO INCLUDE STRAWS, UTENSILS, STIRRERS, AND CUP LIDS THEREBY REQUIRING THESE PRODUCTS TO BE BIODEGRADABLE, COMPOSTABLE, OR RECYCLABLE AND AMEND THE CODE TO CLARIFY MULTIFAMILY DWELLINGS ARE NOT REQUIRED TO PROVIDE ORGANIC WASTE RECYCLING SERVICES CONSISTENT WITH STATE LAW

THE COUNCIL OF THE CITY OF MONTEREY DOES ORDAIN, as follows:

SECTION 1:

WHEREAS, the rate of plastics production growth has outstripped most other man-made materials, increasing by 620% since 1975;

WHEREAS, only 9% of the plastic produced to date has been recycled, and annual recycling rates in the U.S. have stagnated at around 9% since 2012;

WHEREAS, plastic does not biodegrade but instead breaks down into smaller pieces that can turn into microplastic, which is becoming more prevalent in the ocean and has been shown to enter the marine food chain;

WHEREAS, the legislature of the State of California, by enactment of the California Integrated Waste Management Act of 1989 and subsequent additions and amendments thereto (California Public Resources Code Section 40000 *et seq.*) has declared that it is within the public interest to authorize, and to require local agencies to make adequate provisions for Solid Waste handling within their jurisdictions, and has established a Solid Waste management process, which requires cities and other local agencies to implement plans for source reduction, reuse, and recycling as part of their integrated waste management practices;

WHEREAS, the City of Monterey has adopted regulations pertaining to the collection, transportation, and disposal of Solid Waste and recyclables produced within the City;

WHEREAS, the City desires to amend Chapter 14 of the Monterey City Code to bring the City's Solid Waste and recycling regulations into conformance with its current practices related to the collection, transportation, and disposal of solid waste and recyclables, and to enable the City to continue its compliance with the goals of the California Integrated Waste Management Act; and

WHEREAS, the City of Monterey determined that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA) (CCR, Title 14, Chapter 3 (CEQA Guidelines), Article 20, Section 15378). In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Because the proposed action and this matter have no potential to cause any effect on the environment, or because it falls within a category of activities excluded as projects pursuant to CEQA Guidelines section 15378, this matter is not a project.
Because the matter does not cause a direct or any reasonably foreseeable indirect physical change on or in the environment, this matter is not a project. Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

Further, the proposed Ordinance is exempt from CEQA on the separate and independent ground that it is an action of a regulatory agency for the protection of the environment because it will strengthen the City's regulations regarding the distribution and sale of single-use plastic products that harm the environment. Thus, this Ordinance is categorically exempt CEQA Guidelines section 15308 (Class 8) as an action by a regulatory agency for the protection of the environment. Furthermore, the project does not qualify for any of the exceptions to the categorical exemptions found at CEQA Guidelines Section 15300.2.

Exception a - Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located - a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. The proposed ordinance restricts the use of plastic food service ware and will only impact sensitive environments in a positive manner and will not otherwise impact a resource of hazardous or critical concern.

Exception b - Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. The proposed ordinance restricts the use of plastic food service ware. No cumulative impact is anticipated.

Exception c - Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The proposed ordinance restricts the use of plastic food service ware. No significant effect due to unusual circumstance is anticipated.

Exception d - Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified Environmental Impact Report (EIR). The proposed ordinance restricts the use of plastic food service ware. Therefore, impacts to scenic highways would not occur.

Exception e - Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code. The proposed ordinance is not related to any project site listed pursuant to Government Code section 65962.5. The ordinance would have no impact to hazardous waste sites.

Exception f - Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.
The proposed ordinance restricts the use of plastic food service ware and does not impact historical resources.

NOW THEREFORE, the Monterey City Council declares as follows:

SECTION 2. Monterey City Code, Chapter 14, Article 1, section 14-3.1, subsection (g) is renumbered as subsection (h) of the same section and subsection (f) is renumbered as subsection (g) of the same section.

SECTION 3. A new subsection (f) of section 14-3.1 of Article 1 of Chapter 14 of the City Code, shall hereby be added to read as follows:

> "This section does not require a business that is a multifamily dwelling to arrange for the organic waste recycling services for food waste generated by habitants of the multifamily dwelling."

SECTION 4. Monterey City Code, Chapter 14, Article 3, section 14-15(g) is amended to delete "shall mean" and replace it with "means," and to replace the reference to the "Public Works Director" with "Community Development Director," so that as amended Section 14-5(g) shall read:

> "Director" means the Community Development Director, or his/her designee.

SECTION 5. Monterey City Code, Chapter 14, Article 3 is hereby repealed in its entirety and replaced as follows:

ARTICLE 3.
ENVIRONMENTALLY ACCEPTABLE FOOD SERVICEWARE.

Sec. 14-15. The provisions of this Article shall become operative April 22, 2019.

Sec. 14-15.1. Definitions.
Unless otherwise expressly stated, whenever used in this Article the following terms shall have the meanings set forth below:

(a) "Affordable Alternative" means a Biodegradable, Compostable or Recyclable product that costs up to 15 percent more than the purchase cost of the non-biodegradable, non-compostable or non-recyclable alternative(s).

(b) "ASTM Standard" means meeting the standards of the American Society for Testing and Materials (ASTM) International Standards D6400 or D6868 for biodegradable and compostable plastics, as those standards may be amended.

(c) "Biodegradable" means the ability of organic matter to break down from a complex to a more simple form in accordance with the ASTM Standard for biodegradability.

(d) "City" means the City of Monterey.

(e) "City Facility" means any building, structure or vehicle owned and operated by the City of Monterey, its agents, agencies, and departments.

(f) "City Contractor" means any Person who has a contract with the City entered into after the Operative Date who provides Prepared Food while performing the contract.

(g) "Compostable" means all the materials in the product or package will break down, or otherwise become part of usable compost (e.g., soil-conditioning material, mulch) in a safe and timely manner. Compostable Disposable food service ware must meet ASTM standards for compostability and any bio-plastic or plastic-like product must be clearly labeled, preferably with a color symbol, to allow proper identification such that the collector and processor can easily distinguish the ASTM standard compostable plastic from non-ASTM standard compostable plastic.

(h) "Dine-In Services" means Prepared Food provided to a customer for consumption on the provider's premises.

(i) "Dine-Out Services" means Prepared Food provided to a customer for consumption not on the provider's premises.

(j) “Director” means the Community Development Director, or the designee of the Community Development Director.

(k) “Disposable” means designed or intended for a single use or few uses, or not intended for reuse, in contrast with Reusable products.

(l) “Food Provider” means any vendor located or providing food within the City which provides Prepared Food on or off its premises and includes without limitation any store, shop, sales outlet, restaurant, grocery store, supermarket, delicatessen, food/catering truck or vehicle, including vendors located outside of the City when delivering Prepared Food into the City.

(m) “Food Service Ware” means products used in the restaurant and food service industry for consuming, packaging, serving, and transporting ready-to-consume food and beverages, including but not limited to, utensils, straws, beverage stirrers, plates, bowls, cups, cup lids, trays, boxes, clamshells, packaging, and containers.

(n) “Operative Date” means April 22, 2019.

(o) “Person” means an individual, entity, business, event promoter, trust, firm, joint stock company, corporation, non-profit, including a government corporation, partnership, or association.

(p) “Plastic” a material derived from either petroleum or a biologically based polymer, such as corn or other plant sources.

(q) “Polystyrene Foam” means and includes expanded polystyrene that is a thermoplastic petrochemical material utilizing a styrene monomer and processed by any number of techniques including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion-blow molding (extruded foam polystyrene). To include but not limited to polystyrene foam plate, bleached paperboard plate with low density polyethylene coating and bleached paperboard plate with polystyrene coating.

(r) “Prepared Food” means food or beverage prepared for consumption using any cooking or food preparation technique. This does not include any raw uncooked meat, poultry, fish or eggs unless provided for consumption without further food preparation.

(s) “Recyclable” means any material that is accepted by the City or special district recycling program, including, but not limited to, paper, glass, aluminum, cardboard and plastic bottles, jars and tubs.

(t) "Reusable" means designed or intended for more than a single use or few uses, or intended for reuse, in contrast to Disposable.

(u) "Special Event Participant" means a Person providing Prepared Food at any special event (as that term is used in Article 1 of Chapter 32 of this Code), regardless of size, sponsored by any Person, commercial or non-profit organization, group, or individual, which is held within the City of Monterey, regardless of whether the Prepared Food is prepared within or outside of the Monterey City limits.

(v) "Straw" means a tube through which beverages, slurries, smoothies, and similar ingestible products may be ingested by the consumer.

Sec. 14-16. Prohibited Disposable Food Service Ware.

(a) City Facilities. All Persons within, at, or upon any City Facility are prohibited from:

(1) Distributing Prepared Food using Polystyrene Foam,

(2) Distributing Plastic Straws, except when a consumer with a self-identified physical disability making the use of a Plastic Straw necessary specifically requests a Plastic Straw, whereupon the Person shall provide a Plastic Straw to the consumer, and

(3) Distributing Disposable Food Service Ware that is not Recyclable, Compostable, and/or Biodegradable unless there is no Affordable Alternative.

(b) Food Providers, City Contractors, and Special Event Participants. Food Providers, City Contractors, and Special Event Participants are prohibited from:

(1) Using or distributing Polystyrene Foam for Prepared Food or in any Food Service Ware,

(2) Using or distributing Plastic Straws, except when a consumer with a self-identified physical disability making the use of a Plastic Straw necessary specifically requests a Plastic Straw, whereupon the Food Provider, City Contractor, or Special Event Participant shall provide a Plastic Straw to the consumer, and

(3) Using or distributing any Disposable Food Service Ware when providing Dine-In Services, unless the consumer requests a Straw, whereupon a Food Provider may distribute a Straw that is Compostable or Biodegradable, such as one made from paper, sugar cane, pasta, or

bamboo, though not a Plastic Straw, except when a consumer with a self-identified physical disability making the use of a Plastic Straw necessary specifically requests a Plastic Straw, whereupon the Food Provider, City Contractor, or Special Event Participant shall provide a Plastic Straw to the consumer.

(4) When providing Dine-Out Services, using or distributing Disposable Food Service Ware that is not Compostable, Biodegradable, or Recyclable, unless:

(A) A consumer with a self-identified physical disability making the use of a Plastic Straw necessary specifically requests a Plastic Straw, whereupon the Food Provider, City Contractor, or Special Event Participant shall provide a Plastic Straw to the consumer.

(B) There is no Affordable Alternative to Disposable Food Service Ware that is not Compostable, Biodegradable, or Recyclable, whereupon the Food Service Provider may use or provide Disposable Food Service Ware that is not Compostable, Biodegradable, or Recyclable, though this exception shall not permit the use or distribution use of a Plastic Straw.

Sec. 14-17. Additional Obligations Under This Article.
Food Providers or other Person required by Article 1 of Chapter 19 of this Code to have a license transact business, shall state on its annual business license renewal form that it is compliant with all provisions of this Article.

Sec. 14-18. Encouraged and Voluntary Use of Reusable, Biodegradable, Compostable, or Recyclable Food Service Ware.
(a) All Persons, including supermarkets and vendors, are encouraged to eliminate the use of Polystyrene Foam for packaging of food and other items that are not Prepared Food.

(b) All Persons are encouraged to use and distribute Reusable, rather than Disposable, Food Service Ware, even when not required to do so. When it is necessary to use or distribute Disposable Food Service Ware, all Persons are encouraged to use and distribute Disposable Food Service Ware that is Biodegradable, Compostable, or Recyclable, even when not required to do so.

Sec. 14-19. Application for Exemption.
(a) Application. A Person may apply for an exemption from the requirements set forth in Section 14-16 of this Article for one non-renewable one-year period. The

application must be in writing and must include all information necessary for the Director to make a determination, including but not limited to a statement of the supporting facts made under penalty of perjury and documentation showing factual support for the exemption. The Director may require the applicant to provide additional information and may deny the application if the applicant fails to provide it.

(b) Determination by Director. The City may, within its discretion, approve a Food Provider's or City Contractor's application for exemption from the requirements set forth in Section 14-16 of this Article for a non-renewable, one-year period only upon a finding and determination that Section 14-16 would create an undue hardship upon the applicant not generally applicable to other Food Provider's or City Contractor's in similar circumstances. The Director may, within its discretion, deny the application in whole, approve the application in whole, or approve the application in part and/or with conditions. The Director shall prepare a written decision to grant or deny a one-year exemption, which decision shall be final.

Sec. 14-20. Enforcement and Remedies.
Violations of this Article shall be enforced as follows:

(a) The Director shall be primarily responsible for enforcing this Article.

(b) The Director, in accordance with applicable law including Title 13 of Part 3 of the California Code of Civil Procedure, may inspect the premises of any Food Provider to verify compliance, provided that the Premises is located within the City.

(c) For a first violation of the provisions of this Article, the City shall provide notice to the Person(s) violating this Article that a violation has occurred.

(d) For any violation after the first violation, the Director, the Director's designees, officers of the Police Department, or attorneys of the City Attorney's Office, shall have the authority to take any one or more of the following actions:

> (1) Issue an administrative citation pursuant to Article 2 of Chapter 1 of the Monterey City Code, including the imposition of a fine pursuant to the City's Administrative Citation Fine Schedule, as it may be amended.
>
> > (a) Food Providers, Special Event Participants, and any other Person who violates any provision of this Article in connection with a special event (as that term is used in Article 1 of Chapter 32 of this Code), shall be assessed a progressive administrative fine, which shall increase in amount depending upon the number of persons at

said special event, in accordance with the City's Administrative Citation Fine Schedule.

(2) Prosecute the violation as a criminal infraction or a misdemeanor.

(3) Petition a court of competent jurisdiction for injunctive and/or declaratory relief;

(4) Seek any other remedy available at law, in equity, and/or by statute.

SECTION 6: All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 7: This ordinance shall be in full force and effect thirty (30) days from and after its final passage and adoption.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF MONTEREY this _____ day of _______, 2018, by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

APPROVED:

ATTEST:

____
Mayor of Monterey

____
City Clerk thereof

ORDINANCE NO. ____

ORDINANCE ADDING CHAPTER 5.49 TO THE SANTA CRUZ COUNTY CODE RELATING TO HOSPITALITY PLASTIC POLLUTION REDUCTION

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The Santa Cruz County Code is hereby amended by adding new Chapter 5.49 to read as follows:

Sections:

5.49.010 Purpose and Intent.

(A) The purpose of this chapter is to protect the health, safety and welfare of the public and of the environment by reducing the use of single-use plastic products, while encouraging product design that minimizes negative impacts on human health and the environment at every stage of the product's lifecycle.

(B) The County of Santa Cruz has an obligation to protect the environment, the economy, and public health. As of the date of adoption of this Ordinance, the County of Santa Cruz has an official Zero Waste goal, which is to be reached by waste reduction, reuse, recycling, and composting. The County of Santa Cruz makes the following findings:

(1) The County of Santa Cruz is situated at the edge of the Monterey Bay National Marine Sanctuary. Plastics which are littered or otherwise deposited improperly in the County can find their way into the Monterey Bay where they can negatively impact the marine environment and sea life.

(2) As litter, plastic is highly durable, persisting and detracting from the appearance of an area longer than other types of litter. There is a prevalence of plastic debris littering

our parks and public places, streets and roads, waterways, storm drains and beaches. This litter ultimately floats, or is blown, into the Monterey Bay. This litter exists at a financial cost to residents and an environmental cost to our natural resources.

(3) Plastic can take hundreds or even thousands of years to break down in the environment. It is not just the accumulation of plastics that harms the environment—it is also the fragments and toxins released during photo-decomposition that pollute our soil and water.

(4) Studies by the US Centers for Disease Control and Prevention, the National Institutes of Health and the National Institute of Environmental Health have found numerous health risks from routine use of plastics. People are exposed to chemicals from plastic multiple times per day through the air, dust, water, food and use of consumer products.

(5) Plastic buried deep in landfills can leach harmful chemicals that spread into groundwater.

(6) Chemicals present in plastics which leach out into the environment have been shown to affect reproduction and development in animals. Studies show direct links between exposure and adverse health outcomes.

(7) The US Environmental Protection Agency's (EPA) Toxics Release Inventory found that significant releases of toxic chemicals from plastics into the environment include trichloroethane, acetone, methylene chloride, methyl ethyl ketone, styrene, toluene and benzene.

(8) According to the EPA, plastics make up more than 12 percent of the municipal solid waste stream, a dramatic increase from 1960, when plastics were less than one percent of the waste stream.

(9) Only about 8 percent of plastic used in the US is recycled.

(10) The plastics industry rarely uses recycled plastics in the vast majority of their products.

(11) Most plastics which are recycled are "downcycled" into lower-grade, single-use products which cannot be recycled in turn.

(12) As much as one third of plastics recycled in the US were previously sent to China for processing. The recent ban on most recycled commodities by China has left the US with 1.4 million tons of plastic each year that is struggling to find an outlet. This amount is expected to increase.

(13) After decades of progress in recycling, the recycling rate in the State of California is going down for the first time.

(14) Many jurisdictions, including the City of Santa Cruz, have begun landfilling plastic due to the difficulty of recycling it.

(15) Billions of tiny bottles of shampoo, lotion and other products are thrown away every year by hotels and motels. Many chains, including Marriott and Hilton, have already begun switching to wall-mounted dispensers to reduce waste and be more sustainable.

(16) Santa Cruz County has been a pioneer in the reduction of plastic pollution, being among the first to adopt bans on plastic bags, Styrofoam, plastic straws and other nonrecyclable items.

(17) Despite these efforts, plastic debris continues to be a growing problem in the public spaces of the County, requiring further action to protect public health and the environment.

5.49.020 Definitions.

(A) **Plastic** refers to any synthetic material made from organic polymers such as polyethylene, PVC, nylon, etc., that can be molded into shape while soft and then set into a rigid or slightly elastic form. Includes all plastics #1-#7, as well as any new variants.

(B) **Personal care products** include shampoo, conditioner, and other similar products intended for personal use by visitors.

(C) **Small plastic bottles** refers to any plastic bottle containing less than 12 ounces.

5.49.030 Ban on single use personal care products in the hospitality industry.

(A) Small plastic bottles of personal care products may not be provided in hotel or motel rooms, vacation rentals, or other visitor accommodations in the unincorporated areas of Santa Cruz County, except to persons specifically requesting accommodation of a disability or other special need.

(B) Hospitality businesses serving visitors are encouraged to use bulk dispensers of personal care products to reduce cost, waste and the impact on the environment.

(C) This provision does not apply to hosted rentals in which the owner lives on the premises.

5.49.100 Implementation.

(A) The prohibitions of this ordinance will take effect as of December 31, 2020.

(B) No less than one year before this ordinance takes effect, the County of Santa Cruz shall post, mail or deliver a copy of it to affected businesses within the unincorporated County of Santa Cruz.

5.49.110 Exemptions.

(A) The Director of Public Works, or the director's designee, may exempt an affected business or person from the requirements set forth in this chapter upon the affected business or person showing, in writing, that this chapter would create an undue hardship or practical difficulty not generally applicable to other businesses or persons in similar circumstances. Exemptions may be permanent or for a limited period, at the director's discretion. The decision to grant or deny an exemption shall be in writing, and the Director's or the director's designee's decision shall be final.

(B) An exemption application shall include all information necessary for the Director of Public Works or the Director's designee to make a decision, including but not limited to documentation showing factual support for the claimed exemption.

(C) The Director of Public Works or Director's designee may approve the exemption application in whole or in part, with or without conditions.

(D) The decision of the Director or Director's designee shall be final and may not be appealed to any other person or body.

5.49.120 Enforcement.

Enforcement of this chapter shall be as follows:

(A) The Director of Public Works, or designee, shall have primary responsibility for enforcement of this chapter and shall have authority to issue citations for violation of this chapter. The Director, or designee, is authorized to establish regulations or administrative procedures to ensure compliance with this chapter.

(B) A person or entity violating or failing to comply with any of the requirements of this chapter shall be guilty of an infraction.

(C) The County of Santa Cruz may seek legal, injunctive, or any other relief to enforce the provisions of this chapter and any regulation or administrative procedure authorized by it.

(D) The remedies and penalties provided in this chapter are cumulative and not exclusive of one another.

(E) The Director of Public Works or designee may inspect any business establishment's premises to verify compliance with this chapter.

5.49.130 Violations.
Violations of this chapter shall be enforced as follows:

(A) Violation of this chapter is hereby declared to be a public nuisance. Any violation shall be subject to abatement by the County of Santa Cruz, as well as any other remedies that may be permitted by law for public nuisances, and may be enforced by injunction, upon a showing of violation.

(B) Upon a first violation, the Director of Public Works, or designee, shall mail a written warning. The warning shall recite the violation, and advise that future violations may result in fines.

(C) Upon a second or subsequent violation, or failure to correct the initial violation, the following penalties will apply:

(1) A fine not exceeding $100.00 for the first violation that occurs 30 days or more after the first warning.

(2) A fine not exceeding $200.00 for the second violation, or failure to correct the initial violation, that occurs 60 days or more after the first warning.

(3) A fine not exceeding $500.00 for the third violation, or failure to correct the initial violation, that occurs 90 days or more after the first warning.

(4) A fine not exceeding $500.00 for every 30-day period not in compliance, that occurs 90 days or more after the first warning.

(D) Remedies and fines under this section are cumulative.

5.49.140 Severability.
If any word, phrase, sentence, part, section, subsection, or other portion of this chapter, or any application thereof to any person or circumstance is declared void, unconstitutional, or invalid for any reason, then such word, phrase, sentence, part, section, subsection, or other portion, or the proscribed application thereof, shall be severable, and the remaining provisions of this chapter, and all applications thereof, not having been declared void, unconstitutional or invalid, shall remain in full force and effect. The County of Santa Cruz hereby declares that it would have passed this title, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases had been declared invalid or unconstitutional.

5.49.150 No conflict with Federal or State law.
Nothing in this chapter shall be interpreted or applied so as to create any requirement, power, or duty in conflict with any Federal or State law.

5.49.160 Environmental Findings.
This chapter is entitled to a categorical exemption of the California Environmental Quality Act ("CEQA") pursuant to 14 California Code of Regulations Section 15307, which exempts "actions taken by regulatory agencies, as authorized by State or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection."

SECTION II

This ordinance shall take effect on the 31st day after the date of final passage.

PASSED AND ADOPTED this ____ day of ____________, 2018, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES: SUPERVISORS

NOES: SUPERVISORS

ABSENT: SUPERVISORS

ABSTAIN: SUPERVISORS

Attest:____________________
Clerk of the Board

____
Chair
Board of Supervisors

APPROVED AS TO FORM:

____
Office of the County Counsel

COUNTY OF SANTA CRUZ

701 OCEAN STREET, SANTA CRUZ, CA 95060-4073
(831) 454-2000 WWW.SANTACRUZCOUNTY.US
CARLOS J. PALACIOS, COUNTY ADMINISTRATIVE OFFICER

PRESS RELEASE

Date: November 20, 2018
Contact: Jason Hoppin
831-454-3401

BOARD TAKES LANDMARK STANCE AGAINST SINGLE-USE PLASTICS

The Santa Cruz County Board of Supervisors on Tuesday voted unanimously to implement what is likely the first prohibition on single-use bottles of personal care products at visitor accommodations in the U.S.

Acting to protect the Monterey Bay and expand efforts to prevent plastic pollution, the Board voted to eliminate single-use plastic shampoo, conditioner and lotion bottles from local hotels, motels and vacation rentals. The ordinance would go into effect Dec. 31, 2020.

"Environmental protection is a core value of Santa Cruz County. Tourism is one of our leading industries, and many of our visitors come for Monterey Bay and our pristine beaches," said Board Chair Zach Friend, who brought the ordinance forward. "Single-use plastics have dire consequences for these ecosystems and threaten our local economy, and we must act locally to protect them."

Santa Cruz County is a pioneer in the environmental movement and has been at the forefront of reducing plastic pollution. It was among the first to ban single-use to go plastic bags, polystyrene products, plastic straws and other disposable plastics products, and has been recognized for its environmental leadership over the last several decades.

"This is a great step forward," said Barbara Meister, director of public affairs for Monterey Bay Aquarium. "It's encouraging to see Santa Cruz County working together with the hospitality community to address ocean plastic pollution. We applaud the county, and its hospitality industry, for their leadership."

The collapse of the global market for recycled plastics is increasing the volume of plastics going into landfills, where harmful chemicals can leach into soils and precious groundwater supplies. Under the ordinance, owner-occupied "hosted rentals" are exempt, and exceptions are available for those with disabilities or special needs.

"We have been using refillable soap and shampoo dispensers at our five hotels for nearly a decade as a means of reducing plastic waste," said Steve Allen of the Allen Property Group, which operates the Rio Sands Hotel and Capitola Venetian Hotel. "The Santa Cruz County hospitality industry benefits from our environment, which helps make our region a worldwide destination. Taking steps to protect Monterey Bay and our local ecosystems is not only environmentally responsible, it is good business."

Tourism draws more than 1 million to Santa Cruz County annually, contributing an estimated $700 million to the local economy. Many come out of appreciation for Monterey Bay and the surrounding environment, making sustainable tourism vital to one of the region's key industries.

"Plastic, particularly single-use plastic, has an undeniably negative impact on the environment and we should do all we can to keep our ocean clean and reduce our carbon footprint. This ordinance is another step in the right direction. At Sand Rock Farm, we have switched to refillable amenities and eliminated plastic water bottles, and our customers appreciate efforts to reduce waste, particularly waste that can end up in Monterey Bay," said Jen Hagglof, proprietor of the Sand Rock Farm bed and breakfast in Aptos.

The ordinance will return to the Board for final approval on December 4.

County of Santa Cruz Board of Supervisors
Agenda Item Submittal
From: Zach Friend, Second District Supervisor, Bruce McPherson, Fifth District Supervisor
(831) 454-2200
Subject: Ordinance Regulating Single-Use Plastics in the Hospitality Industry
Meeting Date: November 20, 2018

Recommended Action:

1) Consider proposed ordinance regulating single-use plastic bottles of personal care products in hotel or motel rooms, vacation rentals, or other visitor accommodations in the unincorporated areas;
2) Approve the ordinance in concept; and
3) Schedule the ordinance for second reading and final adoption on December 4, 2018.

Executive Summary

Plastic waste, especially single-use plastics, contribute to a growing environmental concern both on land and in the ocean. Santa Cruz County, with our proximity to the Monterey Bay, is especially vulnerable to plastic waste and our community and local government agencies have made positive changes to limit single-use plastics from our marine environment. We propose working with the hospitality industry to further reduce plastic waste by establishing an ordinance that bans small single-use bottles for personal care products, replacing them with large bottles, dispensers, or other alternatives for hotel or motel rooms, vacation rentals, or other visitor accommodations in the unincorporated areas.

Background/Analysis

In 2017, Monterey-based photographer Justin Hofman was scuba diving off the coast of Subawa Island, Indonesia when he snapped a picture that became emblematic of a problem that plagues the world's ocean and threatens marine life - a tiny seahorse, clinging to a pink Q-tip. The image became a sensation, and though he was nominated for the London Natural History Museum's wildlife photographer of the year award, Hofman has said he wishes the picture didn't exist.

Plastics find their way into our ecosystem in many ways, from microplastics found in personal care products, toothpaste and even clothes, to larger plastics broken down over time and traveling through waste streams into the ocean. But one of the biggest contributors to plastic waste is single-use plastics, with the Monterey Bay Aquarium estimating that 300,000 pounds of plastics enter the world's oceans every nine minutes - approximately the weight of a blue whale.

Plastic is durable and persists longer than other types of litter. Litter left in parks and public places often finds its way into Monterey Bay, where is has a financial cost to residents and an environmental cost to our natural resources.

Expanded across the globe, the results are a growing environmental concern. Floating "garbage patches" now cover sections of the Pacific Ocean and are carried across the globe before arriving back on land, unwanted. In the marine environment, plastics pose a deadly threat to marine life because they are often mistaken for food. Scientists say plastics are found in the stomachs of half the world's sea turtles and 90 percent of marine birds. Estimates show that absent a major change in consumer and waste management practices, the weight of plastics in the ocean will outweigh the weight of fish by 2050.

In Santa Cruz County, the issue is particularly pressing. The Monterey Bay is one of the world's natural treasures, part of the Monterey Bay National Marine Sanctuary and home to numerous native and migratory species, including humpback whales, grey whales, blue whales, orcas, white sharks, several varieties of dolphins, brown pelicans, western gulls, sooty shearwaters, California sea lions, Northern elephant seals, harbor seals, leatherback turtles and the iconic and endangered Southern sea otters.

Furthermore, the Monterey Bay supports the economies of two counties and countless livelihoods. It draws visitors from around the world and supports recreational opportunities for thousands of residents. Through programs such as the Monterey Bay Aquarium, Monterey Bay National Marine Sanctuary Exploration Center, O'Neill Sea Odyssey and countless others, the Monterey Bay has provided a foundation for educating millions about the principles of ocean conservation and preservation.

The Santa Cruz County community has responded to protect the Monterey Bay. For example, Central Coast beach cleanups organized by Save Our Shores have helped inhibit the flow of plastics and other debris into the marine environment, and last year 3,148 volunteers removed more than ten tons of pollution from local shores.

Local governments have also responded, led by Santa Cruz County, implementing changes that have led not only to positive changes at the local level but have raised statewide and even global awareness around issues relating to plastics and the environment. In the 1970s, Santa Cruz County was one of the first local governments to implement curbside recycling, and our longtime emphasis on local and sustainable agriculture has reduced the need for single-use plastics locally.

More recently, beginning in 2008 the County began enacting a series of laws to protect the environment and local tourism economy, including banning plastic and polystyrene to-go containers, banning the sale of expanded polystyrene ("Styrofoam") plastics altogether, prohibiting disposable single-use carryout plastic bags, assuring that all cups and to-go cutlery is certified compostable and prohibiting plastics stir-sticks and straws. These developments have fostered other local and even statewide changes, and led Santa Cruz County to serve as a test market allowing Starbucks to eventually announce it would phase out the use of disposable plastic straws globally by 2020.

But we know more can be done. As we move toward our goal of zero waste, we understand that continuing to limit single-use plastics from our marine environment is important.

One such way to do this is to look to single-use bathroom products in the local hospitality industry. For example, single-use shampoo and conditioner bottles continue to be a source of waste in Santa Cruz County, which is of particular concern due to the collapse of the global plastics recycling market. These products now may ultimately wind up in a landfill, where they can leach dangerous chemicals into soil and water. Increasingly, the tourism market recognizes that consumers are ready for alternatives.

Both major and boutique brands have begun to reduce or phase out the use of single-use plastic bottles for their guests, replacing them with larger bottles, dispensers or other alternatives. The market has also began to recognize consumer demand for reduced dependency on single-use plastics, with companies such as Ethique, Nohbo Drops and many others providing single-use personal care products without plastic containers.

The County believes that in order to further protect Monterey Bay, our natural resources and our local economy, additional action is needed to reduce to flow of single-use plastics into the environment. Under the proposed ordinance, small plastic bottles of personal care products may not be provided in hotel or motel rooms, vacation rentals, or other visitor accommodations in the unincorporated areas, except to persons specifically requesting accommodation of a disability or other special need. This provision does not apply to hosted rentals in which the owner lives on the premises.

In discussions and meeting with local hospitality industry representatives we incorporated provisions, such as ADA accommodations and a phase-in time period, into the ordinance to ensure a smooth transition into this new method of product distribution. As many of our partners in the hospitality industry have products ordered in advance, and agreements with parent chains or installations of dispensers take time, we are proposing that the ordinance take effect December 31, 2020.

We believe our county will become the first in the country to implement such a policy and we intend to work with other jurisdictions in our area to enact similar ordinances.

Strategic Plan Element(s)
This item is addressed by the focus area of Sustainable Environment, working toward the goals of protecting Natural Resources (b); Local Conservation (c); and Climate Change (d).

Submitted by:
Zach Friend, Second District Supervisor, Bruce McPherson, Fifth District Supervisor

Attachments:

Ordinance Hospitality Plastic Pollution Reduction

cc:

County Counsel

Hi Beth,
I include here the latest information on the CCL site about HR 7173. Going forward, we will be asking Cities and organizations to authorize their resolutions of support for this bill as it is very similar to CFD and our leaders were part of the team that put the bill together.
It occurs to me that while we would be very pleased to have a Resolution of Support for CFD from Seaside, if instead your leaders would sign a Resolution of Support for HR 7173, you would be the first municipal resolution in District 20, and one of the first in the US.

Note: the Resolution language will be very similar. I can provide that soon.

https://teddeutch.house.gov/uploadedfiles/energy_innovation_and_carbon_dividend_act_-_one_pager.pdf

Please let me know your thoughts.
Linda

I

115TH CONGRESS
2D SESSION

H. R. 7173

To create a Carbon Dividend Trust Fund for the American people in order to encourage market-driven innovation of clean energy technologies and market efficiencies which will reduce harmful pollution and leave a healthier, more stable, and more prosperous nation for future generations.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 27, 2018

Mr. DEUTCH (for himself, Mr. FITZPATRICK, Mr. DELANEY, Mr. FRANCIS ROONEY of Florida, and Mr. CRIST) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To create a Carbon Dividend Trust Fund for the American people in order to encourage market-driven innovation of clean energy technologies and market efficiencies which will reduce harmful pollution and leave a healthier, more stable, and more prosperous nation for future generations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Energy Innovation and Carbon Dividend Act of 2018''.

SEC. 2. FINDINGS.

The Congress finds that—

(1) efficient markets strengthen our economy and benefit our Nation by encouraging competition, innovation, and technological progress;

(2) efficient markets should reflect all costs of goods to ensure that they advance America's prosperity and national interests;

(3) emissions of carbon pollution and other harmful pollutants into our Nation's air impose substantial costs on all Americans and on future generations; and

(4) creation of a Carbon Dividend Trust Fund, to be distributed to the American people, will make markets more efficient, create jobs, and stimulate competition, innovation, and technological progress that benefit all Americans and future generations.

SEC. 3. CARBON DIVIDENDS AND CARBON FEE.

(a) IN GENERAL.—The Internal Revenue Code of 1986 is amended by adding at the end the following new subtitle:

"Subtitle L—CARBON DIVIDENDS AND CARBON FEE

"CHAPTER 101—CARBON FEES

"SEC. 9901. DEFINITIONS.

"For purposes of this subtitle:

"(a) ADMINISTRATOR.—The term 'Administrator' means the Administrator of the Environmental Protection Agency.

"(b) CARBON DIOXIDE EQUIVALENT OR CO_2-E.—The term 'carbon dioxide equivalent' or 'CO_2-e' means the number of metric tons of carbon dioxide emissions with the same global warming potential as one metric ton of another greenhouse gas.

"(c) CARBON-INTENSIVE PRODUCT.—The term 'carbon-intensive product' means, as identified by the Secretary by rule—

"(1) any manufactured or agricultural product which the Secretary in consultation with the Administrator determines is emissions-intensive and trade-exposed, except that no covered fuel is a carbon-intensive product, and

"(2) until such time that the Secretary promulgates rules identifying carbon-intensive products, the following shall be considered carbon-intensive products: iron, steel, steel mill products (including pipe and tube), aluminum, cement, glass (including flat, container, and specialty glass and fiberglass), pulp, paper, chemicals, or industrial ceramics.

"(d) CARBON LEAKAGE.—The term 'carbon leakage' means an increase of global greenhouse gas emissions which are substantially due to the relocation of greenhouse gas sources from the United States to jurisdictions which lack comparable controls upon greenhouse gas emissions.

"(e) COST OF CARBON OR CARBON COSTS.—The term 'cost of carbon' or 'carbon costs' means a national or sub-national government policy which explicitly places a price on greenhouse gas pollution and shall be limited to either a tax on greenhouse gases or a system of cap-and-trade. The cost of carbon is expressed as the price per ton of CO_2-e.

"(f) COVERED ENTITY.—The term 'covered entity' means—

"(1) in the case of crude oil—

"(A) a refinery operating in the United States, and

"(B) any importer of any petroleum or petroleum product into the United States,

"(2) in the case of coal—

"(A) any coal mining operation in the United States, and

"(B) any importer of coal into the United States,

"(3) in the case of natural gas—

"(A) any entity entering pipeline quality natural gas into the natural gas transmission system, and

"(B) any importer of natural gas into the United States,

"(4) in the case of fluorinated gases any entity required to report the emission of a fluorinated gas under part 98 of title 40, Code of Federal Regulations, and

"(5) any entity or class of entities which, as determined by the Secretary, is transporting, selling, or otherwise using a covered fuel in a manner which emits a greenhouse gas to the atmosphere and which has not been covered by the carbon fee, the fluorinated greenhouse gas fee, or the carbon border fee adjustment.

"(g) COVERED FUEL.—The term 'covered fuel' means crude oil, natural gas, coal, or any other product derived from crude oil, natural gas, or coal which shall be used so as to emit greenhouse gases to the atmosphere.

"(h) CRUDE OIL.—The term 'crude oil' means unrefined petroleum.

"(i) EXPORT.—The term 'export' means to transport a product from within the jurisdiction of the United States to persons outside the United States.

"(j) FLUORINATED GREENHOUSE GAS.—The term 'fluorinated greenhouse gas' means sulfur hexafluoride (SF_6), nitrogen trifluoride (NF_3), and any fluorocarbon except for controlled substances as defined in subpart A of part 82 of title 40, Code of Federal Regulation, and substances with vapor pressures of less than 1 mm of Hg absolute at 25 degrees. With these exceptions, 'fluorinated greenhouse gas' includes but is not limited to any hydrofluorocarbon, any perfluorocarbon, any fully fluorinated linear, branched or cyclic alkane, ether, tertiary amine or aminoether, any perfluoropolyether, and any hydrofluoropolyether.

"(k) FOSSIL FUEL.—The term 'fossil fuel' means coal, coal products, petroleum, petroleum products, or natural gas.

"(l) FULL FUEL CYCLE GREENHOUSE GAS EMISSIONS.—The term 'full fuel cycle greenhouse gas emissions' means the greenhouse gas content of a covered fuel plus that covered fuel's upstream greenhouse gas emissions.

"(m) GLOBAL WARMING POTENTIAL.—The term 'global warming potential' means the ratio of the time-integrated radiative forcing from the instantaneous release of one kilogram of a trace substance relative to that of one kilogram of carbon dioxide.

"(n) GREENHOUSE GAS.—The term 'greenhouse gas' means carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), sulfur hexafluoride (SF_6), hydrofluorocarbons (HFCs), perfluorocarbon (PFCs), and other gases as defined by rule of the Administrator.

"(o) GREENHOUSE GAS CONTENT.—The term 'greenhouse gas content' means the amount of greenhouse gases, expressed in metric tons of CO_2-e, which would be emitted to the atmosphere by the use of a covered fuel and shall include, nonexclusively, emissions of carbon dioxide (CO_2), nitrous oxide (N_2O), methane (CH_4), and other greenhouse gases as identified by rule of the Administrator.

"(p) GREENHOUSE GAS EFFECT.—The term 'greenhouse gas effect' means the adverse effects of greenhouse gases on health or welfare caused by the greenhouse gas's heat-trapping potential or its effect on ocean acidification.

"(q) IMPORT.—Irrespective of any other definition in law or treaty, the term 'import' means to land on, bring into, or introduce into any place subject to the jurisdiction of the United States.

"(r) PETROLEUM.—The term 'petroleum' means oil removed from the earth or the oil derived from tar sands or shale.

"(s) PRODUCTION GREENHOUSE GAS EMISSIONS.—The term 'production greenhouse gas emissions' means the quantity of greenhouse gases, expressed in metric tons of CO_2-e, emitted to the atmosphere resulting from, nonexclusively, the production, manufacture, assembly, transportation, or financing of a product.

"(t) UPSTREAM GREENHOUSE GAS EMISSIONS.—The term 'upstream greenhouse gas emissions' means the quantity of greenhouse gases, expressed in metric tons of CO_2-e, emitted to the atmosphere resulting from, nonexclusively, the extraction, processing, transportation, financing, or other preparation of a covered fuel for use.

"SEC. 9902. CARBON FEE.

"(a) CARBON FEE.—There is hereby imposed a carbon fee on any covered entity's emitting use, or sale or transfer for an emitting use, of any covered fuel.

"(b) AMOUNT OF THE CARBON FEE.—The carbon fee imposed by this section is an amount equal to—

"(1) the greenhouse gas content of the covered fuel, multiplied by

"(2) the carbon fee rate.

"(c) CARBON FEE RATE.—For purposes of this section—

"(1) IN GENERAL.—The carbon fee rate, with respect to any use, sale, or transfer during a calendar year, shall be—

"(A) in the case of calendar year 2019, $15, and

"(B) except as provided in paragraph (2), in the case of any calendar year thereafter, the carbon fee rate in effect under this subsection for the preceding calendar year, plus $10.

"(2) EXCEPTIONS.—

"(A) INCREASED CARBON FEE RATE AFTER MISSED ANNUAL EMISSIONS REDUCTION TARGET.—In the case of any year immediately following a year for which the Secretary determines under 9903(b) that the actual emissions of greenhouse gases from covered fuels exceeded the emissions reduction target for the previous year, paragraph (1)(B) shall be applied by substituting '$15' for '$10'.

"(B) CESSATION OF CARBON FEE RATE INCREASE AFTER CERTAIN EMISSION REDUCTIONS ACHIEVED.—In the case of any year immediately following a year for which the Secretary determines under 9903(b) that actual emissions of greenhouse gases from covered fuels is not more than 10 percent of the greenhouse gas emissions from covered fuels during the year 2015, paragraph (1)(B) shall be applied by substituting '$0' for '$10'.

"(d) EXEMPTION AND REFUND.—The Secretary shall prescribe such rules as are necessary to ensure the fee imposed by this section is not imposed with respect to any nonemitting use, or any sale or transfer for a nonemitting use, including rules providing for the refund of any carbon fee paid under this section with respect to any such use, sale, or transfer.

"(e) AGRICULTURE EXEMPTIONS.—

"(1) FUEL.—If any covered fuel or its derivative is used on a farm for a farming purpose, the Secretary shall pay (without interest) to the ultimate purchaser of such covered fuel or its derivative, the total amount of carbon fees previously paid upon that covered fuel, as specified by rule of the Secretary.

"(2) FARM, FARMING USE, AND FARMING PURPOSE.—The terms 'farm', 'farming use', and 'farming purpose' shall have the respective meanings given such terms under section 6420(c).

"(3) OTHER GREENHOUSE GASES EMISSIONS FROM AGRICULTURE.—The carbon fee shall not be levied upon non-fossil fuel greenhouse gas emissions which occur on a farm.

"SEC. 9903. EMISSIONS REDUCTION SCHEDULE.

"(a) IN GENERAL.—An emissions reduction schedule for greenhouse gas emissions from covered fuels is hereby established, as follows:

"(1) REFERENCE YEAR.—The greenhouse gas emissions from covered fuels during the year 2015 shall be the reference amount of emissions and shall be determined from the 'Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2015' published by the Environmental Protection Agency in April of 2017.

"(2) EMISSIONS REDUCTION TARGET.—The first emission reduction target shall be for the year

2022. The emission target for each year thereafter shall be the previous year's target emissions minus a percentage of emissions during the reference year determined in accordance with the following table:

"Year	Emissions Reduction Target
2015	Reference year
2018 to 2021	No emissions reduction target
2022 to 2030	5 percent of 2015 emissions per year
2030 to 2040	2.5 percent of 2015 emissions per year
2040 to 2050	1.5 percent of 2015 emissions per year

"(b) ADMINISTRATIVE DETERMINATION.—Not later than 60 days after the beginning of each calendar year beginning after the enactment of this section, the Secretary, in consultation with the Administrator, shall determine whether actual emissions of greenhouse gases from covered fuels exceeded the emissions reduction target for the preceding calendar year. The Secretary shall make such determination using the same greenhouse gas accounting method as was used to determine the greenhouse gas emissions in the 'Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2015' published by the Environmental Protection Agency in April of 2017.

"SEC. 9904. FEE ON FLUORINATED GREENHOUSE GASES.

"(a) FLUORINATED GAS FEE.—A fee is hereby imposed upon any fluorinated greenhouse gas which is required to be reported under part 98 of title 40, Code of Federal Regulations.

"(b) AMOUNT.—The fee to be paid by the covered entity required to so report shall be an amount equal to—

"(1) the total amount, in metric tons of CO_2-e, of emitted fluorinated greenhouse gases (or, in the case of a supplier, emissions that would result determined under the rules of such part), multiplied by

"(2) an amount equal to 10 percent of the carbon fee rate in effect under section 9902(d)(1) for the calendar year of such emission.

"SEC. 9905. DECOMMISSIONING OF CARBON FEE.

"(a) IN GENERAL.—At such time that—

"(1) the Secretary determines under 9903(b) that actual emissions of greenhouse gases from covered fuels is not more than 10 percent of the greenhouse gas emissions from covered fuels during the year 2015, and

"(2) the monthly carbon dividend payable to an adult eligible individual has been less than $20 for 3 consecutive years,

the Secretary shall decommission in an orderly manner all bureaus and programs associated with administering the carbon fee, the carbon border fee adjustment, and the Carbon Dividend Trust Fund.

"(b) INFLATION ADJUSTMENT.—In the case of any calendar year after 2018, the $20 amount under subsection (a)(2) shall be increased by an amount equal to—

"(1) such dollar amount, multiplied by

"(2) cost-of-living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting 'calendar year 2017' for 'calendar year 2016' in subparagraph (A)(ii) thereof.

"SEC. 9906. CARBON CAPTURE AND SEQUESTRATION.

"(a) IN GENERAL.—The Secretary, in consultation with the Administrator and the Secretary of Energy, shall prescribe regulations for making payments as provided in subsection (b) to qualified facilities which capture and sequester qualified carbon dioxide.

"(b) PAYMENT AMOUNTS.—

"(1) IN GENERAL.—The Secretary shall make payments to a qualified facility in the same manner as if such payment was a refund of an overpayment of the carbon fee imposed by section 9902, in cases in which such qualified facility—

"(A) uses any covered fuel—

"(i) with respect to which the carbon fee has been paid, and

"(ii) which results in the emission of qualified carbon dioxide, "(B) captures such emitted qualified carbon dioxide, and

"(C)(i) sequesters such qualified carbon dioxide in a manner which is safe, permanent, and in compliance with any applicable local, State, and Federal laws, or

"(ii) utilizes such qualified carbon dioxide in a manner provided in paragraph (3)(C).

"(2) AMOUNT OF REFUND.—The payment determined under this section shall be an amount equal to the lesser of—

"(A)(i) the adjusted metric tons of qualified carbon dioxide captured and sequestered or utilized, multiplied by

"(ii) the carbon fee rate during the year in which the carbon fee was imposed by section 9902 upon the covered fuel to which such carbon dioxide relates, or

"(B) the amount of the carbon fee imposed by section 9902 with respect to such covered fuel.

"(3) DEFINITIONS AND SPECIAL RULES.—For purposes of this section—

"(A) QUALIFIED CARBON DIOXIDE; QUALIFIED FACILITY.—

"(i) QUALIFIED CARBON DIOXIDE.—The term 'qualified carbon dioxide' has the same meaning given such term under section 45Q(b).

"(ii) QUALIFIED FACILITY.—The term 'qualified facility' means any industrial facility at which carbon capture equipment is placed in service.

"(B) ADJUSTED TOTAL METRIC TONS.—The adjusted total metric tons of qualified carbon dioxide captured and sequestered or utilized shall be the total tons of qualified carbon dioxide captured and sequestered or utilized, reduced by the amount of any carbon dioxide likely to escape and be emitted into the atmosphere due to imperfect storage technology or otherwise, as determined by the Secretary in consultation with the Administrator.

"(C) UTILIZATION.—The Secretary, in consultation with the Administrator, shall establish regulations providing for the methods and processes by which qualified carbon dioxide may be utilized so as to remove that qualified dioxide safely and permanently from the atmosphere. Utilization may include the production of substances such as but not limited to plastics and chemicals. Such regulations shall minimize the escape or further emission of the qualified carbon dioxide into the atmosphere.

"(D) SEQUESTRATION.—Not later 540 days after the date of the enactment of this section, the Secretary, in consultation with the Administrator, shall prescribe regulations identifying the conditions under which carbon dioxide may be safely and permanently sequestered.

"(4) COORDINATION WITH CREDIT FOR CARBON DIOXIDE SEQUESTRATION.—At such time that the Secretary prescribes regulations implementing this section, no payment under this section shall be allowed to a taxpayer to whom a credit has been allowed for any taxable year under section 45Q.

"SEC. 9907. ADMINISTRATIVE AUTHORITY.

"(a) IN GENERAL.—The Secretary in consultation with the Administrator shall prescribe such regulations, and other guidance, as may be necessary to carry out the purposes of this subtitle and assess and collect the carbon fee imposed by section 9902 and the fluorinated greenhouse gas fee imposed by section 9904.

"(b) SPECIFICALLY.—Such regulations and guidance shall include—

"(1) the identification of an effective point in the production, distribution, or use of a covered fuel or fluorinated greenhouse gas for collecting such carbon fee or fluorinated greenhouse gas fee, in such a manner so as to minimize administrative burden and maximize the extent to which full fuel cycle greenhouse gas emissions from covered fuels or fluorinated greenhouse gases have the carbon fee or fluorinated greenhouse gas fee levied upon them,

"(2) the identification of covered entities which shall be liable for the payment of the carbon fee or the fluorinated greenhouse gas fee,

"(3) requirements for the monthly payment of such fees,

"(4) as may be necessary or convenient, rules for distinguishing between different types of covered fuels,

"(5) as may be necessary or convenient, rules for distinguishing between a covered fuel's greenhouse gas content and its upstream greenhouse gas emissions,

"(6) rules to ensure that no covered fuel or fluorinated greenhouse gas has the carbon fee, fluorinated greenhouse gas fee, or carbon border fee adjustment imposed upon it more than once, and

"(7) rules to ensure that the domestic implementation of the carbon fee and the fluorinated greenhouse gas fee coordinate with the implementation of the carbon border fee adjustment of chapter 102.

"CHAPTER 102—CARBON BORDER FEE ADJUSTMENT

"SEC. 9908. CARBON BORDER FEE ADJUSTMENT.

"(a) IN GENERAL.—The fees imposed by, and refunds allowed under, this section shall be referred to as 'the carbon border fee adjustment'.

"(b) PURPOSE.—The purpose of the carbon border fee adjustment is to protect animal, plant, and human life and health, to conserve exhaustible natural resources by preventing carbon leakage, and to facilitate the creation of international agreements.

"(c) IMPORTED COVERED FUELS FEE.—In the case of any person that imports into the United States any covered fuel, there shall be imposed a fee equal to the excess (if any) of—

"(1) an amount equal to—

"(A) the amount of full fuel cycle greenhouse gas emissions of such fuel, multiplied by

"(B) the carbon fee rate in effect for the year in which such fuel is imported, over

"(2) the total foreign cost of carbon carried by such fuel.

"(d) IMPORTED CARBON-INTENSIVE PRODUCTS FEE.—In the case of any person that imports into the United States any carbon-intensive products, there shall be imposed a fee equal to the excess (if any) of—

"(1) an amount equal to—

"(A) production greenhouse gas emissions of such product, multiplied by

"(B) the carbon fee rate in effect for the year in which the production greenhouse gas emissions of such product were emitted into the atmosphere, over

"(2) the total foreign cost of carbon carried by such product.

"(e) REFUND ON EXPORTS FROM UNITED STATES.—

"(1) CARBON-INTENSIVE PRODUCTS.—Under regulations prescribed by the Secretary, there shall be allowed a credit or refund (without interest) to exporters of carbon-intensive products manufactured or produced in the United States an amount equal to the excess (if any) of—

"(A) an amount equal to—

"(i) the production greenhouse gas emissions of the exported carbon-intensive product, multiplied by

"(ii) the carbon fee rate during the year in which the carbon fee or fluorinated greenhouse gas fee was paid upon the production greenhouse gas emissions of the exported carbon-intensive product, over

"(B) any total cost of carbon to be levied upon the carbon-intensive product by any jurisdiction to which the carbon-intensive product is to be imported.

Any such credit or refund shall be allowed in the same manner as if it were an overpayment of the fee imposed by section 9902 or 9904. The Secretary shall establish fair, timely, impartial, and as necessary confidential procedures by which any exporter of any product from the United States may petition the Secretary to include that exported product on the list of carbon-intensive products.

"(2) COVERED FUELS.—Under regulations prescribed by the Secretary, in the case of a covered fuel produced in the United States with respect to which the fee under section 9902 was paid, there shall be allowed as a credit or refund (without interest) to any exporter of such covered fuels an amount equal to the excess (if any) of—

"(A) an amount equal to—

"(i) the full fuel cycle greenhouse gas emissions of the covered fuel, multiplied by

"(ii) the carbon fee rate at the time the carbon fee was paid upon the full fuel cycle greenhouse gas emissions of the exported covered fuel, over

"(B) any total cost of carbon to be levied upon the covered fuel by a jurisdiction to which the carbon-intensive product is to be imported.

Any such credit or refund shall be allowed in the same manner as if it were an overpayment of tax imposed by section 9902.

"(f) DEFINITIONS.—For purposes of this section—

"(1) FOREIGN COST OF CARBON; FOREIGN CARBON COSTS.—The term 'foreign cost of carbon' or 'foreign carbon cost' means the cost of any laws of a foreign jurisdiction which impose a system of cap-and-trade with respect to, or a tax or fee on, greenhouse gas. Such cost shall be determined and expressed as a price per ton of CO2-e.

"(2) TOTAL COST OF CARBON CARRIED.—The term 'total cost of carbon carried' means an amount equal to—

"(A) the production greenhouse gas emissions of a carbon-intensive product or the full fuel cycle greenhouse gas emissions of a covered fuel, multiplied by

"(B) the cost of carbon with respect to such product or fuel, reduced by any amount refunded with respect to such product or fuel by a foreign jurisdiction.

The total cost of carbon carried shall be expressed as price in United States dollars.

"(3) TOTAL FOREIGN COST OF CARBON CARRIED.—The term 'total foreign cost of carbon carried' means an amount equal to—

"(A) the production greenhouse gas emissions of a carbon-intensive product, or the full fuel cycle greenhouse gas emissions of a covered fuel, multiplied by

"(B) the foreign cost of carbon with respect to such product or fuel, reduced by the amount refunded with respect to such product or fuel by a foreign jurisdiction.

The total foreign cost of carbon carried shall be expressed as price in United States dollars.

"SEC. 9909. ADMINISTRATION OF THE CARBON BORDER FEE ADJUSTMENT.

"(a) GENERALLY.—The Secretary in consultation with the Administrator shall prescribe regulations and guidance which implement the carbon border fee adjustment under section 9908.

"(b) COLLABORATION.—In determining the production greenhouse gas emissions of an imported carbon-intensive product, the upstream greenhouse gas emissions of an imported covered fuel, the full fuel cycle greenhouse gas emissions of an imported covered fuel, or the foreign cost of carbon, or otherwise administering the carbon border fee adjustment, it is the sense of Congress that the Secretary should collaborate with authorized officers of any jurisdiction, including sub-national governments, affected by the carbon border fee adjustment.

"(c) METHODOLOGY.—In determining the production greenhouse gas emissions of an imported carbon-intensive product, the upstream greenhouse gas emissions of an imported covered fuel, the full fuel cycle greenhouse gas emissions of an imported covered fuel, or the foreign cost of carbon, the Secretary shall use reliable methodologies, which—

"(1) as may be necessary or convenient—

"(A) distinguish between different types of covered fuels,

"(B) distinguish between a covered fuel's greenhouse gas content and that covered fuel's upstream greenhouse gas emissions,

"(C) distinguish between the different types of greenhouse gas emissions which compose a covered fuel's upstream greenhouse gas emissions or greenhouse gas content, as well as the various processes which produced those emissions, and

"(D) distinguish between the different types of greenhouse gas emissions which compose a carbon-intensive product's production greenhouse gas emissions, as well as the various processes which produced those emissions,

"(2) ensure that no covered fuel, covered fluorinated greenhouse gas, or carbon-intensive product has the carbon fee, the fluorinated greenhouse gas fee, or the border fee adjustment imposed upon it more than once,

"(3) ensure that the implementation of the border carbon adjustment aligns with the carbon fee and the fluorinated gas fee, "(4) in the case of incomplete data, rely upon the best available methodologies for interpolating data gaps, and

"(5) are consistent with international treaties and agreements.

"(d) SCHEDULE.—The Secretary shall determine—

"(1) not later than 3 years after the date of the enactment of this section, the production greenhouse gas emissions of imported carbon-intensive products,

"(2) not later than 180 days after the date of the enactment of this section, the full fuel cycle greenhouse gas emissions and the upstream greenhouse gas emissions of every imported covered fuel, and

"(3) not later than 3 years after the date of the enactment of this section, the foreign cost of carbon in all jurisdictions.

"(e) PROCEDURE.—The Secretary shall establish fair, timely, impartial, and as necessary confidential procedures by which the importer of any carbon-intensive product or any covered fuel may petition the Secretary to revise the Secretary's determination of the production greenhouse gas emissions, full fuel cycle greenhouse gas emissions, or upstream greenhouse gas emissions of that importer's imported covered fuel or imported carbon-intensive product, or the foreign cost of carbon carried by that importer's imported carbon-intensive product.

"(f) SHIPMENTS FROM THE UNITED STATES TO THE TERRITORIES OF THE UNITED STATES.—Notwithstanding any other treaty, law, or policy, shipments of covered fuels or carbon-intensive products from the United States to Guam, the United States Virgin Islands, Samoa, Puerto Rico, and the Northern Mariana Islands shall be eligible for a refund of the carbon fee under section 9908(e).

"(g) IMPORTS TO THE TERRITORIES OF THE UNITED STATES.—Notwithstanding any other treaty, law, or policy, imports of covered fuels or carbon-intensive products to Guam, the United States Virgin Islands, Samoa, Puerto Rico, and the Northern Mariana Islands shall not be subject to Section 9908(c) or 9908(d)."

"SEC. 9910. ALLOCATION OF CARBON BORDER FEE ADJUSTMENT REVENUES.

"The revenues collected under this chapter may be used to supplement appropriations made available in fiscal years 2018 and thereafter—

"(1) to U.S. Customs and Border Protection, in such amounts as are necessary to administer the carbon border fee adjustment, then

"(2) to the Department of Treasury, in such amounts as are necessary to allow refunds under section 9908(e) to exporters of carbon-intensive products and exporters of covered fuels.".

(b) COORDINATION WITH CARBON OXIDE SEQUESTRATION CREDIT.—Section 45Q(f) is amended by adding at the end the following new paragraph:

"(8) COORDINATION WITH CARBON CAPTURE AND SEQUESTRATION PAYMENTS.—No credit shall be allowed under this section to a taxpayer which has received any payment under section 9906.".

(c) TREATIES AND INTERNATIONAL NEGOTIATIONS.—

(1) CONFORMANCE WITH INTERNATIONAL TREATIES.—In the case that the Appellate Body of the World Trade Organization, or any other authoritative international treaty interpreter, shall find any portion of the carbon border fee adjustment under chapter 102 of the Internal Revenue Code of 1986 to violate any treaty to which the United States is a party, the Secretary of the Treasury is authorized to alter any aspect of such carbon border fee adjustment so as to bring the carbon border fee adjustment into conformance with international law.

(2) INTERNATIONAL NEGOTIATIONS.—The Congress finds the international mitigation of greenhouse gas emissions to be of national importance. Therefore, the Congress encourages the Secretary of State, or the Secretary's designee, to commence and complete negotiations with other nations with the goal of forming treaties, environmental agreements, accords, partnerships or any other instrument that effectively reduces global greenhouse gas emissions to 10 percent of 2015 levels by 2050 and which respect the principle of common but differentiated responsibilities and respective capabilities.

(3) SUSPENSION OF THE CARBON BORDER FEE ADJUSTMENT.—Any part of the carbon border fee adjustment shall be suspended, in whole or in part—

(A) by treaty or other international agreement which includes provisions for the suspension of the carbon border fee adjustment, in whole or in part, with any party signatory to the treaty or other international agreement, or

(B) by a finding of the Secretary that a jurisdiction of importation has implemented policies which, in the case of high emitting countries, reduce greenhouse gas emissions at a rate at least equivalent to United States greenhouse gas emission reductions, or, in the case of low emitting countries, prevent the increase in greenhouse gas emissions.

Any such finding shall be reviewed at least every 3 years and amended or revoked as required.

SEC. 4. ESTABLISHMENT OF THE CARBON DIVIDEND TRUST FUND.

(a) IN GENERAL.—Subchapter A of chapter 98 of the Internal Revenue Code of 1986 is amended by adding at the end the following:

"SEC. 9512. CARBON DIVIDEND TRUST FUND.

"(a) ESTABLISHMENT AND FUNDING.—There is hereby established in the Treasury of the United States a trust fund to be known as the 'Carbon Dividend Trust Fund', consisting of such amounts as may be appropriated to such trust fund as provided for in this section.

"(b) TRANSFERS TO THE CARBON DIVIDEND TRUST FUND.—There is hereby appropriated to the Carbon Dividend Trust Fund amounts equal to the fees received into the Treasury less any amounts refunded or paid under section 9902(d) or 9906 of chapter 101 for each month.

"(c) EXPENDITURES.—Amounts in the trust fund shall be available for the following purposes:

"(1) ADMINISTRATIVE EXPENSES.—So much of the expenses necessary to administer the Carbon

Dividend Trust Fund for each year, as does not exceed—

"(A) in the case of the first 5 calendar years ending after the date of the enactment of this section, the administrative expenses for any year may not exceed 8 percent of amounts appropriated to the Carbon Dividend Trust Fund during such year, and

"(B) in the case of any calendar year thereafter, 2 percent of the 5-year rolling average of the amounts appropriated to the Carbon Dividend Trust Fund.

"(2) OTHER ADMINISTRATIVE EXPENSES.—So much of the expenses as are necessary to administer chapter 101 for any year as does not to exceed 0.60 percent of the amounts appropriated to the Carbon Dividend Trust Fund for the previous year, and further limited as follows:

"(A) The Department of the Treasury.

"(B) The Social Security Administration.

"(C) The Environmental Protection Agency.

"(D) Department of State.

"(3) CARBON DIVIDEND PAYMENTS.—

"(A) IN GENERAL.—From the amounts in the Carbon Dividend Trust Fund made available under paragraphs (1) and (2) of this subsection for any year, the Secretary shall for each month beginning more than 270 days after the date of the enactment of the Energy Innovation and Carbon Dividend Act of 2018, make carbon dividend payments to each eligible individual.

"(B) PRO-RATA SHARE.—A carbon dividend payment is one pro-rata share for each adult and half a pro-rata share for each child under 19 years old of amounts available for the month in the Carbon Dividend Trust Fund.

"(C) ELIGIBLE INDIVIDUAL.—The term 'eligible individual' means, with respect to any month, any natural living person who has a valid Social Security number or taxpayer identification number and is a citizen or lawful resident of the United States (other than any individual who is a citizen of any possession of the United States and whose bona fide residence is outside of the United States). The Secretary is authorized to verify an individual's eligibility to receive a carbon dividend payment.

"(D) FEE TREATMENT OF PAYMENTS.—Amounts paid under this subsection shall be includible in gross income.

"(E) FEDERAL PROGRAMS AND FEDERAL ASSISTED PROGRAMS.—The carbon dividend amount received by any individual shall not be taken into account as income and shall not be taken into account as resources for purposes of determining the eligibility of such individual or any other individual for benefits or assistance, or the amount or extent of benefits or assistance, under any Federal program or under any State or local program financed in whole or in part with Federal funds.

"(F) ADVANCE PAYMENT.—The Secretary shall transfer to the Carbon Dividend Trust Fund such amounts as are necessary for the disbursement of an advanced carbon dividend to all eligible individuals as follows:

"(i) An advanced carbon dividend shall be the same as the anticipated first carbon dividend required to be distributed under subparagraph (A) and shall be distributed the month prior to the first collection of the carbon fee.

"(ii) Total amounts disbursed as advanced carbon dividends shall be deducted from the carbon dividends on a pro-rata basis over the first 3 years after the disbursement of the first carbon dividends.

"(d) ADMINISTRATIVE AUTHORITY.—The Secretary shall promulgate rules, guidance, and regulations useful and necessary to implement the Carbon Dividend Trust Fund.".

(b) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 98 of such Code is amended by adding at the end the following new item:

"Sec. 9512. Carbon Dividend Trust Fund.".

SEC. 5. LIMITED DISCLOSURE OF INFORMATION.

Section 6103(l) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraphs:

"(23) LIMITED DISCLOSURE OF IDENTITY INFORMATION RELATING TO CARBON DIVIDEND PAYMENTS.—

"(A) DEPARTMENT OF TREASURY.—Individual identity information shall, without written request, be open to inspection by or disclosure to officers and employees of the Department of the Treasury whose official duties require such inspection or disclosure for purposes of administering section 9512 (relating the Carbon Dividend Trust Fund).

"(B) COMMISSIONER OF SOCIAL SECURITY.—The Commissioner of Social Security shall, on written request, disclose to officers and employees of the Department of the Treasury individual identity information which has been disclosed to the Social Security Administration as is necessary to administer section 9512.

"(C) RESTRICTION ON DISCLOSURE.—Information disclosed under this paragraph shall be disclosed only for purposes of, and to the extent necessary in, carrying out section 9512.".

SEC. 6. NATIONAL ACADEMY OF SCIENCES REVIEW OF CARBON FEE AND EMISSIONS REDUCTION SCHEDULE.

(a) IN GENERAL.—Not later than 10 years after the date of the enactment of this Act, the Secretary of Energy shall enter into an agreement with the National Academy of Sciences to prepare a report relating to the carbon fee imposed by section 9902 of the Internal Revenue Code of 1986 and the emissions reductions schedule established under section 9903 of such Code.

(b) REPORT REQUIREMENTS.—Such report shall—

(1) assess the efficiency and effectiveness of the carbon fee in achieving the emissions reduction targets set forth in section 9903 of such Code;

(2) describe and make recommendations on whether the carbon fee rate and annual increases prescribed by section 9902(c) of such Code should be adjusted in order to optimize the efficiency and effectiveness of this Act in achieving the emissions reduction targets set forth in section 9903 of such Code;

(3) describe the potential of the carbon fee to achieve future emissions targets set forth in section 9903(a) of such Code through the year 2050;

(4) describe and evaluate the effectiveness of the carbon fee in reducing emissions from key sectors of the economy, including sectors of the economy that have decreased their carbon emissions, sectors of the economy that have increased their carbon emissions, and sectors of the economy in which carbon emissions have not changed;

(5) make findings and recommendations to Federal departments and agencies and to Congress on actions that could be taken to reduce carbon emissions in the sectors of the economy in which carbon emissions have not decreased;

(6) make findings and recommendations on adjusting regulations enacted under the Clean Air Act and other Federal laws that affect economic sectors achieving the emissions reduction targets set forth in section 9903 of such Code; and

(7) provide an assessment of any other factors determined to be material to the program's efficiency and effectiveness in achieving the goals set forth in this act.

(c) REPORT MADE PUBLICLY AVAILABLE.—Not later than 10 years after the date of the enactment of this Act, the Secretary of Energy shall submit to Congress the report required under subsection (a). Such report shall be made electronically available to the public and open to public comment for at least 60 days before the final submission to Congress.

SEC. 7. IMPACT OF CARBON FEE ON BIOMASS USE AND CARBON SINKS.

(a) STUDY OF BIOMASS.—The Secretary of Energy shall enter into an agreement with the National Academy of Sciences to conduct a study, make recommendations, and submit a report regarding the impact of the carbon fee on the use of biomass as an energy source and the resulting impacts on carbon sinks.

(b) STUDY REQUIREMENTS.—The study conducted under subsection (a) by the National Academy of Sciences shall include analysis, documentation, and determinations on—

(1) the carbon fee and its impact on the use of biomass as an energy source and greenhouse gas emissions from the use of biomass as an energy source;

(2) the impacts of the use of biomass as an energy source on carbon sinks; and

(3) the various types of biomass that are being used as an energy source.

(c) RECOMMENDATIONS.—Based on the findings and conclusions of the study, the National Academy of Sciences shall make recommendations to Federal departments and agencies and to Congress. The recommendations shall include any actions that should be taken to mitigate impacts of the carbon fee on—

(1) increasing greenhouse gas emissions from the use of biomass as an energy source; and

(2) degradation of carbon sinks relating to the use of biomass as an energy source.

(d) REPORT.—The National Academy of Sciences shall prepare a report that includes any findings and recommendations made pursuant to this section and, not later than 18 months after the date of the enactment of this Act, make such report electronically available to the public.

SEC. 8. AMENDMENTS TO THE CLEAN AIR ACT.

(a) IN GENERAL.—Title III of the Clean Air Act (42 U.S.C. 7601) is amended by adding at the end the following:

"SEC. 330. SUSPENSION OF REGULATION OF FUELS AND EMISSIONS BASED ON GREENHOUSE GAS EFFECTS.

"(a) FUELS.—Unless specifically authorized in section 202, 211, 213, or 231 or this section, if a carbon fee is imposed by section 9902 or 9908 of the Internal Revenue Code of 1986 with respect to a covered fuel, the Administrator shall not enforce any rule limiting the emission of greenhouse gases from the combustion of that fuel under this Act (or impose any requirement on any State to limit such emission) on the basis of the emission's greenhouse gas effects.

"(b) EMISSIONS.—Unless specifically authorized in section 202, 211, 213, or 231 or this section, if a fee is imposed by section 9904 of the Internal Revenue Code of 1986 with respect to a fluorinated greenhouse gas, the Administrator shall not enforce any rule limiting such gas under this Act (or impose any requirement on any State to limit such gas) on the basis of the greenhouse gas effects of such gas.

"(c) AUTHORIZED REGULATION.—Notwithstanding subsections (a) and (b), nothing in this section limits the Administrator's authority pursuant to any other provision of this Act—

"(1) to limit the emission of any greenhouse gas because of any adverse impact on health or welfare other than its greenhouse gas effects;

"(2) in limiting emissions as described in paragraph (1), to consider the collateral benefits of limiting the emissions because of greenhouse gas effects;

"(3) to limit the emission of black carbon or any other pollutant that is not a greenhouse gas that the Administrator determines by rule has heat-trapping properties; or

"(4) to take any action with respect to any greenhouse gas other than limiting its emission, including—

"(A) monitoring, reporting, and recordkeeping requirements;

"(B) conducting or supporting investigations; and

"(C) information collection.

"(d) EXCEPTION FOR CERTAIN GREENHOUSE GAS EMISSIONS.—Notwithstanding subsections (a) and (b), nothing in this section limits the Administrator's authority to regulate greenhouse gas emissions from—

"(1) sources that—

"(A) are subject to subpart OOOO or OOOOa of part 60 of title 40, Code of Federal Regulations, as in effect or January 1, 2018; or

"(B) would be subject to such subpart OOOO or subpart OOOOa if such subpart applied regardless of the date on which construction, modification, or reconstruction of the source involved commenced; or

"(2) POTW Treatment Plants (as defined in section 403.3(r) of title 40, Code of Federal Regulations).

"(e) SUSPENSION EXPIRATION.—

"(1) DETERMINATION.—The Administrator shall make a determination by March 30, 2030, and no less than once every five years thereafter, based on the determination required by section 9903(b) of the Internal Revenue Code of 1986, as to whether cumulative greenhouse gas emissions from covered fuels subject to taxation under section 9902 of such Code during the period from calendar year 2022 through the calendar year preceding the determination exceed the cumulative emissions for that period that would have occurred if the emission reduction targets in section 9903(a)(2) of such Code were met.

"(2) CONSEQUENCE OF CUMULATIVE EMISSIONS EXCEEDANCE.—If the Administrator determines under paragraph (1) that cumulative greenhouse gas emissions from covered fuels subject to tax under section 9902 of the Internal Revenue Code of 1986 exceed the cumulative emissions for the period covered by the determination that would have occurred if the emission reduction targets in section 9903(a)(2) of such Code were met, then the prohibitions in subsection (a) of this section, and in section 211(c)(5) of this Act, shall cease to apply.

"(f) ASSURING ENVIRONMENTAL INTEGRITY.—

"(1) AUTHORITY.—If the Administrator determines pursuant to subsection (e)(1) of this section that the emission reduction targets in section 9903 (a)(2) of the Internal Revenue Code of 1986 are not met—

"(A) subsections (a) and (b) shall cease to apply; and

"(B) the Administrator shall—

"(i) issue such regulations as the Administrator deems necessary to bring greenhouse gas emissions from covered fuels subject to taxation under section 9902 of the Internal Revenue Code of 1986 to levels that are at or below the emission reductions targets in section 9903(a)(2) of such Code; and

"(ii) require in such regulations that additional reductions in greenhouse gas emissions are achieved to fully compensate for any amount by which greenhouse gas emissions from covered fuels subject to taxation under section 9902 of such Code have exceeded the targets in section 9903(a)(2) of such Code.

"(2) DEADLINE FOR FINALIZING REGULATIONS.—The Administrator shall finalize any regulations required by paragraph (1) not later than two years after the Administrator makes the relevant determination pursuant to such paragraph.

"(3) ACHIEVEMENT OF ADDITIONAL REDUCTIONS.—Regulations issued pursuant to paragraph (1) shall ensure that any additional reductions required by paragraph (1)(B)(ii) are fully achieved by no later than eight years after the Administrator makes the determination pursuant to subsection (e)(1) described in paragraph (1).

"(g) DEFINITIONS.—In this section, the terms 'greenhouse gas' and 'greenhouse gas effects' have the meanings given to those terms in section 9901 of the Internal Revenue Code of 1986.".

(b) NEW MOTOR VEHICLES AND NEW MOTOR VEHICLE ENGINES.—Section 202(b) of the Clean Air Act (42 U.S.C. 7521(b)) is amended—

(1) by redesignating the second paragraph (3) (as redesignated by section 230(4)(C) of Public Law 101–549 (104 Stat. 2529)) as paragraph (4); and

(2) by adding at the end the following:

"(5) Notwithstanding subsections (a) and (b) of section 330, the Administrator may—

"(A) limit the emission of any greenhouse gas (as defined in section 9901 of the Internal Revenue Code of 1986) on the basis of the emission's greenhouse gas effects (as defined in section 9901 of the Internal Revenue Code of 1986) from any class or classes of new motor vehicles or new motor vehicle engines subject to regulation under subsection (a)(1); and

"(B) grant a waiver under section 209(b)(1) for standards for the control of greenhouse gas emissions.".

(c) FUELS.—Section 211(c) of the Clean Air Act (42 U.S.C. 7545(c)) is amended by adding at the end the following new paragraph:

"(5) The Administrator shall not, pursuant to this subsection, impose on any manufacturer or processor of fuel any requirement for the purpose of reducing the emission of any greenhouse gas (as defined in section 9901 of the Internal Revenue Code of 1986) produced by combustion of the fuel on the basis of the emission's greenhouse gas effects (as defined in section 9901 of the Internal Revenue Code of 1986).".

(d) NONROAD ENGINES AND VEHICLES EMISSIONS STANDARDS.—Section 213 of the Clean Air Act (42 U.S.C. 7547) is amended by adding at the end the following:

"(e) GREENHOUSE GAS EMISSIONS.—Notwithstanding section 330(a), the Administrator may limit the emission of any greenhouse gas (as defined in section 9901 of the Internal Revenue Code of 1986) on the basis of the emission's greenhouse gas effects (as defined in section 9901 of the Internal Revenue Code of 1986) from any nonroad engines and nonroad vehicles subject to regulation under this section.''.

(e) AIRCRAFT EMISSION STANDARDS.—Section 231 of the Clean Air Act (42 U.S.C. 7571) is amended by adding at the end the following new subsection:

''(d) Notwithstanding subsections (a) and (b) of section 330, the Administrator may limit the emission of any greenhouse gas (as defined in section 9901 of the Internal Revenue Code of 1986) on the basis of the emission's greenhouse gas effects (as defined in section 9901 of the Internal Revenue Code of 1986) from any class or classes of aircraft engines, so long as any such limitation is not more stringent than the standards adopted by the International Civil Aviation Organization.''.

SEC. 9. EFFECTIVE DATE.

The amendments made by this Act shall take effect on the date of the enactment of this Act, except the carbon fee under section 9902 of the Internal Revenue Code of 1986 shall apply to uses, sales, or transfers more than 270 days after the date of the enactment of this Act.

SEC. 10. PRINCIPLE OF INTERPRETATION.

In the case of ambiguity, the texts of this statute and its amending texts shall be interpreted so as to allow for the most effective abatement of greenhouse gas emissions.

SEC. 11. NO PREEMPTION OF STATE LAW.

Nothing in this legislation shall preempt or supersede, or be interpreted to preempt or supersede, any State law or regulation.

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Citizens' Climate Lobby

English

America's Climate Solution

H.R. 7173

For over a decade, our volunteers have asked their Members of Congress to work together to solve climate change. A viable climate change solution needs to be big and lasting — which means bipartisan legislation. We fully support the Energy Innovation and Carbon Dividend Act of 2018. This policy will drive down America's carbon pollution while unleashing American technology innovation and ingenuity. We support it because it's:

Effective

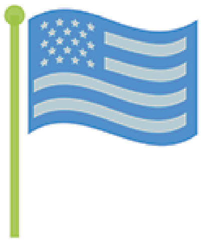
This policy will reduce America's emissions by at least 40% within 12 years.

Good for People

This policy will improve health and save lives. Additionally, the carbon dividend puts money directly into people's pockets every month to spend as they see fit, helping low and middle income Americans.

Good for the economy

This policy will create 2.1 million additional jobs over the next 10 years, thanks to growth in the clean energy economy.



Bipartisan

Republicans and Democrats are both on board, cosponsoring this bill together. The majority of Americans support Congress taking action on climate change, including more than half of Republican millennial voters. Solving climate change is too urgent to get caught up in partisan politics.

Revenue Neutral

The fees collected on carbon emissions will be allocated to all Americans to spend any way they choose. The government will not keep any of the fees collected.

Support the Bill

Tell Congress that you support this legislation.

Write a Letter!

How does it work?

1. **Carbon Fee**

   This policy puts a fee on fossil fuels like coal, oil, and gas. It starts low, and grows over time. It will drive down carbon pollution because energy companies, industries, and consumers will move toward cleaner, cheaper options.

2. **Carbon Dividend**

The money collected from the carbon fee is allocated in equal shares every month to the American people to spend as they see fit. Program costs are paid from the fees collected. The government does not keep any of the money from the carbon fee.

3. **Border Carbon Adjustment**

   To protect U.S. manufacturers and jobs, imported goods will be assessed a border carbon adjustment, and goods exported from the United States will receive a refund under this policy.

4. **Regulatory Adjustment**

   This policy prevents additional regulations on covered CO2 emissions, as long as emission targets are being met. If emission targets are not met after 10 years, then EPA regulatory authority over these emissions would be restored. Regulations based on other pollutants will not be affected, nor will regulations such as auto mileage standards, water quality and more.

Share Infographic

Spread the word! Share this infographic on social media.

For more information or to endorse this bill on behalf of an organization, visit www.energyinnovationact.org. To take further action to support this legislation, or to keep in touch on new developments, please join CCL.

Energy Innovation and Carbon Dividend Act Men...

Energy Innovation and Carbon Dividend Act ›

How it Works

1. Carbon Fee

This policy puts a fee on fossil fuels like coal, oil, and gas. It starts low, and grows over time. This will drive down carbon pollution because energy companies, leading industries, and American consumers will move toward cleaner, cheaper options.

2. Carbon Dividend

The money collected from the carbon fee is allocated in equal shares every month to the American people to spend as they see fit. Program administrative costs are paid from the fees collected. The government does not keep any of the money from the carbon fee.

3. Border Carbon Adjustment

To protect U.S. manufacturers and jobs, imported goods will pay a border carbon adjustment, and goods exported from the United States will receive a refund under this policy.

4. Regulatory Adjustment

This policy prevents additional regulations on covered CO_2 emissions, as long as emission targets are being met. If emission targets are not met after 10 years, then EPA regulatory authority over these emissions would be restored. Regulations based on other pollutants will not be affected, nor will regulations such as auto mileage standards, water quality and more.

CCL's Analysis

CCL supports the Energy Innovation and Carbon Dividend Act because it has bipartisan support, will be effective at reducing emissions, and protects low and middle income households from price increases. It aligns closely with CCL's Carbon Fee and Dividend proposal:

The carbon price starts at \$15/ton CO_2 equivalent and increases \$10/ton each year.

All net revenue (after administration) is allocated as a monthly dividend to households with a full share for each adult and a half share for each child under 19 years old.
The carbon fee covers all fossil fuels and is assessed as far upstream as possible.
There is a border carbon adjustment to provide a level playing field for imported and exported products.
There are some differences from Carbon Fee and Dividend, including some narrow limits on regulations, an exemption for agricultural fuel, a rebate for carbon capture and storage, and a short list of other technical variances. Our DC legislative staff have carefully analyzed these provisions and found that none of the differences significantly impact the emissions reductions or benefits to households. See our Energy Innovation and Carbon Dividend Act Q&A for full details on these differences.
CCL believes the Energy Innovation and Carbon Dividend Act deserves our full support given how closely it mirrors our original CF&D proposal and its real chance to pass through Congress and become law.

Citizens' Climate Lobby
Citizens' Climate Education

Monterey California Chapter

A RESOLUTION OF THE CITY COUNCIL OF SEASIDE, CALIFORNIA REGARDING THE ENVIRONMENTAL INNOVATION AND CARBON DIVIDEND ACT, H.R. 7173

WHEREAS, the ocean absorbs roughly 30% of the heat generated by carbon pollution, mitigates climate change impacts on land, is our best buffer against extreme heat, and the planet's last stand against climate disaster; and

WHEREAS, ocean warming stresses economically important ecosystems, it is safe to assume that these impacts are already affecting Monterey Bay.

WHEREAS, the most recent report of the Intergovernmental Panel on Climate Change (IPCC) concludes that, since the 1950's, the unprecedented increases in global concentrations of greenhouse gases have led to rises in sea levels and accelerated ocean acidification.

WHEREAS, it is more urgent than ever to keep the future warming increase to less than 1.5 degrees Celsius to limit risks to human and natural systems and minimize the scale and cost of adaptation to planetary deterioration; and

WHEREAS, having determined that the carbon-pricing legislative principles proposed by the House of Representatives Bill HR 1731 would provide an efficient approach for shifting economic incentives away from fossil fuels and promoting the rapid deployment of cleaner energy alternatives; and

WHEREAS, having determined that this approach would be fair to everyone and would protect middle- and low-income households by providing them with a monthly dividend (rebate) that, on average, would be higher than the increased costs for energy for two-thirds of all households (specifically the lowest income two-thirds) during the transition to cleaner energy; and

WHEREAS, per the non-partisan study by Regional Economic Models, Inc. (REMI), this approach would ensure a substantial increase in private investment in cleaner energy options because they will become significantly less expensive relative to fossil fuels within a known time frame. This would encourage consumers and businesses to keep their carbon footprint smaller while still keeping energy affordable; and

WHEREAS, according to a recent report of the United States Global Change Research Program, "Leaders and residents of coastal regions are increasingly aware of the high vulnerability of coasts to climate change and are developing plans to prepare for potential impacts on citizens, businesses, and environmental assets." The many direct climate change impacts anticipated for Monterey County include increases in air temperatures, possible shifts in precipitation, higher sea levels, severe storms, and ocean acidification with a secondary impact being an increased risk in exposure to wildfire; and

WHEREAS, having determined that the early adoption of a National Revenue-Neutral carbon fee and dividend legislation in the United States would grow the economy by adding nearly two million new jobs, would help make us a world leader in creating clean energy technologies, and also help to establish the United States as a leader in making the conversion to renewables a reality to help protect the planet.

NOW, THEREFORE, BE IT RESOLVED by the Members of the City Council of Seaside, California, that the United States Congress immediately pass the Environmental Innovation and Carbon Dividend Act, known in the current Congress as H.R. 7173, and that the United States President sign the bill into law. This legislation will levy an annually increasing fee on carbon emissions in fossil fuels at the point of extraction or importation and return the collected fees to all American households as a monthly dividend.

BE IT FURTHER RESOLVED that the response in combating climate change to mitigate its worst effects should be implemented with the speed appropriate to the gravity and urgency of the situation, and for that reason, the Mayor shall send a letter no later than 30 days after passage of this Resolution to the Governor and all Mayors and City Councils, County Board of Supervisors, School Boards, and State and Federal Legislators in Monterey, San Benito, and Santa Cruz Counties urging their support for H.R. 7173, the Environmental Innovation and Carbon Dividend Act.

RESOLVED this ______day of ______________201_

____

FOR The City Council of Seaside Print Name

Single-use Carry out

Tasks

- Less impact from waste
- Reduce footprint
- Divert more packaging from landfill and natural environment
- Climate impact
- Reduced plastic impacts on marine life
- Addressing condiment packaging
- City pride/visitor perceptions

Outreach

- Businesses/restaurants
- Packaging distributors/ wholesalers
- Case studies from businesses with best practices
- Advocates
- Local Spanish speaking community
- Schools
- Connect with aquarium messaging

Analysis

- Audit of current waste volume and composition
- Cost to businesses of current products and alternative
- Include case studies
- Volume of customers

Implementation

- Phased timeline
- Public awareness
- Enforcement and reporting
- Press/media
- Social media

Environmentally Preferable Products

Tasks

- Products that can go MRWMD biodigester
- Who has the money to make the change?
- Who are worst offenders?

Outreach

- Brochure to businesses ex. Whale watching boats/seafood watch cards
- Multiple point persons who are well-versed to answer Q's

Analysis

- Online report form for violations
- Get report of g\biggest businesses by revenue to find worst offenders

Implementation

- If a business is reported the mentor/point person can talk to them
- Hire more enforcement?

Litter

Tasks	Outreach	Analysis	Implementation
• Collection bins • https://www.litterati.org	• App sign and graphics/interpretive signs • K-12 outreach (Smokey the Bear)	• Compile more data • Cal Recycle Diversion Targets • Stormwater flows • Gutters • Parks • Where are hot spots?	• Desire outcome: education (interpretive signage) resources: goes where? • https://www.litterati.org