



**STATE LEGISLATION
COMMITTEE**
Wednesday, March 27, 2024
10:00am – 12:00pm
City Hall, Room 201

This meeting will be held in person at the location listed above. Members of the public may attend the meeting to observe and provide public comment at the physical meeting location listed above. Members of the public may view the meeting by clicking the link below or calling the below number provided:

<https://sfpublic.webex.com/sfpublic/j.php?MTID=m7bd3926da82ceb21c706f1bacbd9f417>

Meeting ID: 2664 959 7581 **Meeting Password:** CmPsgqsi733
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(Public Comment Instructions available on page 6)

Members

Mayor's Office (Chair) – Eileen Mariano
Supervisor Dean Preston -- Preston Kilgore
Supervisor Connie Chan -- Frances Hsieh
Assessor's Office -- Holly Lung
City Attorney's Office -- Rebekah Krell
Controller's Office -- Hannah Kohanzadeh
Treasurer's Office -- Eric Manke

AGENDA

I. ROLL CALL

II. APPROVAL OF MEETING MINUTES (Action Item). Discussion and possible action to approve the minutes from the meeting on February 28, 2024.

III. STATE LOBBYIST OVERVIEW AND UPDATE (Discussion Item).
The City's state lobbyist will present to the Committee an update on State legislative matters.

IV. PROPOSED LEGISLATION (Discussion and Action). Discussion and possible action item: the Committee will review and discuss state legislation affecting the City and County of San Francisco. Items are listed by Department, then by bill number.

New Business

Department of Public Health

Presenter: Max Gara

AB 1975 (Bonta): Medi-Cal: Medically Supportive Food and Nutrition Interventions.

Recommended Position: Support

This bill aims to directly address racial and ethnic health disparities, combat chronic disease, and reduce rates of food and nutrition insecurity among Medi-Cal enrollees by making medically supportive food and nutrition interventions a permanent covered benefit under the Medi-Cal program.

Department of Environment

Presenter: Hilary Near

AB 2346 (Lee) Organic waste reduction regulations: procurement of recovered organic waste products.

Recommended Position: Support

The Short-Lived Climate Pollutant Reduction Act (SB 1383) requires California jurisdictions to procure an amount of "organic waste products" that is proportionate to their populations. The amendments proposed in AB 2346 would simplify the process of documenting agreements with external service providers to fulfill SB 1383's procurement requirements on behalf of jurisdictions. In addition, AB 2346 proposes to extend procurement credit for activities and investments that build markets or create additional capacity for locally processed organics, including community composting.

Department of Environment

Presenter: Hilary Near

SB 1167 (Blakespear): Solid waste: single-use drinking vessels.

Recommended Position: Support

SB 1167 would prohibit chain restaurants from serving or offering for sale beverages in single-use vessels to customers dining or consuming the beverage on the premises.

San Francisco Human Services Agency

Presenter: Susie Smith

AB 3079 (Ting): In-Home Supportive Services program: undocumented related providers

Recommended Position: Sponsor

This bill would develop a policy permitting undocumented In-Home Supportive Service recipients to select their undocumented relative as their IHSS provider of choice. These providers would give their Individual Taxpayer Identification Number (ITIN), in lieu of a Social Security Number, in completing employment documentation. It would also waive the background check normally required by providers and instead require a self-attestation.

San Francisco Municipal Transportation Agency

Presenter: Monique Webster

SB 689 (Blakespear): Local coastal program: bicycle lane: amendment.

Recommended Position: Support

The bill will make it easier to convert vehicular traffic lanes to bicycle lanes/nonvehicular uses. It achieves this by:

1. Not requiring a traffic study for purposes of a coastal development permit or a change to a Local Coastal Program, when converting a vehicle travel lane to a dedicated bicycle lane; and
2. Provides that changes to Local Coastal Program to create a dedicated bicycle lane in the right of way would be eligible for a simplified approval process (de minimis), only requiring Commission Director's approval.

The de minimis approval process already exists for qualified amendments to local programs, as described by [Public Resource Code 30154](#). The de minimis process ensures that improvements that align with the California Coastal Act are reviewed and implemented quickly and improves governmental accountability and responsiveness.

Providing streamlined approval processes for minor traffic improvement projects increases the responsiveness and effectiveness of City agencies, makes efficient use of taxpayer money and City staff time, and better meets the needs of San Francisco residents.

San Francisco Public Utilities Commission

Presenter: Rebecca Peacock

SB 903 (Skinner): Environmental health: product safety: perfluoroalkyl and polyfluoroalkyl substances.

Recommended Position: Support

This bill would, beginning January 1, 2030, prohibit a person from distributing, selling, or offering for sale a product that contains intentionally added PFAS, unless the Department of Toxic Substances Control (DTSC) has made a determination that the use of PFAS in the product is a currently unavoidable use, the prohibition is preempted by federal law, or the product is used. The bill would require the department to maintain on its internet website a list of each determination of currently unavoidable use, when each determination expires, and the products and uses that are exempt from the prohibition. The bill would impose a civil penalty for a violation of the prohibition and establish the PFAS Penalty Account, requiring all civil penalties received to be deposited into that account. Upon appropriation by the Legislature, these penalties will be used for the administration and enforcement of the bill's provisions.

By January 1, 2027, DTSC would be required to adopt regulations to carry out the provisions of this bill, which must include regulations establishing and providing for the assessment of an application fee. The bill would create the PFAS Oversight Fund and require all application fees to be deposited into the fund. Upon appropriation by the Legislature, the bill would require these application fees be used to cover the department's reasonable costs of administering this act.

The San Francisco Public Utilities Commission (SFPUC) recommends a support position for SB 903.

V. GENERAL PUBLIC COMMENT

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VI. ADJOURNMENT

Disability Access

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Know Your Rights Under the Sunshine Ordinance

The government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Donna Hall at Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102, by phone at 415-554-7724, by fax at 415-554-7854, or email the Sunshine Ordinance Taskforce Administrator at sotf@sfgov.org. Citizens may obtain a free copy of the Sunshine Ordinance by contacting the Task Force, or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at www.sfgov.org/sunshine.htm.

Lobbyist Registration and Reporting Requirements

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Cell Phones and Pagers

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the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Public Comment

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Information Regarding Providing Public Comment

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Health Considerations

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to various chemical-based products. Please help the City accommodate these individuals.



**STATE LEGISLATION
COMMITTEE
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Meeting ID: 2660 848 7313 **Meeting Password:** wsE6Ebfhb49
Join by Phone at +1-415-655-0001 (Please dial # after entering the Meeting ID to view the meeting)

(Public Comment Instructions available on page 5)

Members

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Supervisor Dean Preston -- Preston Kilgore
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Assessor's Office -- Holly Lung
City Attorney's Office -- Rebekah Krell
Controller's Office -- Hannah Kohanzadeh
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AGENDA

Meeting commenced at 10:05am.

I. ROLL CALL

Present: Eileen Mariano, Preston Kilgore, Holly Lung, Rebekah Krell, Hannah Kohanzadeh, and Eric Manke. Rebekah Krell was present in the meeting until AB 2359 was being considered.

Absent: Frances Hsieh.

II. APPROVAL OF MEETING MINUTES (Action Item). Discussion and possible action to approve the minutes from the meeting on January 24, 2024.

Motion to Approve: Eric Manke

Seconded by: Holly Lung
Approved: 6-0

III. STATE LOBBYIST OVERVIEW AND UPDATE (Discussion Item).

The City's state lobbyist will present to the Committee an update on State legislative matters.

Presenter: Paul Yoder and Karen Lange, Partners of Shaw Yoder Antwih Schmelzer & Lange

IV. PROPOSED LEGISLATION (Discussion and Action). Discussion and possible action item: the Committee will review and discuss state legislation affecting the City and County of San Francisco. Items are listed by Department, then by bill number.

New Business

Department of Public Health

Presenter: Max Gara

AB 2115 (Haney): Controlled substances: clinics.

Recommended Position: Sponsor

The Federal Drug Enforcement Administration allows that 72 hours of methadone treatment can be dispensed to patients at a health clinic during referral to an Opioid Treatment Program (a.k.a. Methadone Clinic). Currently, California law states that methadone cannot be dispensed at clinics. AB 2115 would increase access to methadone by aligning state law with federal rules and allow clinics to dispense 72 hours of methadone treatment during this referral period.

Public Comment: No public comment.

Motion to Support AB 2115: Eric Manke

Seconded by: Preston Kilgore

Approved: 6-0

Department of Environment

Presenter: Kyle Wehner

SB 1053 (Blakespear and Allen) and AB 2236 (Bauer-Kahan): Solid waste: reusable grocery bags: standards: plastic film prohibition.

Recommended Position: Support

Together, SB 1053 and AB 2236 will prohibit all plastic shopping bags in California grocery stores and require recycled paper bags to be made from 100 percent postconsumer recycled materials, without exception, beginning January 1, 2026.

Public Comment: No public comment.

Motion to Support SB 1053 and AB 2236: Holly Lung

Seconded by: Preston Kilgore

Approved: 6-0

Office of Economic and Workforce Development

Presenter: Ben Van Houten

AB 2359 (Ting and Haney): Alcoholic beverage control: neighborhood-restricted special on-sale general licenses.

Recommended Position: Sponsor

In 2016, the California Legislature created the "Type 87" liquor license, a new type of affordable, nontransferable full liquor license for restaurants in San Francisco's outer neighborhood commercial corridors. Since its inception, the Type 87 license program has been a critical tool to support economic development in these neighborhoods, but restaurants in the Bayview and Excelsior are no longer able to apply, as both neighborhoods have reach caps set under state law.

Assembly Member Ting has introduced AB 2359 to improve the Type 87 program by expanding access to these licenses in the Excelsior and Bayview neighborhoods and making technical reforms to the application process.

Public Comment: No public comment.

Motion to Support AB 2359: Preston Kilgore

Seconded by: Eric Manke

Approved: 5-0

V. GENERAL PUBLIC COMMENT

Members of the public may address the Committee on items of interest that are within the Committee's subject matter jurisdiction and that do not appear on the agenda.

Public Comment: No public comment.

VI. ADJOURNMENT

Meeting ended at 10:37 am.

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Date Submitted	March 15 th , 2024
Submitting Department	Department of Public Health
Contact Name	Max Gara; 415-554-2621
Contact Email and Phone Number	Maxwell.gara@sfdph.org Sneha Patil; 415-554-2795 Sneha.patil@sfdph.org
SLC Meeting Presenter	Max Gara
Reviewed and approved by Department Head?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

AB 1975

Assemblymember Bonta, Assembly District # 18, D-Oakland Medi-Cal: Medically Supportive Food and Nutrition Interventions

Recommended Position

SPONSOR **SUPPORT** SUPPORT if amended
 OPPOSE OTHER & Describe

Summary

This bill aims to directly address racial and ethnic health disparities, combat chronic disease, and reduce rates of food and nutrition insecurity among Medi-Cal enrollees by making medically supportive food and nutrition interventions a permanent covered benefit under the Medi-Cal program.

Background/Analysis

In 2022, an estimated 116,886 San Franciscans, or 14.5 percent of the City’s population, experienced food insecurity. This is the highest percent ever recorded in the City. The COVID-19 pandemic exacerbated racial health disparities, and the rates of food and nutrition insecurity have hit crisis levels. Too many San Franciscans, particularly San Franciscans of color, are living with preventable chronic conditions. Black/African American and Native Hawaiian or Other Pacific Islander experience the greatest burden of diet-sensitive diseases. Further, the estimated

healthcare costs of food insecurity in San Francisco in 2019 was \$204,564,276.¹ Access to adequate, nourishing foods is a fundamental component of chronic disease prevention and treatment. Investing in nutrition can significantly improve quality of life for patients and reduce healthcare costs system-wide.

Focusing on preventative care may help Medi-Cal beneficiaries avoid chronic conditions before they start. At San Francisco Department of Public Health (SFDPH), addressing food security and diet related conditions is a high priority issue. SFDPH currently offers food pharmacies at five of its adult primary care clinics, and partners with nonprofit organizations to connect patients to other programs such as produce prescriptions and medically tailored meals. Through the food pharmacy program, clinic staff refer patients to “fill” prescriptions for healthy groceries weekly. The grocery program is paired with interactive nutrition education, cooking demonstrations, cooking toolkits, on-site hypertension management by clinicians, health coaching, and referrals to local food resources. Evaluations from similar programs show improved health and reduced avoidable healthcare spending.

¹ City of San Francisco Biennial Food Security and Equity Report, 2023.

Under the California Advancing and Innovating Medi-Cal (CalAIM) initiative, Medi-Cal managed care plans can elect to cover Community Supports such as medically supportive food and nutrition (MSF&N) services. Both of San Francisco's Medi-Cal managed care plans, SF Health Plan and Anthem, will be providing coverage of MSF&N services for Medi-Cal beneficiaries through 2026.

Challenge

Under Medi-Cal rules, Community Supports, like MSF&N, must be medically appropriate and cost-effective (i.e., a cost-benefit calculation is imposed on the provision of services), which can limit the scope of what is covered and who is eligible. Making MSF&N services a benefit under Medi-Cal, versus a Community Support, would result in broader eligibility for the service and ensure the benefit continues after the Community Support services expire at the end of 2026.

Solution/Recommended Proposal

Under AB 1975, medically supportive food and nutrition (MSF&N) interventions would be added as a covered benefit under the Medi-Cal program, upon issuance of final guidance by the Department of Health Care Services, on or before July 1, 2026. The bill would:

- Require the spectrum of medically supportive food and nutrition interventions to include medically tailored meals, medically supportive meals, food pharmacies, medically tailored groceries, medically supportive groceries, produce prescriptions and nutrition supports when paired with food provision.
- Require interventions be covered when determined to be medically necessary by a health care provider or health plan, for 12 weeks or more. The bill would also establish the Medically Supportive Food and Nutrition Stakeholder Advisory Workgroup to assist the department in developing final guidance.

San Francisco already has a robust network of medically supportive food and nutrition providers who offer these interventions, often funded via philanthropic dollars. Coverage of these interventions by health insurers offers a pathway to permanent funding and the promise of better integration of food-based interventions into healthcare delivery, both of which are critical to the potential of these interventions to improve health and advance health equity.

This bill will ensure the medically supportive food and nutrition services provided via CalAIM through San Francisco Health Plan and Anthem (the city's two managed care plans) will continue and potentially be expanded to reach more patients once it expires on January 1, 2027. Medi-Cal coverage of these interventions leverages state and federal dollars and ensures greater sustainability of programs already improving the health of many low-income San Franciscans.

Departments Impacted & Why

SFHN healthcare providers under DPH, and potentially staff at other relevant city departments such as HSA and HSH, will have the opportunity to refer Medi-Cal beneficiaries to medically supportive food and nutrition interventions, providing a critical opportunity to address health disparities and food insecurity.

Fiscal Impact

This bill would not impose a direct cost to San Francisco. Under the bill, there would be a state budget request for FY 25/26 for DHCS to establish an advisory workgroup and develop guidance. In FY 26/27 there would be a budget request for the state's share of the cost of the benefit. Based on analysis from a similar bill from 2023, AB 1644, this bill would add costs of an unknown amount to the state, likely in the tens of millions of dollars annually (General Fund and possibly federal funds).

Support / Opposition

Food As Medicine Collaborative
(cosponsor); SPUR (cosponsor) and 90 other
organizations.

No public opposition.



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Date Submitted	March 15, 2024
Submitting Department	Environment
Contact Name	Hilary Near
Contact Email and Phone Number	Hilary.Near@sfgov.org ; (415) 355 3772
SLC Meeting Presenter	Kyle Wehner
Reviewed and approved by Department Head?	X YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES X NO <input type="checkbox"/> N/A

AB 2346

Assemblymember Lee, District #24, Democrat

Organic waste reduction regulations: procurement of recovered organic waste products

Recommended Position

SPONSOR SUPPORT SUPPORT if amended OPPOSE OTHER & Describe

Summary

The Short-Lived Climate Pollutant Reduction Act (SB 1383) requires California jurisdictions to procure an amount of "organic waste products" that is proportionate to their populations. The amendments proposed in AB 2346 would simplify the process of documenting agreements with external service providers to fulfill SB 1383's procurement requirements on behalf of jurisdictions. In addition, AB 2346 proposes to extend procurement credit for activities and investments that build markets or create additional capacity for locally processed organics, including community composting.

Background/Analysis

Since the adoption of SB 1383, local governments, compost producers, and vendors have expressed concerns about the law's "unrealistic" procurement requirements, particularly in a mature and dense market like the Bay Area. Several key jurisdictions, led by Alameda County, have worked with CalRecycle to propose the amendments that form the foundation of AB 2346.

Challenge

SB 1383's current organic waste product procurement targets would require San Francisco to be responsible for over 40,000 tons of compost or an equivalent amount in other organic waste products. Given the City's density and present budget constraints, it is very unlikely San Francisco will be able to comply by January 1, 2025.

Solution/Recommended Proposal

Since the adoption of SB 1383 in 2016, the Environment Department coordinated with other Bay Area jurisdictions to propose amendments to SB 1383 that would streamline the law's procurement requirements, many of which have been included in AB 2346. The bill provides pathways for fulfilling SB 1383's procurement goals that would significantly benefit San Francisco, including investments in community composting that build on the City's current financial support for home composting education and urban agricultural use of locally produced compost.

Departments Impacted & Why

The Environment Department is responsible for SB 1383 reporting and oversight of many of the law's required programs and policies. The amendments provided under AB 2346 will provide additional options for compliant procurement in the future. In addition, the Department of Recreation and Parks may contribute to San Francisco's current procurement goals given its investments in community composting production and distribution.

Fiscal Impact

AB 2346 would reduce SB 1383's fiscal burden on San Francisco by expanding opportunities for organic waste product procurement and reducing the risk of fines due to noncompliance.

Support / Opposition

As the bill was recently introduced on February 12, 2024, no formal positions have been registered.



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Date Submitted	March 15, 2024
Submitting Department	Environment
Contact Name	Hilary Near
Contact Email and Phone Number	hilary.near@sfgov.org ; (415) 355-3772
SLC Meeting Presenter	Charles Sheehan
Reviewed and approved by Department Head?	X YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES X NO <input type="checkbox"/> N/A

SB 1167

Senator Blakespear, District #38, D-Encinitas

Solid waste: Single-use drinking vessels

Recommended Position

SPONSOR SUPPORT SUPPORT if amended OPPOSE OTHER & Describe

Summary

SB 1167 would prohibit chain restaurants from serving or offering for sale beverages in single-use vessels to customers dining or consuming the beverage on the premises.

Background/Analysis

This bill would expand existing efforts to reduce single-use food ware waste, which totals over 849,000 tons per year in California alone. The production, distribution, consumption, and disposal of nondurable food service ware, typically used for only a few minutes before being discarded, has significant environmental and health impacts as well as costs associated with litter clean-up and waste management. These issues were exacerbated by the COVID-19 pandemic, which increased food vendors' reliance on nondurable food service ware.

Challenge

Disposable cups are among the most common materials found in waste characterization studies, due in large part to barriers to recycling and composting across California. While disposable cups are accepted in San Francisco's recycling program, barriers to collection, separation, and recycling persist.

Solution/Recommended Proposal

San Francisco has adopted citywide goals for waste generation reduction and recovery of materials. Limits on the use of nondurable food service ware is an important component of this effort.

Departments Impacted & Why

This bill would have no direct impact on the City or its departments.

Fiscal Impact

SB 1167 could reduce litter and other refuse collection costs. This bill could also have financial or other impacts for chain restaurants as they transition to on-site reusable cups. The Environment

Department offers a grant program to help businesses transition from single-use to reusable food ware and is prepared to help businesses comply with the provisions of SB 1167.

Support / Opposition

This bill is co-sponsored by Californians Against Waste, 5 Gyres, Heal the Bay, and the Surfrider Foundation.



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Date Submitted	March 14, 2024
Submitting Department	SFHSA
Contact Name	Susie Smith
Contact Email and Phone Number	Susie.smith@sfgov.org
SLC Meeting Presenter	Susie Smith
Reviewed and approved by Department Head?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A

AB 3079

Assemblymember Ting, Assembly District #19, D-San Francisco

In-Home Supportive Services program: undocumented related providers

Recommended Position

SPONSOR SUPPORT SUPPORT if amended
 OPPOSE OTHER & Describe

undocumented IHSS recipients to select an undocumented relative to serve as their provider of choice.

Summary

This bill would develop a policy permitting undocumented In-Home Supportive Service recipients to select their undocumented relative as their IHSS provider of choice. These providers would give their Individual Taxpayer Identification Number (ITIN), in lieu of a Social Security Number, in completing employment documentation. It would also waive the background check normally required by providers and instead require a self-attestation.

Challenge

The IHSS program helps older adults pay for supportive services so they can remain safely in their own home. These services include housecleaning, personal care services like bathing and grooming, and paramedical care. IHSS prevents much more costly out-of-home institutional care, such as skilled nursing homes or board and care facilities. As a consumer-directed program, IHSS maintains the fundamental principal that an individual with a disability should have the right to choose their own home care provider. With the State's full expansion of Medi-Cal to all undocumented adults (as of Jan 2024), individuals with functional impairments who are undocumented are also newly eligible for IHSS. However, California simply does not have enough IHSS providers to meet this need. According to California's Master Plan for Aging, the State will face a labor shortage of up to 3.2 million paid direct care workers in the coming years. As the California State Auditor reports: "From January 2015 through December 2019, the number of Page 2 of 2 recipients statewide who lacked (IHSS) care grew on average from 33,000 to more than 40,000 each month."¹ The vast majority of

Background/Analysis

Last year, California recognized the need to provide care to all vulnerable Californians by expanding the eligibility for Medi-Cal to include all individuals regardless of immigration status (if income criteria are met). Through that expansion, undocumented Californians are now eligible to receive services through the state's In Home Supportive Services (IHSS) program. At the same time, California faces a labor shortage of up to 3.2 million paid direct care workers in the coming years. As one measure to address the IHSS provider shortage, this bill would authorize

IHSS recipients rely on a family member or loved one to serve as their IHSS provider; yet, despite the IHSS workforce crisis, undocumented recipients are denied the right to select an undocumented family member without work authorization to act as their provider. This is because providers are required to give a social security number to sign up. The barrier to allow undocumented without work authorization relatives to serve as providers is inconsistent with both the IHSS consumer-driven model and with the priorities California has consistently demonstrated in support of undocumented residents. Without this provider expansion, undocumented adults who are assessed as eligible for IHSS services, and therefore legally entitled to such care through Medi-Cal, are unable to secure a provider and are thus deprived of the care necessary to avoid hospitalization, nursing care, and poor health outcomes.

Solution/Recommended Proposal

This bill would develop a policy permitting undocumented In Home Supportive Service recipients to select their undocumented relative as their IHSS provider of choice. These providers would give their Individual Taxpayer Identification Number (ITIN), in lieu of a Social Security Number, in completing employment documentation. It would also waive the background check normally required by providers and instead require a self-attestation.

Departments Impacted & Why

Just SFHSA

Fiscal Impact

Marginal costs to update the statewide IHSS administrative database system. These changes would be one-time costs to integrate ITINs in addition to SSNs when registering to be a provider. This would require the CMIPS vendor to implement a systemwide change. Similar system wide changes have been estimated to cost \$150,000.

Clarifying that undocumented IHSS recipients may select their undocumented family

members as their IHSS provider of choice would not incur any new costs. This is because, as of Jan 2024, the State already expanded Medi-Cal eligibility for undocumented individuals—and, by extension, IHSS. Undocumented community members do not qualify for Medi-Cal/IHSS under federal law; therefore, the cost incurred for California's decision to expand Medi-Cal/IHSS benefits is born by the State alone. This State-only cost is included in the Governor's budget on an on-going basis, regardless of whether the provider of choice is documented or undocumented.

Support / Opposition

A similar bill was introduced last year and garnered the following supporters:

- CWDA
- SEIU
- UDW
- California Domestic Workers Coalition
- Disability Rights California
- California Coalition on Family Caregiving
- California Immigrant Policy Center
- CHIRLA
- California Pan Ethnic Health Center
- Western Center on Law and Poverty
- Vision y Compromiso

We are in the process of reaching out to the same stakeholders and anticipate their continued support.

No opposition anticipated.



State Legislation Committee Proposal Form

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Date Submitted	3/15/2023
Submitting Department	Municipal Transportation Agency
Contact Name	Monique Webster
Contact Email and Phone Number	Monique.Webster@sfmta.com
SLC Meeting Presenter	TBD
Reviewed and approved by Department Head?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A

SB 689

Senator Blakespear, Senate District #38, D-Encinitas

Local coastal program: bicycle lane: amendment.

Recommended Position

SPONSOR SUPPORT SUPPORT if amended OPPOSE OTHER & Describe

Summary

The bill will make it easier to convert vehicular traffic lanes to bicycle lanes/nonvehicular uses. It achieves this by:

1. Not requiring a traffic study for purposes of a coastal development permit or a change to a Local Coastal Program, when converting a vehicle travel lane to a dedicated bicycle lane; and
2. Provides that changes to Local Coastal Program to create a dedicated bicycle lane in the right of way would be eligible for a simplified approval process (de minimis), only requiring Commission Director's approval.

The de minimis approval process already exists for qualified amendments to local programs, as described by [Public Resource Code 30154](#). The de minimis process ensures that improvements that align with the California Coastal Act are reviewed and implemented quickly and improves governmental accountability and responsiveness.

Providing streamlined approval processes for minor traffic improvement projects increases the responsiveness and effectiveness of City agencies, makes efficient use of taxpayer money and City staff time, and better meets the needs of San Francisco residents.

Background/Analysis

[Provide history of the issue in question and/or a description of the law as it currently stands.]

The City of San Francisco has a Local Coastal Program which meets the requirements of the California Coastal Act and meets the Act's mandate to protect coastal resources and maximize public access to the coast. San Francisco's Local Coastal Program is certified by the Coastal Commission, giving SF Planning

Department the authority to issue Local Coastal Permits for development that falls within parts of the San Francisco Coastal Zone.

Bicycle and pedestrian projects that receive these permits are subject to additional review that non-coastal zone bicycle and pedestrian projects do not have, including permit issuance hearing at the Planning Commission and potential of an appeal to the State Coastal Commission.

CEQA Streamlining – SB 922

SB 689 would build upon previous efforts to improve governmental efficiency and approval timelines for delivering projects that improve bicycle and pedestrian uses and accessibility.

SB 922 (Wiener) was signed by Governor Newsom in 2022. The bill extends CEQA exemption for bicycle, pedestrian and active transportation plans. Specifically, SB 922 expands a CEQA exemption (sunsetting in 2030) for bicycle transportation plans that include restriping of streets and highways, bicycle parking and storage, signal timing and related signage, by deleting the requirement that the bicycle transportation plan be for an “urbanized area”. The bill also extends the CEQA exemption to active transportation plans and pedestrian plans.

SFMTA and RPD have relied on SB 922 (formerly SB 288) statutory exemptions on dozens of bicycle and pedestrian safety projects that have reduced environmental review timelines by months and significantly reduced project risks related to environmental assessment appeals for bicycle and pedestrian projects such as citywide Slow Streets, Fell Street protected bicycle facilities, Hyde Street road diet, Sloat and Lake Merced quick-builds and JFK Promenade in Golden Gate Park.

Climate Adaptation Goals & Vision Zero

San Francisco’s Climate Action Plan aims to achieve net-zero emissions citywide by 2040. One key Transportation & Land Use strategy is to create an active transportation network that shifts usage from automobiles to walking, biking and other active forms of transit. By making it easier for the City to convert vehicular uses to bicycle uses, SB 689 helps the City to achieve it’s Climate Adaptation Goals, as well as Vero Zero, the City’s action plans to achieve zero traffic deaths.

Challenge

[Describe the challenge or problem that this bill is trying to solve for and the impacts to San Francisco.]

Challenges with Local Coastal Program Amendments & coastal development zone permits

Projects in the coastal zone that allow increased access to the coast and improve coastal resource protection, via converting traffic vehicular lanes to bicycle lanes, align with the Act’s mandates and should be easily approved under the Local Coastal Program. Projects that have recently applied for Coastal Development Permits include Sloat Avenue Quick-Build and the Lake Merced Quick-Build. These projects have public support and were approved by the SFMTA Board, but will be re-heard at the SF Planning Commission and could possibly be appealed to the Coastal Commission due to their requirement for a Coastal Development Permit. These appeals have very long timelines and delay improvements that provide increased coastal access, safe bicycle transit routes, and progress towards San Francisco’s Climate Adaptation and Vision Zero goals. Providing a streamlined process for the Coastal Commission Director’s approval for such bicycle projects would reduce the risk associated with the coastal development zone permit appeal timeline.

Future Projects

City Agencies will pursue future bicycle, pedestrian and active transportation projects in the coastal zone that would benefit from a streamlined approval process.

Solution/Recommended Proposal

[Describe the solution the bill is proposing, and/or the new policy it creates to help San Francisco.]

The bill will make it easier to convert vehicular traffic lanes to bicycle lanes/nonvehicular uses in the Coastal Zone. It provides 2 changes:

1. Not requiring a traffic study for purposes of a coastal development permit or a change to a local program, when converting a vehicle travel lane to a dedicated bicycle lane; and
2. Provides that changes to a Local Coastal Program to create a dedicated bicycle lane in the right of way would be eligible for a simplified approval process (de minimis), only requiring Commission Director's approval.

The de minimis approval process already exists for qualified amendments to local programs, as described by [Public Resource Code 30154](#). The de minimis process ensures that improvements that align with the Coastal Protection Act are reviewed and implemented quickly and improves governmental accountability and responsiveness.

The Coastal Commission can deny the Director's determination of approval and hold a public hearing, if 3 Commissioners (of 12 total voting Commissioners) disagree with the Director's de minimis determination.

Summary of process below:

Director may determine a local program amendment is de minimis if the amendment would have no impact, individually or cumulatively, on coastal resources, is consistent with policies of Section 30200, and meets the following criteria:

1. Local government provides public notice (21 days prior to submitting amendment to Director) that allows for public comment on the amendment, by one (1) of the following:
 - a. Newspaper in circulation in the area
 - b. Posting of the notice onsite and offsite
 - c. Direct mailing to owners and occupants of contiguous property
2. Amendment does not propose any change in land use or water uses or any change in the allowable use of property.

The local government will submit to the director all public comments received.

Director shall determine whether the amendment is de minimis within 10 working days of the submittal by the local government. If the amendment is de minimis, it shall be in the agenda for the next regularly scheduled meeting of the Commission.

If 3 members of the Commission object to the de minimis determination, the amendment shall go to a public hearing. (There are 12 voting commissioners).

If 3 or more members do not object to the de minimis determination, the amendment shall become effective 10 days after the Commission meeting.

Departments Impacted & Why

[List any departments that may be impacted by the legislation and explain the impact. We recommend consulting with affected departments for their perspective before submitting this proposal form.]

SF RPD and SFMTA Under this bill, RPD and SFMTA can apply for expedited approval for amendments to the Local Coastal Program that provide for non-vehicular access in vehicular roadways, and which improve coastal access for people.

RPD is supportive of the policies within SB 689.

SF Planning – MTA has asked SF Planning to review this proposal and provide feedback.

Fiscal Impact

[If any, describe the fiscal impact of the legislation, especially as it relates to San Francisco and your department in particular. Please include any analysis completed that summarizes fiscal impact to the State.]

This bill will bring modest cost savings, by reducing the staff time necessary to request an amendment to the local coastal program and waiving the traffic study requirement.

Support / Opposition

[List the entities, elected officials, organizations that either support and/or oppose this bill]

Support

City of San Diego

San Francisco Bay Area Planning and Urban Research Association

California Bicycle Coalition

Circulate San Diego

City of Santa Monica

Streets for All

Oppose

Livable California



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Date Submitted	3/12/24
Submitting Department	San Francisco Public Utilities Commission
Contact Name	Rebecca Peacock
Contact Email and Phone Number	rpeacock@sfwater.org / 415-757-8365
SLC Meeting Presenter	Rebecca Peacock
Reviewed and approved by Department Head?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Reviewed and approved by Commission?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A

SB 903

Senator Skinner, Senate District #9, D-Berkley

Environmental health: product safety: perfluoroalkyl and polyfluoroalkyl substances.

Recommended Position

SPONSOR SUPPORT SUPPORT if amended OPPOSE OTHER & Describe

Summary

This bill would, beginning January 1, 2030, prohibit a person from distributing, selling, or offering for sale a product that contains intentionally added PFAS, unless the Department of Toxic Substances Control (DTSC) has made a determination that the use of PFAS in the product is a currently unavoidable use, the prohibition is preempted by federal law, or the product is used. The bill would require the department to maintain on its internet website a list of each determination of currently unavoidable use, when each determination expires, and the products and uses that are exempt from the prohibition. The bill would impose a civil penalty for a violation of the prohibition and establish the PFAS Penalty Account, requiring all civil penalties received to be deposited into that account. Upon appropriation by the Legislature, these penalties will be used for the administration and enforcement of the bill's provisions.

By January 1, 2027, DTSC would be required to adopt regulations to carry out the provisions of this bill, which must include regulations establishing and providing for the assessment of an application fee. The bill would create the PFAS Oversight Fund and require all application fees to be deposited into the fund. Upon appropriation by the Legislature, the bill would require these application fees be used to cover the department's reasonable costs of administering this act.

The San Francisco Public Utilities Commission (SFPUC) recommends a support position for SB 903.

Background/Analysis

PFAS (per- and polyfluoroalkyl substances) are a group of chemicals that do not break down and have negative health and environmental impacts. The U.S. Environmental Protection Agency (U.S. EPA) has proposed exceptionally low health advisory levels as well as maximum contaminant levels for certain PFAS in drinking water. Additional regulatory action is expected and PFAS monitoring will eventually be included in National Pollutant Discharge Elimination System (NPDES) permits. Proposed Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) designation for PFAS could potentially make public utilities vulnerable to superfund liability claims despite the fact the public utilities are merely passive receivers of these compounds.

Challenge

There has been a significant increase in regulatory action around PFAS at both the State and Federal level as the scientific community has established that these compounds are a significant threat to the environment and human health. Current wastewater treatment processes do not destroy PFAS and the only realistic way to reduce PFAS in SFPUC effluent and biosolids is to reduce the amount of PFAS entering the collection system. The only realistic way to prevent human exposure and environmental release of these compounds is to limit their use through source reduction. SB 903 would limit environmental release of PFAS by prohibiting the distribution, sale, or offering of products containing intentionally added PFAS, beginning in 2030.

Solution/Recommended Proposal

Legislation which primarily aims to protect Californians from exposure to PFAS and reduces the amount of PFAS arriving at SFPUC wastewater treatment plants. In previous legislative sessions, PFAS has been banned in firefighting foam, food packaging, juvenile products, cosmetics, and textiles.

The SFPUC recommends a support position. Decreasing the amount of products containing PFAS will reduce the amount of PFAS being transported to wastewater treatment plants and protect the health and safety of San Francisco residents and Californians as a whole.

Departments Impacted & Why

The SFPUC contacted the Environment Department and the Recreation and Parks Department for feedback on this position.

The Environment Department is supportive of SFPUC's position, and has supported previous PFAS legislation, including AB 1817, AB 2247, AB 2771 (2022), and AB 1290 (2023).

The Recreation and Parks Department is neutral.

Fiscal Impact

An inability to meet future PFAS regulation could result in additional costs of tens of millions of dollars annually if changes in effluent and biosolids management were required. If construction of treatment technologies for water is required, this could result in additional costs of hundreds of millions of dollars.

Support / Opposition

Sponsors (from the Author's Press Release):

California Association of Sanitation Agencies
Breast Cancer Prevention Partners
Clean Water Action
Environmental Working Group