



Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: October 9, 2018

Subject: Refer to the Transportation, Water, and Infrastructure Committee the development of an ordinance to ban polystyrene food and beverage containers

---

**RECOMMENDATION(S):**

REFER to the Transportation, Water, and Infrastructure Committee the development of an ordinance to ban polystyrene food and beverage containers, Countywide.

**FISCAL IMPACT:**

All costs associated with the proposed ordinance to ban polystyrene food and beverage containers will be funded with Stormwater Utility Assessment 17 funds. The estimated cost to develop the ordinance is \$75,000, and the estimated annual cost to enforce the ordinance is \$25,000.

---

APPROVE

OTHER

RECOMMENDATION OF CNTY ADMINISTRATOR

RECOMMENDATION OF BOARD COMMITTEE

---

Action of Board On: **10/09/2018**  APPROVED AS RECOMMENDED  OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: October 9, 2018

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Tim Jensen (925)  
313-2390

cc: John Cunningham

## BACKGROUND:

Every five years, the Regional Water Quality Control Board issues the County a stormwater permit, a Municipal Regional Permit (MRP), requiring the County to improve stormwater quality in unincorporated County communities. Many of the permit provisions focus on reducing various pollutants in the County's waterways and storm drain system. Trash is considered a pollutant and the current permit (MRP 2.0) has a strong emphasis on reducing trash, with load reduction targets of 70% by 2017, 80% by 2019 and 100% by 2022. The County has developed a Trash Reduction Plan to meet these load reduction targets, and one element of the plan is to ban polystyrene food containers. Polystyrene (often referred to as styrofoam) is an especially troublesome form of litter as it tends to break down into smaller and smaller pieces in the environment, so that one initial piece of polystyrene trash over time becomes multiple pieces of trash. And, as the polystyrene breaks down into smaller pieces it becomes more and more difficult to pick out of or extract from the environment.

In late August, staff mailed out a letter to about 200 stores, markets, and other businesses that would be impacted by the ordinance, and to other organizations or businesses that would be interested, such as representative associations, nonprofit groups, and recycling companies. The letter explained why the County is proposing to adopt a ban on polystyrene food and beverage containers and what would be included in the proposed ban. The next step in the process is to develop a draft ordinance. Staff recommends referring this proposal to the Transportation, Water, and Infrastructure Committee to receive input and direction from the Committee and public comment on the proposed polystyrene ban before drafting the ordinance. The draft ordinance can then reflect direction from the Committee and input from the public.

## CONSEQUENCE OF NEGATIVE ACTION:

Staff would not have comments and input from the Transportation, Water, and Infrastructure Committee and the public when preparing the draft ordinance to ban polystyrene food and beverage containers.