

# Napa County

1195 THIRD STREET  
SUITE 310  
NAPA, CA 94559



## Agenda

**Friday, March 22, 2024**

**9:30 AM**

**Board of Supervisors Chambers  
1195 Third Street, Third Floor**

### **Climate Action Committee**

*AMERICAN CANYON Leon Garcia, Mark Joseph, Vacant (Alternate)*  
*CALISTOGA Kevin Eisenberg, Lisa Gift, Irais Lopez-Ortega (Alternate)*  
*NAPA Bernie Narvaez, Liz Alessio (Chair), Beth Painter (Alternate)*  
*NAPA COUNTY Anne Cottrell, Joelle Gallagher (Vice-Chair), Belia Ramos (Alternate)*  
*ST. HELENA Anna Chouteau, Billy Summers, Eric Hall (Alternate)*  
*YOUNTVILLE Hillery Bolt Trippe, Pamela Reeves, Eric Knight (Alternate)*

*David Morrison, Special Projects Director*  
*Ryan Melendez, Natural Resources, Planner II*  
*Chris Apallas, County Counsel*  
*Alexandria Quackenbush, Meeting Clerk*  
*Aime Ramos, Meeting Clerk*

**How to Watch or Listen to the Napa County Climate Action Committee Meetings**

The Climate Action Committee will continue to meet at 9:30 AM on the 4th Friday of each month. December 6, 2024 CAC meeting adopted in place of the Regular November and December meetings.

The Climate Action Committee realizes that not all County residents have the same ways to stay engaged, so several alternatives are offered. Remote Zoom participation for members of the public is provided for convenience only. In the event that the Zoom connection malfunctions for any reason, the Climate Action Committee reserves the right to conduct the meeting without remote access.

Please watch or listen to the Climate Action Committee meeting in one of the following ways:

1. Attend in-person at the Board of Supervisors Chambers, 1195 Third Street, Napa Suite 305.
2. Watch on Zoom using the attendee link: <https://countyofnapa.zoom.us/j/82901122471>. Make sure the browser is up-to-date.
3. Listen on Zoom by calling 1-669-900-6833 (Meeting ID: 829-0112-2471).

**If you are unable to attend the meeting in person and wish to submit a general public comment or a comment on a specific agenda item, please do the following:**

1. Email your comment to [meetingclerk@countyofnapa.org](mailto:meetingclerk@countyofnapa.org). Emails received will not be read aloud but will still become part of the public record and shared with the Committee Members.
2. Use the Zoom attendee link: <https://countyofnapa.zoom.us/j/82901122471>. Make sure the browser is up-to-date. When the Chair calls for the item on which you wish to speak, click "raise hand." Please limit your remarks to three minutes.
3. Call the Zoom phone number 1-669-900-6833 Enter Meeting ID 829-0112-2471 When the Chair calls for the item on which you wish to speak, press \*9 to raise hand. Please limit your remarks to three minutes.

**\*\*Please note that phone numbers in their entirety will be visible online while speakers are speaking\*\***

For more information, please contact us via telephone at (707) 253-4417 or send an email to [meetingclerk@countyofnapa.org](mailto:meetingclerk@countyofnapa.org).

ANY MEMBER OF THE AUDIENCE DESIRING TO ADDRESS THE COMMITTEE:

**ON A MATTER ON THE AGENDA**

Please proceed to the podium when the matter is called and, after receiving recognition from the Chair, give your name and your comments or questions. In order that all interested parties have an opportunity to speak, please be brief and limit your comments to the specific subject under discussion. Time limitations shall be at the discretion of the Chair or Committee, but is generally limited to three minutes.

**ON A MATTER NOT ON THE AGENDA**

Public comment is an opportunity for members of the public to speak on items that are not on the agenda but are within the subject matter jurisdiction of the Committee. Public comment is limited to three minutes per speaker, subject to the discretion of the Chair. Comments should be brief and focused, and speakers should be respectful of one another who may have different opinions. Please remember this meeting is being recorded and broadcasted live via ZOOM. The County will not tolerate profanity, hate speech, abusive language, or threats. Also, while public input is appreciated, the Brown Act prohibits the Committee from taking any action on matters raised during public comment that are not on the agenda.

- 1. CALL TO ORDER; ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. PUBLIC COMMENT**

In this time period, anyone may address the Climate Action Committee regarding any subject over which the Committee has jurisdiction but which is not on today's posted agenda. In order to provide all interested parties an opportunity to speak, time limitations shall be at the discretion of the Chair. As required by Government Code, no action or discussion will be undertaken on any item raised during this Public Comment period.

**4. CONSENT ITEMS**

- A.** The Clerk requests approval of minutes from the regular meeting on February 23, 2024.

[24-515](#)

**Attachments:** [DRAFT 2-23-24 Minutes.pdf](#)

**5. ADMINISTRATIVE ITEMS**

- A.** PRESENTATION (VIDEO): Staff requests that the Climate Action Committee (CAC) begin the regular meeting on March 22, 2024, with a brief video on climate change and public health. The goal of this video and future videos is to help educate CAC members on a variety of climate and environmental topics.

[24-477](#)

- B.** PRESENTATION: Staff requests that the Climate Action Committee receive a presentation from Danielle Schmitz with the Napa Valley Transportation Authority (NVTa) on the Measure T Extension. [24-511](#)
- C.** DISCUSSION AND ACTION ITEM: The Special Projects Director requests that the Climate Action Committee (CAC) discuss, provide direction, and consider the recommendation of a draft single-use plastic bag reduction and reusable food ware and waste reduction ordinance for future consideration by the member jurisdictions. [24-509](#)
- Attachments:** [Foodware Ordinance V7.pdf](#)  
[Food ware ordinance summary V4.pdf](#)  
[Item 5C - Correspondence \(Added After Initial Agenda Posting\).pdf](#)
- D.** PRESENTATION: Staff requests that the Climate Action Committee receive a presentation from staff on the Bay Area Regional Energy Network (BayREN) programs. [24-476](#)
- Attachments:** [CAC BayREN Overview\\_3.22.24.pptx](#)
- E.** DISCUSSION: Staff recommends providing monthly updates to the status of the development of the RCAAP to the Climate Action Committee. [24-508](#)
- F.** DISCUSSION: Staff requests that the CAC Ad hoc subcommittee give regular updates to the Committee regarding the status of the planning and development of the prospective Greenhouse Gas Monitoring project in collaboration with Lawrence Berkeley National Laboratory. [24-478](#)
- Attachments:** [Greenhouse Gas Emission Monitoring in Napa County.pdf](#)

**6. REPORTS AND ANNOUNCEMENTS**

**7. FUTURE AGENDA ITEMS**

**8. ADJOURNMENT**

I HEREBY CERTIFY THAT THE AGENDA FOR THE ABOVE STATED MEETING WAS POSTED AT A LOCATION FREELY ACCESSIBLE TO MEMBERS OF THE PUBLIC AT THE NAPA COUNTY ADMINISTRATIVE BUILDING, 1195 THIRD STREET, NAPA, CALIFORNIA ON 3/19/2024 BY 9:25 AM. A HARDCOPY SIGNED VERSION OF THE CERTIFICATE IS ON FILE WITH THE COMMITTEE CLERK AND AVAILABLE FOR PUBLIC INSPECTION

ALEXANDRIA QUACKENBUSH(by e-signature)

Alexandria Quackenbush, Clerk of the Commission



# Napa County

## Board Agenda Letter

1195 THIRD STREET  
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www.countyofnapa.org  
Main: (707) 253-4580

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Climate Action Committee

**Agenda Date:** 3/22/2024

**File ID #:** 24-515

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**TO:** Napa County Climate Action Committee  
**FROM:** David Morrison, Special Projects Director  
**REPORT BY:** Ryan Melendez, Planner II - Sustainability  
**SUBJECT:** Approval of Minutes

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### **RECOMMENDATION**

The Clerk requests approval of minutes from the regular meeting on February 23, 2024.

### **EXECUTIVE SUMMARY**

The Clerk requests approval of minutes from the regular meeting on February 23, 2024.

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

### **BACKGROUND AND DISCUSSION**

Only committee members who attended the February 23, 2024 meeting of the Climate Action Committee (CAC) may vote on the minutes. All other CAC members should abstain from the vote.



# DRAFT Meeting Minutes

## Climate Action Committee

### Committee Members

<b>American Canyon</b>	Leon Garcia	Mark Joseph
<b>Calistoga</b>	Kevin Eisenberg	Lisa Gift
<b>Napa</b>	Bernie Narvaez	Liz Alessio ( <i>Chair</i> )
<b>Napa County</b>	Anne Cottrell	Joelle Gallagher ( <i>Vice-Chair</i> )
<b>St. Helena</b>	Anna Chouteau	Billy Summers
<b>Yountville</b>	Hillery Bolt Trippe	Pamela Reeves

### County Staff

David Morrison, Special Projects Director
Chris Apallas, Committee Counsel
Ryan Melendez, Planner II
Alexandria Quackenbush, Meeting Clerk
Aime Ramos, Meeting Clerk

### Alternates

<b>American Canyon</b>	Vacant
<b>Calistoga</b>	Irais Lopez Ortega
<b>Napa</b>	Beth Painter
<b>Napa County</b>	Belia Ramos
<b>St. Helena</b>	Vacant
<b>Yountville</b>	Eric Knight

<b>Friday, February 23, 2024</b>	<b>9:30 AM</b>	<b>Board of Supervisors Chambers 1195 Third Street, Third Floor</b>
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#### 1. CALL TO ORDER; ROLL CALL

Committee Members Present: Leon Garcia, Kevin Eisenberg, Lisa Gift, Anna Chouteau, Pamela Reeves, Mark Joseph, Anne Cottrell, Billy Summers, Bernie Narvaez, Hillery Bolt-Trippe, Liz Alessio, (A)Belia Ramos (joined during item 3).

Committee Members Excused: Joelle Gallagher.

Committee Members Absent: None.

Staff Present: Ryan Melendez, David Morrison, Alexandria Quackenbush.

#### 2. PLEDGE OF ALLEGIANCE

Chair Alessio led the salute to the flag.

#### 3. PUBLIC COMMENT

(3) Public comments were heard.

#### 4. CONSENT ITEMS

##### A. The Clerk of the Committee requests approval of minutes from the following regular meeting held on: January 26, 2024.

Members voted to approve minutes for the January 26, 2024, regular meeting as presented.

Leon G	MJ	KE	Lisa G	BN	LA	(A)BR	Anne C	BS	Anna C	HT	PR
<u>1st</u>	<u>2nd</u>										

## 5. ADMINISTRATIVE ITEMS

- A. PRESENTATION (VIDEO):** Staff requests that the Climate Action Committee (CAC) begin the regular meeting on February 23, 2024, with a brief video on climate change and electric vehicle adoption. The goal of this video and future videos is to help educate CAC members on a variety of climate and environment topics.

Ryan Melendez presented the video. No action required.

- B. PRESENTATION AND ACTION ITEM: FISCAL IMPACT -** Staff requests that the Climate Action Committee (CAC) receive a presentation from Lisa Altieri, Founder and President of BrightAction Communities on the Napa Climate Challenge online platform and decide whether to continue the funding of the platform management and community outreach and education efforts.

Lisa Altieri (BrightAction Communities) gave the presentation. (1) public comment was heard.

Members voted to approve the Climate Action Committee to continue to fund BrightAction Communities' management of the Napa Climate Challenge online platform and an additional option to fund local community engagement efforts by BrightAction Community staff.

Leon G	MJ	KE	Lisa G	BN	LA	(A)BR	Anne C	BS	Anna C	HT	PR
	<u>1<sup>st</sup></u>						<u>2<sup>nd</sup></u>				

- C. DISCUSSION AND ACTION ITEM:** The Special Projects Director requests that the Climate Action Committee (CAC) discuss, provide direction, and consider the recommendation of a draft single-use plastic bag reduction and reusable food ware and waste reduction ordinance for future consideration by the member jurisdictions.

Item 5C discussion moved to continue during the March 22, 2024 regular meeting.

- D. DISCUSSION:** Staff requests that the CAC Ad hoc subcommittee give regular updates to the Committee regarding the status of the Planning and development of the prospective Greenhouse Gas Monitoring project in collaboration with Lawrence Berkeley National Laboratory.

Item 5D moved to March 22, 2024 regular meeting.

- E. PRESENTATION:** Staff requests that the Climate Action Committee receive a presentation from staff on the Bay Area Regional Energy Network (BayREN) programs.

Item 5E moved to March 22, 2024 regular meeting.

## 6. REPORTS AND ANNOUNCEMENTS

- Ryan Melendez gave an update on the Regional Climate Action Adaptation Plan.
- David Morrison announced the County will be considering its draft Building Reach Code on April 9, 2024.

## 7. FUTURE AGENDA ITEMS

- Mark Josphe would like to see an educational presentation on Cal-Green Building Standards.

## 8. ADJOURNMENT

Meeting adjourned to March 22, 2024, regular meeting.

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LIZ ALESSIO, Chairperson  
ATTEST: Ryan Melendez, Planner II

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ALEXANDRIA QUACKENBUSH, Clerk of the Commission

### Key

**Vote:** MJ = Mark Joseph; Leon G = Leon Garcia; KE = Kevin Eisenberg; Lisa G = Lisa Gift; BN = Bernie Narvaez; LA = Liz Alessio; AP = Alfredo Pedroza; JG = Joelle Gallagher; BS = Billy Summers; AC = Anna Chouteau; HT = Hillery Bolt Trippe; PR = Pamela Reeves.

**Alternates:** (A)IO= Irais Lopez-Ortega; (A)BP = Beth Painter; (A)BR = Belia Ramos; (A)EK = Eric Knight.

**Notations under vote:** 1<sup>st</sup> = 1<sup>st</sup> motion; 2<sup>nd</sup> = 2<sup>nd</sup> motion; N = No; A = Abstain; X = Excused

### Example

Leon G	MJ	KE	Lisa G	BN	LA	JG	Anne C	BS	Anna C	HT	PR
<u>2nd</u>	<u>1st</u>		X				A			X	





# Napa County

## Board Agenda Letter

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Climate Action Committee

**Agenda Date:** 3/22/2024

**File ID #:** 24-477

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**TO:** Napa County Climate Action Committee  
**FROM:** David Morrison, Special Projects Director  
**REPORT BY:** Ryan Melendez, Planner II - Sustainability  
**SUBJECT:** Climate Education Video - How Climate Affects Community Health

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### **RECOMMENDATION**

**PRESENTATION (VIDEO):** Staff requests that the Climate Action Committee (CAC) begin the regular meeting on March 22, 2024, with a brief video on climate change and public health. The goal of this video and future videos is to help educate CAC members on a variety of climate and environmental topics.

### **BACKGROUND**

Short, educational videos at the beginning of CAC meetings can help educate members on important climate topics and keep climate change and climate action topics a priority in our daily lives and CAC monthly meetings.

From poor air quality, more intense and more frequent climate disaster events (floods, wildfires, droughts, extreme heat, etc.), increased spread of pests, and more, global climate change is increasingly affecting more aspects of our lives. This video discusses some of the physical, environmental, and psychological effects that climate change has on community health, as well as some of the steps that individuals and local governments can take towards adapting and better preparing for climate change and its effects.

[How Climate Affects Community Health - youtube.com <https://www.youtube.com/watch?v=JywsWktvODc&list=PLBoopqPhzJXwVbmvx59ZldgKrqzAHsS9t&index=7&t=145s>](https://www.youtube.com/watch?v=JywsWktvODc&list=PLBoopqPhzJXwVbmvx59ZldgKrqzAHsS9t&index=7&t=145s)  
<<https://www.youtube.com/watch?v=JywsWktvODc&list=PLBoopqPhzJXwVbmvx59ZldgKrqzAHsS9t&index=7&t=145s>>

### **ENVIRONMENTAL IMPACT**

**ENVIRONMENTAL DETERMINATION:** The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.



# Napa County

## Board Agenda Letter

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Climate Action Committee

**Agenda Date:** 3/22/2024

**File ID #:** 24-511

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**TO:** Napa County Climate Action Committee  
**FROM:** David Morrison, Special Projects Director  
**REPORT BY:** Ryan Melendez, Planner II, Sustainability  
**SUBJECT:** Napa Valley Transportation Authority Presentation on Measure T Updates

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### **RECOMMENDATION**

**PRESENTATION:** Staff requests that the Climate Action Committee receive a presentation from Danielle Schmitz with the Napa Valley Transportation Authority (NVTa) on the Measure T Extension.

### **BACKGROUND AND DISCUSSION**

Danielle Schmitz, the Director of Capital Development and Planning with the NVTa, will give a presentation on the Measure T extension and Measure T projects within Napa County.

Measure T is a \$0.50 sales tax expected to generate roughly \$500 million over a 25-year period. Funds generated under Measure T are for the reconstruction and rehabilitation of local streets and roads and related transportation improvements such as sidewalks, ADA ramps, curbs, and gutters.

Napa County, the Town of Yountville, and the Cities of American Canyon, St. Helena, and Calistoga received the first Measure T revenue disbursement in January 2019.

The 2012 ballot measure also created an Independent Taxpayer Oversight Committee (ITOC), a citizen oversight committee that helps ensure transparency of local sales tax revenues.

Danielle Schmitz is a transportation professional with over 16 years of experience and currently serves as the Director of Capital Development and Planning at the Napa Valley Transportation Authority. In this position Danielle is responsible for managing NVTa's day-to-day development and implementation of general activities involving programming, planning, funding and grant activities, marketing and public outreach. This includes oversight of the Vine Transit system and Measure T, the county's 1/2 cent transportation sales tax that generates approximately \$25 million a year for Napa County's local streets and roads.

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.



# Napa County

## Board Agenda Letter

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Climate Action Committee

**Agenda Date:** 3/22/2024

**File ID #:** 24-509

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**TO:** Napa County Climate Action Committee  
**FROM:** David Morrison, Special Projects Director  
**REPORT BY:** David Morrison, Special Projects Director  
**SUBJECT:** Discussion, Direction, and Consideration to Recommend a Draft Single-Use Plastic Bag Reduction and Reusable Food Ware and Waste Reduction Ordinance to Member Jurisdictions for Consideration

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### **RECOMMENDATION**

DISCUSSION AND ACTION ITEM: The Special Projects Director requests that the Climate Action Committee (CAC) discuss, provide direction, and consider the recommendation of a draft single-use plastic bag reduction and reusable food ware and waste reduction ordinance for future consideration by the member jurisdictions.

### **BACKGROUND**

Over the past 45 years, a number of California jurisdictions have passed similar food ware ordinances. One of the earliest was the City of Carmel, which adopted its "Environmentally Acceptable Materials" ordinance in 1989. According to Californians Against Waste (<https://www.cawrecycles.org>), 131 cities and counties have adopted ordinances banning polystyrene, with at least 47 jurisdictions also having requirements that take-out food ware be recyclable or compostable.

On February 25, 2020, the CAC discussed a variety of short-term actions that could be agreed to and implemented by all members, including: streamlining electric vehicle charging station requirements; government participation in the Deep Green Program administered by Marin Clean Energy (MCE); exploring a prohibition on the use of gas-powered blowers and motors; and developing a prohibition of expanded polystyrene foam in take-out food packaging. These were actions that each jurisdiction could take individually on their own initiative, rather than a collective action by the CAC.

On July 23, 2021, Napa Climate NOW! gave a presentation to the CAC, requesting that they consider a draft

reusable food ware and waste reduction ordinance. The discussion was continued to the meeting of October 22, 2021, for staff to develop additional information regarding the experiences of other jurisdictions, and changes in water use associated with reusable food ware. A draft food ware ordinance was discussed again on December 17, 2021, as one of several short-term actions for the CAC to consider as part of determining budget priorities, but was not included in the following year's budget.

On March 21, 2023, the Calistoga City Council unanimously adopted Ordinance No. 759, adding Chapter 8.17 titled "Regulating Reusable Foodware and Waste Reduction within the City of Calistoga." The Ordinance also revised Chapters 8.16 (Garbage and Refuse) and 19.12 (Single-Use Carryout Bag Reduction). The Calistoga Ordinance requires that after March 20, 2024, all food providers must use reusable or compostable food ware and accessories.

On June 27, 2023, as a part of a discussion on future agenda items, the Napa County Board of Supervisors directed staff to begin work on a reusable food ware ordinance, including public outreach. As a part of the ordinance development, the Board requested that it be referred to the CAC for a recommendation, to promote consistency among the jurisdictions within the county. Since December of 2023, staff has been developing a draft Single-Use Plastic Bag Reduction and Reusable Food Ware and Waste Reduction Ordinance (see Attachment A), based on the ordinance adopted by the City of Calistoga and the draft ordinance provided by Napa Climate NOW!.

The draft ordinance was posted on the Planning, Building, and Environmental Services (PBES) Department website on February 12, 2024, for public review and comment. A notice that the proposed ordinance was available was sent to food vendors in the unincorporated area and parties interested in the CAC. The proposed revised draft ordinance was posted on the PBES website on March 15, 2024, and distributed to interested parties. A Frequently Asked Questions (FAQ) document (see Attachment B) explaining the draft ordinance was also posted to the PBES website on March 15, including a version in Spanish. Staff gave a brief presentation regarding the proposed ordinance to the Napa Chamber of Commerce on March 6, 2024. At the date of this report, staff has received 23 public comments. In general, there were 20 commentors supporting the ordinance (or an even stricter version) and 3 opposed.

## Recommendation

At their regularly scheduled February 23, 2024, meeting, the CAC generally expressed support for the draft ordinance, with several changes as follows:

- Create a waiver for on-site dining that cannot reasonably provide reusable food ware;
- Require three bins (solid waste, recyclables, and organics) to be used by both customers and staff where prepared food is sold;

- Require a \$0.25 fee be imposed for each disposable cup/container, not to exceed \$1.00 per order; and
- Prohibited the sale and/or distribution of plastic bottled beverages of less than 21 ounces on County property, including lessees, contractors, or event permits.

These changes have been made to the revised draft ordinance and are highlighted in yellow. Staff has also made several minor corrections and clarifications.

### Next Steps

Should the CAC recommend the draft ordinance, as may be amended by the committee, the document would be forwarded to the six member jurisdictions. If any jurisdiction wanted to move forward in adopting the ordinance, it would have to be adapted to each specific municipal code. The Council/Board would hold public hearing to adopt the ordinance by resolution, along with findings of fact. Ordinances require a minimum of 30 days to take effect once adopted.

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State California Environmental Quality Act (CEQA) Guidelines) and therefore CEQA is not applicable.

## Chapter 5.70 - SINGLE-USE PLASTIC ~~CARRYOUT~~ BAG REDUCTION

### 5.70.010 - Title.

This chapter shall be known as the county's "Single-Use Plastic ~~Carryout~~ Bag Reduction Ordinance," and may be cited as such, and will be referred to herein as "this chapter."

(Ord. No. 1408, § 3, 1-12-2016)

### 5.70.020 - Purpose and intent.

The purposes of this chapter are to:

- A. Enact a bag reuse program that reduces waste and pollution, and that decreases the use of single-use plastic ~~carryout~~ bags in the county.
- B. Protect the environment from the negative impacts of single-use plastic ~~carryout~~ bags by reducing the use of single-use plastic ~~carryout~~ bags, with a provision that would require retail stores within the unincorporated area to charge customers who request recycled paper bags or reusable plastic bags.
- C. Provide an incentive for customers to use reusable bags or bring their own bags by exempting application of the bag charge from those customers who use reusable bags or bring their own bags.

(Ord. No. 1408, § 3, 1-12-2016)

### 5.70.030 - Definitions.

For purposes of this chapter, the following definitions shall apply:

- A. "Compostable" means that (1) all materials in a product, item, or packaging will break down, or otherwise become part of usable compost (e.g., soil-conditioning material, mulch) in a safe and timely manner, as approved in Chapter 5.7 (commencing with Section 42355) of Part 3 of Division 30 of the Public Resources Code and accepted by County contracted collection program(s). (2) item is certified by either BPI Certified, or other third-party product certification recognized by the County, to ensure that the item is free of harmful chemicals, including but not limited to fluorinated chemicals that may have been used in foodware manufacture, and (3) item is made entirely of natural fiber except as otherwise specified in this chapter.
- B. "Customer" means any person obtaining merchandise from retail establishment.
- C. "Designated Business" means (1) any store, shop, sales outlet, tasting room, farmers market, and any other establishments that hold a Type 20 or Type 21 off-sale alcoholic beverage sales license; and (2) any restaurant, grocery store, coffee shop, hotel, motel, bed and breakfast inn, roadside stand, takeout food vendor, caterer, theater, and any other establishment not mentioned above that serves or provides a product to customers and that generate sales or use tax pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law (Part 1.5, commencing with Section 7200, of Division 2 of the Revenue and Taxation Code) unless exempted in this chapter.
- ~~DB.~~ "Director" means the Ddirector of Pplanning, Bbuilding and Eenvironmental Sservices, or his/her/their designee, or county executive officer or its designee.
- ~~EG.~~ "Merchandise" means any consumer goods as that term is defined by California Civil Code section 1791(a), except that "Merchandise" shall also include clothing and

consumables, as those terms are defined by California Civil Code Sections 1791(c) and (d), respectively. ~~"Merchandise" does not include Prepared Food. "Merchandise" includes, but is not limited to, liquor and beer, clothing, electronics and groceries that are not prepared food.~~

F. ~~"Natural Fiber" means plant or animal-based, non-synthetic fiber that is compostable, including but not limited to products made from uncoated paper, sugarcane, bamboo, wheat stems/stalk, hay, and wood, etc.~~

G. ~~"Person" means and includes a natural person or legal entity, and the owners, majority stockholders, corporated officers, trustees, and general partners of a legal entity.~~

D. ~~"Post-consumer recycled material" means a material that would otherwise be destined for solid waste disposal, having completed its intended end-use and product life cycle. Post-consumer recycled material does not include materials and byproducts generated from, and commonly reused within, an original manufacturing and fabrication process.~~

H. ~~"Pre-checkout bag" or "produce bag" means a recyclable or compostable paper bag, or compostable bag made from plant-based biodegradable compostable polymers (e.g., BioBag) provided or sold to a customer to carry produce, bulk food, or other food items to the point of sale inside of a store. Pre-checkout bag shall not include items composed wholly or partially of plastic of any kind, except as exempted in this chapter.~~

I. ~~"Prepared food" means food or beverages which are prepared on the premises by cooking, chopping, slicing, mixing, freezing, or squeezing, and which require no further preparation to be consumed. Prepared food does not include any raw or uncooked meat product, or fruits and vegetables that are intended to be prepared for consumption off site.~~

J. ~~"Public eating establishment" means a restaurant, take-out food establishment, or any other business that receives ninety percent or more of its revenue from the sale of prepared food to be eaten on or off its premises.~~

F. ~~"Prepared food" means food or beverages which are prepared on the premises by cooking, chopping, slicing, mixing, freezing, or squeezing, and which require no further preparation to be consumed. Prepared food does not include any raw or uncooked meat product, or fruits and vegetables that are intended to be prepared for consumption off site.~~

K. ~~"Recyclable" means material accepted by County contracted collection program(s) that can be sorted, cleaned, and reconstituted for the purpose of using the altered form in the manufacturing of a new product.~~

L. ~~"Recycled paper bag" means a paper bag provided by a retail establishment to a customer in accordance with this chapter, at the check stand, cash register, point of sale, or other point of departure for the purpose of transporting merchandise out of the establishment that contains no old growth fiber and a minimum of forty percent post-consumer recycled material; is one hundred percent recyclable; and has printed on the outside of the bag the word "recyclable," the name and location of the manufacturer, and the percentage of post-consumer recycled content.~~

M. ~~"Retail establishment" means any commercial establishment that sells merchandise at retail directly to the customer; and is located within or doing business within the geographical limits of Napa County, that is, the unincorporated area. Retail establishment does not include public eating establishments.~~

N. ~~"Reusable bag" means a bag made of cloth or other machine washable fabric that has handles, and is specifically designed and manufactured for multiple reuse that meets all of the following criteria and any additional requirements established by the State of California:~~

- ~~1. Is at least 2.25 mils (thousandths of an inch thick);~~
- ~~2. Has one or more handles;~~
- ~~3. Has a minimum lifetime capability of 125 or more uses carrying 22 or more pounds over a distance of at least 175 feet;~~
- ~~4. Is at least 15 liters in volume;~~



5. Is machine washable or made from a material that can be cleaned and disinfected;

6. Meets the standards of the California Toxics in Packaging Prevention Act, as amended, or any successor legislation; and

7. Is not made of plastic film, regardless of thickness.-

J. ~~"Reusable plastic bag" means a bag made of durable plastic with handles that is at least 2.25 millimeters thick and is specifically designed and manufactured for multiple reuse.~~

OK. "Single-use plastic ~~carryout~~ bag" means a bag, provided by a retail establishment to a customer at the check stand, cash register, point of sale or other point of departure, for the purpose of transporting merchandise out of the establishment, provided that "single-use plastic ~~carryout~~ bag" specifically excludes: ~~any reusable bag or recycled paper bag and excludes any bag provided to the customer to (1) transport produce, bulk food or meat from a produce, bulk food or meat department within a store to the point of sale; (2) hold prescription medication dispensed from a pharmacy; (3) segregate merchandise that could damage or contaminate other merchandise when placed together in a reusable bag or recycled paper bag; or (4) contain or wrap meat, fish, or frozen foods, whether prepackaged or not.~~

1. Reusable bags;

2. Recyclable paper bags;

3. Compostable paper bags or compostable bags made from plant-based polymers (e.g., BioBag);

4. Customer-provided bags; or

5. Pre-check-out or produce bags.

PL. "Specialty bag or gift bag" means a paper shopping bag made of a minimum one hundred seventy-five grams per square meter paper weight, with a flat bottom, side gussets, reinforced turn top, and ribbon, rope or cord handles. Specialty or gift bags must either be reusable, recyclable, or compostable.

(Ord. No. 1408, § 3, 1-12-2016)

#### **5.70.040 - Single-use plastic ~~carryout~~ bags prohibited.**

A. ~~On and after July 1, 2016, no retail establishment shall provide a single-use plastic carry-out bag to a customer for the purpose of transporting merchandise out of the establishment. No designated business shall provide a single-use plastic bag to a customer except as exempted in this chapter.~~

B. ~~On and after July 1, 2016, no retail establishment shall provide a recycled paper bag or a reusable plastic bag to a customer for the purpose of transporting merchandise out of the establishment unless: (1) the retail establishment charges the customer an amount of ten cents or more per bag, and (2) the amount of the charge for each recycled paper bag or reusable plastic bag is separately itemized on the sales receipt provided by the retail establishment to the customer. Retail establishments that provide a durable bag made of cloth or other machine washable fabric may do so at no charge to their customers at the retail establishment's discretion.~~

C. Retailers shall retain the proceeds from the collection of the charge required by subsection (AB) of Section 5.70.040 for the point-of-sale purchase of a recycled paper bag or reusable plastic bag. This chapter does not restrict how retailers use these monies.

D. Specialty or gift bags are exempt from the requirements of this chapter.

E. ~~Nothing in this chapter shall prohibit customers from using bags of any type that they bring to a retail establishment themselves or from carrying away goods that are not placed in a bag.~~

**5.70.045 – Customer-provided carry-out bags.**

- A. Nothing in this chapter shall prohibit customers from using their own bags or containers of any type for the transport of merchandise from a designated business, including transport of takeout food and restaurant leftovers except as exempted in this chapter.
- B. Designated businesses shall not require a customer to purchase or accept a bag of any kind, including compliant bags, as a condition of sale, with the following exceptions:
  - 1. Designated businesses may refuse, as their sole discretion, any customer-provided bag or container that is cracked, chipped, or corroded, appears inappropriate in size, material, or condition for the intended food item, or that appears to be excessively soiled or unsanitary.

**5.70.046 – Recyclable and compostable bag charge.**

- A. Except as provided in subsection (C) below, no designated business shall provide a reusable, compostable, or recyclable paper bag to a customer for the purpose of transporting merchandise out of the establishment unless:
  - 1. The designated business charges the customer a minimum amount of \$0.25 per bag or other amount set by Resolution of the Board of Supervisors; and
  - 2. The amount of the charge for each recycled paper bag is separately itemized on the sales receipt provided by the establishment to the customer.
- B. Designated businesses may not rebate or otherwise reimburse a customer any portion of the charge required for an allowable bag.
- C. A retail establishment may provide a reusable bag, ~~or a recyclable ed-paper bag,~~ or compostable bags at no cost at the point of sale for the following purposes:
  - 1. To a customer who is participating in the California Special Supplemental Food Program for Women, Infants, and Children pursuant to Article 2 of Chapter 1 of Part 2 of Division 106 of the Health and Safety Code, or a customer who is participating in the Supplemental Food Program pursuant to Chapter 10 of Part 3 of Division 9 of the Welfare and Institutions Code.
  - 2. To transport produce, bulk food or meat from a produce, bulk food or meat department within a store to the point of sale.
  - 3. To hold prescription medication dispensed from a pharmacy.
  - 4. To segregate merchandise that could damage or contaminate other merchandise when placed together in a reusable bag or recycled paper bag.
  - 5. To contain or wrap meat, fish, or frozen foods, whether prepackaged or not; or.
  - 6. To contain food from a public eating establishment.

**5.70.047 – Recyclable/compostable pre-check-out/produce bag.**

- A. Pre-checkout/produce bags provided by a designated business shall be compostable or recyclable as defined in this chapter.
- B. No designated business shall provide a non-compliant pre-checkout bag to a customer except as exempted in this chapter.
- C. The following items or activities are exempted from the provisions set forth in this chapter:
  - 1. Government or charitable food distribution centers, such as food banks that repackage bulk food items in plastic bags for preservation and delivery.

2. When no compliant product is available that protects public health and safety such as the packaging of butchered meats, fish, and/or poultry sold from a butcher counter, butcher case or similar retail appliance.
3. In situations deemed by the CEO to be an emergency and procuring and distributing emergency supplies and services for the immediate preservation of the public health, safety, and welfare.
4. Designated businesses may provide single-use plastic bags for liquid food items, such as soup, drinks, foods with liquid sauces, etc., where there is a clear need to prevent leakage, or when leakage from melting/defrosting frozen item(s) is likely.
5. Nothing in this chapter shall prevent designated businesses from selling bulk plastic bags for food storage, ~~trash,~~ solid waste, pet waste, etc.

#### **5.70.050 – Exemptions (Reserved).**

A retail establishment may provide a reusable bag or a recycled paper bag at no cost at the point of sale for the following purposes:

- A. ~~\_\_\_\_\_ To a customer who is participating in the California Special Supplemental Food Program for Women, Infants, and Children pursuant to Article 2 of Chapter 1 of Part 2 of Division 106 of the Health and Safety Code, or a customer who is participating in the Supplemental Food Program pursuant to Chapter 10 of Part 3 of Division 9 of the Welfare and Institutions Code.~~
- B. ~~\_\_\_\_\_ To transport produce, bulk food or meat from a produce, bulk food or meat department within a store to the point of sale.~~
- C. ~~\_\_\_\_\_ To hold prescription medication dispensed from a pharmacy.~~
- D. ~~\_\_\_\_\_ To segregate merchandise that could damage or contaminate other merchandise when placed together in a reusable bag or recycled paper bag.~~
- E. ~~\_\_\_\_\_ To contain or wrap meat, fish, or frozen foods, whether prepackaged or not.~~
- F. ~~\_\_\_\_\_ To contain food from a public eating establishment.~~

~~(Ord. No. 1408, § 3, 1-12-2016)~~

#### **5.70.060 – Administration, Enforcement, and Penalties**

The director shall have primary responsibility for enforcement of this chapter. The director is authorized to ~~make all necessary and reasonable rules and~~ establish regulations ~~and to take any and all action reasonable and necessary to obtain compliance including, but not limited to, inspecting the premises of any designated business to verify compliance with respect to the enforcement of this chapter. All such rules and regulations shall be consistent with the provisions of this chapter.~~

It is a violation of this code, subject to punishment and prosecution pursuant to chapters 1.24 and 1.28 of this code, for any retail establishment to violate or fail to comply with any provision of this chapter.

(Ord. No. 1408, § 3, 1-12-2016)

## **Chapter 5.80 - REUSABLE FOODWARE AND WASTE REDUCTION**

### **5.80.010- Purpose**

It is the intent of Napa County in enacting this Chapter to eliminate the use of polystyrene foodware and single use plastic foodware items and to require the use of reusable, or compostable, food containers by food providers and customers in the unincorporated area. Additionally, it is the intent of this Chapter to comply with the requirements of Chapter 5.2 of the California Public Resources Code and to require single use foodware accessories and condiments packaged for single use to be provided only if requested by a consumer.

### **5.80.020 - Definitions**

For purposes of this chapter, the terms in this section shall have the following meaning:

- A. "Bottled Beverage" means drinking water, sparkling water, enhanced water, soda, sports drinks, juice, or other similar product in a plastic bottle having capacity of twenty-one fluid ounces or less, and intended primarily as a single-service container.
- B. "BPI Certified" means those compostable fiber foodware products that have been certified by the Biodegradable Products Institute (BPI) to safely and readily biodegrade at an industrial composting facility in the typical processing time. As of January 1, 2020, BPI ensures all certified projects are fluorinated chemical free.
- C. "Compostable" means that (1) all materials in a product, item, or packaging will break down, or otherwise become part of usable compost (e.g., soil-conditioning material, mulch) in a safe and timely manner, as approved in Chapter 5.7 (commencing with Section 42355) of Part 3 of Division 30 of the Public Resources Code and accepted by County contracted collection program(s), (2) item is certified by either BPI Certified, or other third-party product certification recognized by the County, to ensure that the item is free of harmful chemicals, including but not limited to fluorinated chemicals that may have been used in Foodware manufacture, and (3) item is made entirely of Natural Fiber as defined in this chapter.
- D. "County" means the ~~County of~~ Napa County.
- E. "County Contracted Collection Program(s)" means person, business, or entity contracted by the County to collect, process, recycle, compost, and/or dispose of waste.
- F. "County Executive Officer (CEO)" means the CEO of Napa County or their designee.
- G. "County Facilities" means any building, structure, or vehicle owned or operated by the County, its agencies and departments, and the integrated waste franchisees that are located or operated within the County or by County contracted collection program(s).
- H. ~~County~~ "Customer" means any person obtaining prepared food from a food provider for on or off-site consumption.
- I. "Director" means means the director of planning, building and environmental services or their designee.
- J. "Disposable" means designed to be discarded after a single or limited number of uses and not designed or manufactured for long-term multiple reuse.
- K. "Disposable Cup" or "Non-Reusable Cup" means a beverage cup designed for single use to serve beverages, such as water, cold drinks, hot drinks, and alcoholic beverages.
- L. "Event Promoter" means an applicant for any special or temporary event permit issued by the County pursuant to Napa County Code Chapters 5.36 and 10.24.
- M. "Food Provider" means any food vendor or food service establishment.
- N. "Food Service Establishment" means any store, shop, sales outlet, restaurant, or other establishments, other than a restaurant, including but not limited to a grocery store.

delicatessen, bakery, vehicle or mobile unit-based vendor, drive-in, drive-thru, coffee shop, cafeteria, short-order café, luncheonette, grill, sandwich shop, hotel, movie house, theater, bed and breakfast inn, tavern, bar, cocktail lounge, tasting room, nightclub, roadside stand, takeout food place, industrial feeding establishment, catering kitchen, commissary, special event, food market, farmers market, produce stand, food stand, or similar place in which food or drink is prepared for sale, or for service on the premises or elsewhere, and any other establishment or operation where food is processed, prepared, stored, served, or provided to customers and that generates sales or use tax pursuant to the Bradley-Burns Uniform Local Sales and Use Tax (Part 1.5, commencing with Section 7200, of Division 2 of the California Revenue and Taxation Code).

- O. "Food Vendor" means any restaurant, vendor, business, non-profit, organization, entity, group, or person that provides prepared food for retail, including a food service establishment. Food vendor includes all operations that carry a food permit from the Napa County Planning, Building, and Environmental Services (PBES) Department.
- P. "Foodware" means all containers, coolers, bowls, plates, trays, cartons, cups, lids, straws, stirrers, utensils (forks, spoons, sporks, knives, chopsticks, etc.), napkins, condiment cups and packets, cocktail picks, toothpicks (and the packaging that these individual items are wrapped in, if any), cup sleeves, tops, and spill plugs. The term "Foodware" includes "Foodware Accessories."
- Q. "Foodware Accessory" means disposable foodware items often provided with prepared food, including but not limited to knives, forks, spoons, sporks, chopsticks, napkins, cup sleeves, food wrappers, beverage trays, condiment containers, straws, stirrers, splash sticks, cocktail sticks, toothpicks, tray-liners, and plate-liners.
- R. "Natural Fiber" means plant or animal-based, non-synthetic fiber that is compostable, including but not limited to products made from uncoated paper, sugarcane, bamboo, wheat stems/stalk, hay, wood, etc.
- S. "Off-Premises" means customers do not consume food or beverages on the property of a food provider but are purchased to be consumed elsewhere (e.g., takeout, carry-away, left-overs, etc.).
- T. "On-Premises" means customers consume food or beverages on the property of a food provider, or are served at outdoor seating by food provider staff.
- U. "On Request" means at the request of a customer.
- V. "PBES" means the Napa County Planning, Building, and Environmental Services Department.
- W. "Person" means and includes a natural person or legal entity, and the owners, majority stockholders, corporate officers, trustees, and general partners of a legal entity.
- X. "Plastic Bottle" means a plastic container that has a neck that is smaller than the body of the container, accepts a screw-type, snap cap, or other closure, and has a capacity of twenty-one fluid ounces or more, but less than five gallons, intended primarily as a single-service container.
- Y. "Polystyrene" means a thermoplastic material utilizing a styrene monomer and processed by various techniques such as fusion of polymer spheres ("expandable bead polystyrene"), injection molding, form molding, and extrusion blow molding ("extruded foam polystyrene"), blown polystyrene and expanded and extruded foams (sometimes incorrectly called Styrofoam, a trademarked form of polystyrene foam insulation). Polystyrene is generally used to make cups, bowls, trays, clamshell containers, meat trays, egg cartons, and coolers.
- Z. "Prepared Food" means food or beverages that undergo a cooking, assembly, or food preparation technique for consumption on-premises or off-premises of a food establishment. Prepared food shall not include raw, butchered meats, fish, and/or poultry sold from a butcher counter, a butcher case or similar retail appliance.



- AA. “Recyclable” means material accepted by County contracted collection program(s) that can be sorted, cleaned, and reconstituted for the purpose of using the altered form in the manufacturing of a new product.
- BB. “Reusable Foodware” means all foodware specifically designed and manufactured to be washed and sanitized and to be used repeatedly over an extended period of time and is safe for washing and sanitizing according to applicable regulations.
- CC. “Store” means any of the following retail establishments located within the geographical limits of the unincorporated area within the County that meets the following requirements:
1. “Supermarket” means a full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000) or more, and which sells a line of dry grocery, canned goods, or nonfood items, and some perishable items.
  2. “Retail Store” means a store with retail space that generates sales or use tax pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law (part 1.5, commencing with Section 7200, of Division 2 of the Revenue and Taxation Code).
  3. “Convenience Food Store” means any entity engaged in the retail sale of a limited line of goods that includes milk, bread, sodas, and snack foods including those Stores with a Type 20 or 21 licenses issued by the California Department of Alcoholic Beverage Control.
- DD. “Takeout Food” means food or beverages requiring no further preparation to be consumed and which generally are purchased to be consumed off the premises of the retail food vendor.
- EE. “Vendor” means any store or business which sells or offers for sale goods or merchandise, located or operating within the County, including “food providers.”

#### **5.80.30 - Foodware Standards**

##### **A. On-Premises**

1. Food providers, providing food and beverages consumed on-premises shall provide reusable foodware, except as exempted in this chapter.
2. Food providers shall offer condiments in reusable containers or dispensers rather than pre-packaged, single-use condiment packets for condiments consumed on-premises and for self-service stations, except as exempted in this chapter.
3. Nothing in this section shall prohibit customers from bringing their own reusable foodware.
3. Notwithstanding the above requirements, a food provider may request a waiver of the requirement to provide reusable foodware for on-premises dining. The waiver must be approved by the Director. To obtain a waiver, the food provider must submit an application to the PBES and provide evidence which demonstrates that:
  - a. The premises lack on-site or off-site dishwashing capacity and the food provider is unable to contract for services to wash/sanitize reusable foodware for one or more of the following reasons:
    - i. Insurmountable space constraints or lack of utilities to install on-site dishwashing capacity;
    - ii. Insurmountable space constraint or inability to store reusables on-site;
    - iii. Lack of staff available to wash reusables;
    - iv. Other financial hardship; or
    - v. Other extraordinary insurmountable circumstances.

**B. Off-Premises**

1. Food providers shall provide reusable foodware or disposable foodware which are compostable, for food and beverages consumed off-premises, except as exempted in this chapter.
2. Food providers for delivery, takeout, or curbside pickup shall provide disposable foodware accessories, which are compostable, and single-use condiments only on request or at self-serve stations for food and beverages consumed off-premises. A food provider for delivery service may include lids, spill plugs, and sleeves without request for disposable/non-reusable cups as necessary for safe transport.
3. Food providers shall provide convenient opportunities for customers to affirmatively request foodware accessories across all ordering/point of sale platforms, including but not limited to web, smartphone, and/or other digital platforms, telephone, and in-person.
4. Food providers shall only provide food bags that are paper or compostable except as exempted in this chapter.
5. Food providers may use single-use plastic bags only for liquid food items, such as soup, drinks, foods with liquid sauces, etc., where there is a clear need to prevent leakage, or when leakage from melting/defrosting frozen item(s) is likely.
6. Food providers shall permit use of customer-provided bags for takeout orders except as exempted in this chapter.
7. For takeout food orders, food providers may, at their sole discretion, deny use of any customer-provided bag or container that is cracked, chipped, or corroded, appears inappropriate in size, material, or condition for the intended food item, or that appears to be excessively soiled or unsanitary.
8. Food providers shall provide plastic straws upon customer request only as required to accommodate persons with medical or other special or access needs.

**C. Customer-provided reusable cups and other foodware**

- 1 Customers are encouraged to use their own reusable cups for takeout drinks.
- 2 At their discretion, food providers may offer a discount to customers who bring a reusable cup or other foodware for off-premises consumption in accordance with the California Retail Food Code Section 114121(a).

**D. Polystyrene disposable foodware – prohibited use and sale.**

1. Food providers are prohibited from providing prepared food to customers in polystyrene foodware, except as exempted in this chapter.
2. Polystyrene foodware, shall not be sold, used, or provided by any vendor or event promoter in the County, except containers that are wholly encapsulated or encased within a more durable material, such as polystyrene-insulated reusable coolers, except as exempted in this chapter (e.g., Styrofoam cups, Styrofoam coolers, etc.).

**5.80.040 – Separate Waste Receptacles Required**

- A. All food vendors who provide solid waste containers for customer use must provide separate receptacles for solid waste, recyclables, and organics. Receptacles shall be colored black or grey for garbage, solid waste, blue for recycling, and green for compost/organics. Receptacles shall be provided in both the customer and kitchen/clean-up areas.
- B. To the extent possible given space constraints, all receptacles for solid waste, recyclables, and organics shall be placed adjacent to one another.

- C. Graphic-rich signage must be posted on or above each receptacle following the waste and recycling hauler's guidelines.

#### **5.80.050 – Disposable Foodware Charges**

- A. Food providers shall charge customers twenty-five cents (\$0.25) for each disposable cup and each disposable take-out container provided. Food providers shall charge customers twenty-five cents (\$0.25) per order for all other disposable foodware provided. The maximum charge per order for all disposable foodware shall be one dollar (\$1.00). These charges are required even if the products provided are compostable.
1. Income from the disposable foodware charge shall be retained by the food provider. This chapter does not restrict how food providers use these monies.
  2. All customers demonstrating, at the point of sale, a payment card or voucher issued by the California Special Supplemental Food Program for Women, Infants, and Children (WIC) pursuant to Article 2 (commencing with Section 123275) of Chapter 1 of Part 2 of Division 106 of the California Health and Safety Code and as amended, or an electronic benefit transfer card (EBT) issued pursuant to Section 10072 of the California Welfare and Institutions Code, shall be exempt from the disposable foodware charge.
  3. Charges for disposable foodware shall be identified separately on any receipt provided and shall be clearly identified for the customer on media such as menus, on-line ordering platforms, and/or on-premises signs; and verbally disclosed to customers ordering by phone.
  4. The disposable food charge shall not apply to pizza boxes.
  5. The disposable food charge shall not apply to Mobile Food Facilities or Temporary Food Facilities as defined by CA Health and Safety Code Sections 113831 and 113930 and as amended.
- B. Food providers shall provide a minimum twenty-five cent (\$0.25) discount for customers who bring their own reusable foodware for take-out food. Food providers may provide a larger discount at their own discretion.

#### **5.80.60 - Record keeping and inspection**

- A. Food providers shall keep complete and accurate records or documents of the below items:
1. Commencing on the effective date of this Ordinance, food providers shall keep complete and accurate records or documents of the purchase of the acceptable disposable foodware evidencing compliance with this chapter for a minimum period of three (3) years from the date of purchase.
  2. The records shall be made available for inspection at no cost to the County Enforcement officials or representatives designated by the County during regular business hours. Unless an alternative location or method of review is mutually agreed upon, the records or documents shall be made available at the food providers' address.
  3. The provision of false or incomplete information, records, or documents to the County Enforcement officials or representatives designated by the County shall be a violation of this chapter.
- B. County Enforcement officials or representatives designated by the County are authorized to conduct inspections and investigations of foodware usage in any portion of the food providers' premises to confirm compliance with this chapter by food providers.



subject to applicable laws. Such inspections and investigations may include confirmation of proper foodware usage or other requirements of this chapter described herein.

1. Any records obtained by the County and/or its designee during its inspections and other reviews shall be subject to the requirements and applicable disclosure exemptions of the Public Records Act as set forth in Government Code Section 6250 et seq.

#### **5.80.70 – Sale and Distribution of Disposable Plastic Bottled Beverages on County Property**

- A. The County shall not enter into any new leases, contracts, or other forms of agreement, or issue any new permits, bid proposals, or solicitations; or renew, amend or reissue any existing leases, contracts, agreements or permits, which allow County property to be used for the sale or distribution of plastic bottled beverages. Nothing in this chapter shall be construed to impair a lease, contract, permit, bid proposal, solicitation, or other form of agreement to which the County is a party on the effective date of the Ordinance codifying this chapter.
- B. Where containers greater than twenty-one ounces in size are used on County property, compostable or reusable cups shall be used to serve beverages.
- C. The provisions of this section shall not apply where there are hydration requirements for employees working outside (e.g., fieldwork) and no reasonable alternative to plastic beverage bottles will serve the same purpose.

#### **5.80.80 - Exemptions**

- A. The following items or activities are exempt from the disposable foodware provisions set forth in this chapter:
  1. Disposable foodware composed entirely of aluminum or glass and is recyclable.
  2. Pre-packaged food that arrives at the premises of the food service establishment in a container or wrapper and is not removed from the container or wrapper before its sale or distribution.
  3. Repackaging of bulk food items in plastic bags for preservation and delivery purposes by government or charitable food distribution centers, such as food banks.
  4. Where suitable, compostable foodware products that comply with the provisions of this chapter are unavailable, as in the examples provided. Vendors shall use recyclable products if available.
  5. When needed to comply with State or County health code regulations, such as regulations requiring specified temperature be maintained for hot-table display; and when no compostable product is available that protects public health and safety such as the packaging of butchered meats, fish, and/or poultry sold from a butcher case or similar retail appliance; and when the use of compostable products would be inappropriate for deli or grocery items such as sushi, salads, and cakes, requiring display packaging. Recyclable products shall be utilized unless no such product is available.
  6. Bulk disposable foodware items sold by vendors, excluding bulk disposable foodware products made of polystyrene.
- B. The following items or activities are exempt from the polystyrene prohibitions set forth in this chapter:

1. Pre-packaged food that arrives at the premises of the food provider in a container or wrapper and is not removed from the container or wrapper before its sale or distribution (e.g., ramen noodles in a polystyrene cup or pre-packaged meat in polystyrene trays sold at a grocery store).
  2. Polystyrene used at County facilities, by County franchisees, contractors, and any vendors doing business with the County in situations deemed by the CEO or their designee to be an emergency and procuring and distributing emergency supplies and services for the immediate preservation of the public health, safety, and welfare.
  3. Medical supplies and services.
  4. Products made from polystyrene that are wholly encapsulated or encased by more durable material. Examples include surfboards, boats, life preservers, craft supplies, coolers, and ice chests which are wholly encapsulated or encased by more durable material.
  5. Construction products made from polystyrene if the products are used in compliance with the County Code concerned with stormwater management and used in a manner that prevents the polystyrene from being released into the environment.
- C. The provisions set forth in this chapter shall not apply during periods of declared emergencies (i.e., fire, earthquake, flood, etc.).
- D. The provisions set forth in this chapter do not apply to an event for which the event organizer submitted a complete application or agreement for review, or received approval, prior to the effective date of this Ordinance.

#### **5.80.90 - Administration, enforcement, and penalties**

- A. The director shall have primary responsibility for enforcement of this chapter. The director is authorized to establish regulations and to take any and all action reasonable and necessary to obtain compliance including, but not limited to, inspecting the premises of any food provider to verify compliance.
- B. Any person who violates any provision of this chapter shall be considered guilty of an infraction for each offense and subject to those penalties as established by Resolution of the Board of Supervisors.
- C. In addition to any other remedy available, any violation of this chapter by any person is subject to the following administrative fines pursuant to California Government Code Section 53069.4, and Chapter 1.20 of this code in the amount not exceeding \$100.00 for a first violation; a fine not exceeding \$200.00 for a second violation of the same code section within one year; or a fine not exceeding \$500.00 for each additional violation of the same code section within one year.
- D. The County of Napa may seek legal, injunctive, or other equitable relief to enforce this chapter.
- E. The remedies and penalties provided in this chapter are cumulative and not exhaustive, and nothing set forth in this chapter shall preclude the County from pursuing any other remedy provided by law.

# FREQUENTLY ASKED QUESTIONS

## SINGLE USE PLASTIC BAG REDUCTION ORDINANCE

### **Isn't this law already in effect?**

Yes, but staff is proposing changes to reflect new State requirements.

### **Do customers have to pay for compostable or recyclable bags?**

Yes. State law and this ordinance requires businesses to charge 25 cents per bag. Businesses can provide free reusable, compostable, or recyclable bags only for:

- Things bought as part of the Women, Infants, and Children (WICC) program, or the Commodity Supplemental Food Program;
- Carrying fruits and vegetables, bulk food, or meat within the store to the register;
- Prescription medicine from a pharmacy;
- Keeping things apart that could harm other items if placed in the same compostable or recyclable bag;
- Meat, fish, or frozen foods; or
- Food from a public eating establishment.

### **Can customers use their own bags at a business?**

Yes. Customers can use their own bags or containers to carry things from a business, including take-out food and restaurant leftovers. Customers may have to buy a recyclable or compostable bag if they bring a bag or container that is cracked, chipped, decayed; the wrong size or made out of the wrong material; or looks dirty or unhealthy.

### **What about fruit and vegetable bags?**

All produce and other pre-checkout bags must be compostable or recyclable, with the following exemptions:

- Government or charity programs, such as food banks, that pack bulk food items in plastic bags;
- Meats, fish, and/or poultry sold from a butcher counter;
- Supplies and services bought and delivered by the County during an emergency declared by the County Executive Officer;
- Liquids, such as soup, drinks, and foods with sauces that are not pre-packaged, or frozen food that can melt; or
- Bulk plastic bags sold for food storage, solid waste, pet waste, etc.

### **Who will enforce the proposed regulations?**

This is a model ordinance that has been developed by the Napa County Climate Action Committee, an advisory body that includes elected representatives of all six local jurisdictions (County of Napa, City of Napa, City of American Canyon, City of Calistoga, City of St. Helena and Town of Yountville). The model ordinance will be forwarded for future consideration by each jurisdiction. The City/Town Councils and County Board of Supervisors can each adopt, modify, or reject the draft ordinance based on their discretion. Those jurisdictions that adopt the draft ordinance, or an amended version, will be responsible for implementing their individual requirements.

## **REUSABLE FOOD WARE AND WASTE REDUCTION ORDINANCE**

### **What is the purpose of this new law?**

Requiring food sellers to use reusable or compostable food ware will reduce the amount of solid waste going into local landfills, and will help reduce green house gas emissions and the effects of climate change.

### **What food ware items are affected?**

Food ware includes all containers, coolers, bowls, plates, trays, cartons, cups, lids, straws, stirrers, utensils, napkins, condiment containers, toothpicks and packaging, cup sleeves, tops, spill plugs, food wrappers, splash sticks, cocktail sticks, tray-liners, and plate liners.

### **Who has to comply?**

These requirements only apply where prepared food is sold and only where the local City/Town Council or Board of Supervisors has adopted an ordinance. Where an ordinance has been adopted, the new rules apply to any store, shop, restaurant, grocery store, delicatessen, bakery, food truck, drive-in, drive-thru, coffee shop, cafeteria, café, luncheonette, grill, sandwich shop, hotel, movie house, theater, bed and breakfast, tavern, bar, cocktail lounge, tasting room, nightclub, roadside stand, takeout food, catering kitchen, commissary, special event, food market, farmers market, produce stand, food stand, or similar place where food is processed, prepared, stored, served, or provided to customers and which pays sales or use tax.

### **Do all businesses where people sit down to eat have to provide reusable food ware?**

Yes. Those businesses that are unable to provide reusable food ware may apply to the City/Town or County for a waiver. Businesses receiving a waiver must still use compostable food ware.

### **How much time will a business have to comply with the new requirements?**

The amount of time provided for businesses to comply may be decided by each jurisdiction and will likely vary. As an example, in the City of Calistoga the ordinance didn't become effective until a year after it was adopted. The City of Truckee's ordinance went into effect 14 months after it was adopted.

### **Will there be any education and outreach to businesses and the public to make them aware of the new requirements?**

Yes, although education and outreach efforts may vary by jurisdiction (i.e. County of Napa, City of Napa, City of American Canyon, City of Calistoga, City of St. Helena and Town of Yountville). For the draft ordinance, these Frequently Asked Questions is one part of increasing awareness and providing information. These FAQs are also being translated in Spanish and will be posted on-line. In addition, food providers in the unincorporated area have been notified of the draft ordinance and presentations are being made at Chambers of Commerce. Waste and recycling haulers, environmental health staff, and others will also be helping to get information out about this new program once it is adopted.

### **What does recyclable or compostable mean?**

Recyclable means that the food ware can be collected by local trash haulers and treated and processed into something else. Compostable means that the item is:

- Accepted by County contracted recycling and waste haulers; and
- Made of organic materials that will break down or can be made into mulch compost in a safe and timely manner; and
- Approved by the Biodegradable Products Institute, or other group recognized by the County, and is free of harmful chemicals; and

- Made of natural fiber, meaning plant or animal materials, including coated paper, sugar cane, bamboo, wheat stems/stalk, hay, and wood.

### **Do customers have to pay for disposable food ware?**

Yes. This ordinance requires businesses to charge 25 cents per cup or container bag, not to exceed \$1 per order. This charge does not apply to:

- Things bought as part of the Women, Infants, and Children (WICC) program, or the Commodity Supplemental Food Program;
- Pizza boxes; and
- Food trucks or temporary food facilities such as tents.

Customers who bring their own reusable food ware may receive a discount of at least 25 cents.

### **What food ware is exempt?**

- Food ware made of recyclable aluminum or glass.
- Containers of pre-packaged food, where the food is not removed from the container before sale;
- Food ware used in government or charity programs, such as food banks, that pack bulk food items in plastic bags;
- Recyclable items shall be used when compostable food ware products are unavailable;
- Recyclable items shall be used to comply with State or County health code regulations, such as hot-table display; or packaging meats, fish, and/or poultry sold from a butcher case; and when compostable products would not allow deli or grocery items to be visible (such as sushi, salads, and cakes).
- Disposable food ware items sold in bulk by vendors.

### **What polystyrene (Styrofoam) products are allowed?**

All polystyrene products are prohibited except for the following:

- Pre-packaged food that is not removed from the container before sale, such as ramen noodles in a cup or meat in trays sold at a grocery store.
- Supplies and services bought and delivered by the County during an emergency declared by the County Executive Officer;
- Medical supplies and services.
- Products wrapped in a stronger cover, such as surfboards, boats, life preservers, craft supplies, coolers, and ice chests.
- Construction products that comply with the County Code and used in controlling storm water without getting into the environment.

### **Does local government also have to follow the new law?**

Yes, where this ordinance has been adopted by the local City/Town Council or Board of Supervisors, they would also be required to provide reusable or compostable food ware and ban most uses of polystyrene. In addition, local government would ban the purchase, sale, and/or distribution of all drinks in plastic bottles of 21 ounces or less at government properties or buildings.

### **Who will enforce the new law?**

This is a model ordinance that has been developed by the Napa County Climate Action Committee, an advisory body that includes elected representatives of all six local jurisdictions (County of Napa, City of Napa, City of American Canyon, City of Calistoga, City of St. Helena and Town of Yountville). The model ordinance will be forwarded for future consideration by each jurisdiction. The City/Town Councils and County Board of Supervisors can each adopt, modify, or reject the draft ordinance based on their discretion. Those jurisdictions that adopt the draft ordinance, or an amended version, will be responsible for implementing their individual requirements.

**What records do food sellers need to keep?**

Food sellers must keep complete and correct records for three years, whenever they buy recyclable or compostable food ware. Records can be inspected by County staff during regular business hours. All records may be subject to the Public Records Act. Providing false or incomplete records is a violation.

**What is the penalty for a violation?**

Food sellers can be fined for each separate violation. Violators can be fined up to \$100 for the first violation; up to \$200 for a second violation within one year; or up to \$500 for each additional violation of the same code section within one year. The County can take other enforcement actions in addition to fines.

## Support for foodware ordinance

Millie Pease <millie.jane.pease@gmail.com>

Wed 3/20/2024 9:57 AM

To:MeetingClerk <MeetingClerk@countyofnapa.org>

[External Email - Use Caution]

I believe the citizens of Napa County are more than ready for the changes which will reduce waste. As a member of the Calistoga Green Committee, I remember how three years ago it was so easy to get signatures on a letter of support for Calistoga's foodware ordinance. In less than two months, we gathered over 550 signatures. People want to waste less and have you, our elected representatives, mandate that we all get on board.

Thank you for your commitment!

Millie Pease

1915 West Myrtle Street

Calistoga, CA 94515



## Public Comment-Climate Action Committee-Foodware-3/22/24

Bob Figoni <bobfigoni1@gmail.com>

Wed 3/20/2024 11:01 AM

To: MeetingClerk <MeetingClerk@countyofnapa.org>; Morrison, David <David.Morrison@countyofnapa.org>; Bordona, Brian <Brian.Bordona@countyofnapa.org>

[External Email - Use Caution]

### PUBLIC COMMENT—Climate Action Committee—Foodware Ordinance, Second Draft—3/22/24

My name is Bob Figoni. I am with Napa Climate NOW! Last month I spoke to you about all the ways I think the foodware ordinance should be made stronger. I spoke about requiring reusable foodware only for dining in, charges for disposable foodware and discounts for customer provided foodware, and banning plastic beverage bottles on government property and at public sponsored events. I was happy to see all these things included in the draft before you today.

It is my strong opinion that all aspects of the current draft be included in what the CAC recommends to jurisdictions in Napa Valley. Hopefully, you will present it as a *recommendation to include all components* in order to make local ordinances as effective as possible against the evils of disposable foodware, and *not presented solely as a buffet of ideas* for jurisdictions to choose or not choose.

Napa Climate NOW! suggests the following changes to the existing language to make the ordinance more airtight and consistent.

- 1) 5.80.30.A.4. Dishwashing Capacity. There is no requirement for new businesses or updated permits to comply with this provision. Waivers should be issued only for businesses that already have permits or business licenses. Any business requiring a new or updated permit should be required to have reusable on-site with dishwashing capacity included. Also, there is no time limit on the waiver. (Suggest 1 year, then review.)
- 2) 5.80.30.B.2. Off-Premises. Allows self-serve stations to provide reusable or compostable accessories. We suggest that self-serve stations be required to provide only reusable/refillable foodware accessories at self-serve stations, and reusable or single use compostable by-request only.
- 3) 5.80.30.B.5. Off-Premises. Provides for the use of “single-use plastic bags for liquid food items, such as soup, drinks, foods with liquid sauces, etc., where there is a clear need to prevent leakage, or when leakage from melting/defrosting frozen item(s) is likely.” We suggest removing this subsection, as foods like soups, drinks and sauces are in sealed containers and leakage is rare. Additionally, the term “clear need” is subject to broad interpretation, and amounts to a loophole, only weakening the ordinance.
- 4) 5.80.30.C.1. Add “and other foodware” to the sentence encouraging customers to bring their own cups. All foodware has environmental and financial impact.
- 5) 5.80.30.C.2. Customer-provided Reusable Cups and Other Foodware. Allows businesses *discretion* in providing discounts for customer-provided foodware. This section should be removed because it conflicts with the same discount being *required* in 5.80.50.B.



6) 5.80.40. Separate Waste Receptacles Required. This section can be removed entirely. It is already required under AB 827. Also, this need not be required for restaurants not doing take-out.

7) 5.80.50.A.5. Disposable Foodware Charges. Exempts mobile businesses from the requirement that customers be charged for disposable foodware. This creates an uneven playing field for businesses. Since mobile businesses must obtain a business license, they should be subject to the same requirements as other businesses.

8) 5.80.70. Sale and Distribution of Disposable Plastic Bottled Beverages on County Property. As written, this section applies to contracted or permitted events only. It should include events sponsored by the jurisdiction itself, and general purchasing practices of the jurisdiction. We suggest using the more comprehensive language below from the Napa Climate NOW! Reusable Foodware and Waste Reduction Ordinance.

--NAPA CLIMATE NOW! REUSABLE FOODWARE AND WASTE REDUCTION ORDINANCE--

**SALE AND DISTRIBUTION OF DISPOSABLE PLASTIC BOTTLED BEVERAGES ON CITY PROPERTY**

- a. *No person may sell or distribute plastic Bottled Beverages at any activity for which the City has issued a permit allowing the activity to be held in or on City Property.*
- b. *In the event that containers greater than twenty-one ounces in size are utilized, disposable containers (e.g., disposable cups) may be used in the serving of beverages but must conform to the requirements pursuant to Section C. Foodware Waste Reduction.*
- c. *The City shall not enter into any new leases, contracts, or other forms of agreement, or issue any new permits, bid proposals, or solicitations; or renew, amend or reissue any existing leases, contracts, agreements or permits, which allow City Property to be used for the sale or distribution of plastic Bottled Beverages.*
- d. *City funds shall not be used to purchase plastic Bottled Beverages except as exempted or allowed under Article D. Plastic Bottle Reduction. The City's purchasing policies shall be amended for consistency with this Article.*
- e. *It shall be City policy not to have drinking water systems (i.e., vending machines) in city offices and facilities that use plastic Bottled Beverages of any size where sufficient alternatives exist and are feasible. City offices and facilities shall conform drinking water systems to this policy where reasonable.*
- f. *It shall be City policy to increase the availability of drinking water for public consumption in public areas by ensuring access to drinking fountains, potable water hook-ups, and with particular emphasis on providing water bottle filling stations. City departments will take all reasonable and appropriate steps to promote and facilitate achievement of the intent and requirements of this Article.*
- g. *It shall be a City goal to encourage the inclusion of water bottle filling stations for public use in privately owned developments.*

## Comment on CAC Agenda Item 5C: Draft Foodware Ordinance

Lori Stelling <lori.stelling@me.com>

Thu 3/21/2024 4:03 PM

To: MeetingClerk <MeetingClerk@countyofnapa.org>

Cc: Morrison, David <David.Morrison@countyofnapa.org>

[External Email - Use Caution]

Dear Climate Action Committee Members,

I am taking a moment to write this afternoon to thank you for the modifications made to the Draft Foodware Ordinance and to encourage you to support it.

I was deeply happy to see the inclusion of reusable-foodware-only for dining in, charges for disposables, discounts for bring-your-own utensils, and the end to the use of single use plastic bottles at government sponsored events.

When these policy changes are approved and implemented at the city, town, and county level, Napa Valley will be doing a better job of practicing what we preach about doing our part to meet the climate emergency by decreasing green house gas emissions through decreasing plastics pollution in our valley. Our youth are watching and, I believe, this type of real policy change has the potential to give them hope in the possibility that there are adults and community leaders who are on their side and will fight for their chance at a livable future.

Thank you for your time and efforts to address climate change by encouraging climate-wise policy changes on behalf of our youth, your community, and the planet.

Sincerely,

Lori Stelling

Napa Resident - 25 years



# Napa County

## Board Agenda Letter

1195 THIRD STREET  
SUITE 310  
NAPA, CA 94559  
www.countyofnapa.org  
Main: (707) 253-4580

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Climate Action Committee

**Agenda Date:** 3/22/2024

**File ID #:** 24-476

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**TO:** Napa County Climate Action Committee  
**FROM:** David Morrison, Special Projects Director  
**REPORT BY:** Ryan Melendez, Planner II, Sustainability  
**SUBJECT:** Presentation on the 2024 BayREN Programs

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### **RECOMMENDATION**

**PRESENTATION:** Staff requests that the Climate Action Committee receive a presentation from staff on the Bay Area Regional Energy Network (BayREN) programs.

### **BACKGROUND AND DISCUSSION**

The Bay Area Regional Energy Network (BayREN) is a coalition of the nine counties in the San Francisco Bay Area and the Association of Bay Area Governments (ABAG)/Metropolitan Transportation Commission (MTC). Ryan Melendez is the BayREN representative for Napa County and works to implement programs and engage with community members on BayREN program participation. BayREN is administered by ABAG/MTC and receives funding from the California Public Utilities Commission (CPUC) to administer, market, and implement electrification, energy efficiency, and related programs. The CPUC categorizes programs into four customer market segments: Equity, Market Support, Cross Cutting, and Evaluation, Measurement, and Verification (EM&V). The ten programs being presented for this meeting will fall into the first three categories. BayREN has secured over \$171 million for the next four-year period, and over 60% of that budget will be allocated to enhance equity initiatives for underserved residents and businesses.

The ten programs that BayREN is offering in 2024 are: Single Family, Multifamily, Green Labeling, Commercial, Refrigerant Replacement, Integrated Energy Services, Targeted Decarbonization Services, Codes & Standards, Water Upgrades \$ave, and Workforce, Education & Training. While these ten programs serve different customers, the overall goal of BayREN and its programs is to promote energy, water, and greenhouse gas reduction for residential, small business, and local government buildings.

#### **Single Family Home+:**

This program aims to serve hard-to-reach or underserved households to promote resilience, health, comfort, safety, affordability, and/or energy savings. The program is currently structured as a rebate program where residents can work with participating contractors to qualify for rebates on home electrification or energy efficiency upgrades such as weatherization (window/attic/crawlspace air sealing), wall and attic insulation, and

replacing gas equipment with induction cooking, heat pump HVAC systems, heat pump water heaters, heat pump clothes dryers and more. \*Note: the Home+ program serves housing with up to four (4) units.

**Green Labeling:**

This program oversees the Home Energy Score (HES) offering. A US Department of Energy program that provides residents with insights into their home's energy usage and energy efficiency potential prior to undertaking home upgrade projects. This Home Energy Score report gives an overall score from 1 to 10 on the current state of a home based on appliances and equipment, windows, air sealing gaps that cause drafts, presence of insulation, and more. The report also provides suggested actions to take to improve the energy use or energy efficiency of a home, which can support the clarity of residents' decisions on which upgrades to prioritize.

**Bay Area Multifamily Building Enhancements (BAMBE):**

The BAMBE program seeks to remove obstacles for improving multifamily buildings, promoting energy savings and enhancing residents' well-being. The program offers no-cost and no-obligation technical assistance for energy and water use analysis, site visits, scope development, and project planning. The program also offers a one-stop-shop for multifamily property owners who fill out an interest and eligibility form. If a property is not eligible for this BayREN program, they will automatically be referred to another, similar program that they can participate in. BAMBE offers generous incentives for property owners to complete upgrades to their multifamily property. A \$500 per unit base incentive is available, and additional bonus incentives for properties located in areas with high health, heat, or housing burdens, and those pursuing electrification. \*Note: the BAMBE program serves housing that are five (5) or more units.

**BayREN Commercial Program:**

The BayREN Business program helps upgrade small businesses to reduce energy use and save money, improve air quality, and enhance comfort. Participating program contractors offer no-cost technical assistance in project planning and can help businesses choose the right upgrades for Air Conditioning, Energy Star appliances, LED lighting, Refrigeration Equipment, and Space and Water Heating Equipment. Businesses must meet a minimum number of points from a list of qualifiers to be eligible.

**BayREN Refrigerant Replacement (BRRR) Program:**

This program is new, and although it is still being developed, the BRRR program aims to target convenience stores, gas stations, restaurants, and other business utilizing refrigerators and freezers to replace their older, less efficient, and higher global warming potential (GWP) refrigerants with more environmentally and climate friendly ones.

**Integrated Energy Services (IES):**

Still in development, one of two new programs targeted specifically at public agencies, IES offers an energy concierge service with a single point of contact to assist local government staff with identifying the best technical assistance, financing, and incentives options for public facilities projects, and assist with applications and accessing programs. IES also offers an "Energy Roadmapping" service, providing technical and engineering assistance to develop roadmaps for improving public facilities to meet energy goals. The Energy Roadmapping will also provide energy assessments for designated and potential Community Resilience Centers, and technical assistance for energy improvements at these centers. Services for IES are expected to begin in Spring 2024.

**Targeted Decarbonization Services (TDS):**

The TDS program will offer technical and financial support for selected public facilities projects for a range of

building types. Priority will be given to buildings serving equity priority communities. These projects must pilot and demonstrate approaches to building decarbonization and collect and share real-world data on the energy savings and climate impacts. This program will also offer Decarbonization Education and Financing which aims to familiarize local government staff with decarbonization equipment and financing strategies and explore financing alternatives including leveraging alternative funding sources and testing incentives. Services for TDS are expected to begin in Spring 2024.

**Codes and Standards (C&S) Program:**

The Codes & Standards program assists local governments with energy “reach” code development and implementation and with energy code compliance. The program offers trainings to local government staff to better understand state building, energy, and other code standards. The C&S program offers quarterly forums, which generally provide a deep dive into topics to help local government staff better understand the topics covered and provide support to the public. The program also helps jurisdictions move toward Zero Net Carbon/Zero Carbon goals in their own buildings.

**Water Upgrade Saves (WUS) Program:**

This program is very different than the other incentive programs that BayREN offers, because it doesn’t offer rebates or incentives for water upgrades. Rather, the program works with municipal water utility companies to directly install water-saving improvements that the customer pays for with the utility rate savings on their water bill. The program allows utilities to invest in and manage customer demand without adding staff or raising capital. Utility companies can improve affordability to customers and reduce risk of nonpayment while providing a tool to customers that does not rely on rebates for upfront costs.

**Workforce, Education and Training (WE&T) Program:**

The Workforce, Education and Training program is a new-to-BayREN program that brings in a partnership with Rising Sun Center for Opportunity. The program specializes in preparing youth, women, and individuals in reentry for high-road careers and green pathways that offer family-sustaining wages. The Opportunity Build program teaches skills to prepare individuals for careers in the union construction trades. The Climate Careers program operates as a youth empowerment program, addressing climate change by employing youth to provide energy efficiency services to Northern California households. Youth are trained to conduct Green House Calls in their own communities. The Green House Call provides a “home energy kit” equipped with energy and water savings equipment and information about other energy-saving programs for homeowners and renters.

**ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.



Local Governments Empowering Our Communities

# BayREN Program Overview

2024 – 2027

Ryan Melendez | 2/23/24

## Overview

The Bay Area Regional Energy Network (BayREN) is a **coalition** of the Bay Area's **nine counties** — a network of local governments and the Association of Bay Area Governments (ABAG) partnering to **promote energy, water and greenhouse gas reduction** for residents, small businesses and local governments.



# PROGRAM OFFERINGS



## Residential

- Single Family Home+
- Bay Area Multifamily Building Enhancements Program (BAMBE)
- Green Labeling



## Commercial

- BayREN Business
- BayREN Refrigerant Replacement Program (BRRR)



## Public Sector

- Integrated Energy Services (IES)
- Targeted Decarbonization Services (TDS)



## Cross Cutting

- Codes & Standards
- Climate Careers
- Water Upgrades Save



# Residential: Single Family Home+ Program

- Eligibility: Be a PG&E customer and own 1-4 unit home built before 2016
- Program offerings:
  - Rebate \$ for energy efficiency upgrades
    - Includes weatherization & building shell, heating and cooling systems, water heaters, and certain consumer appliances
    - Added electrification incentives in 2020
  - No-cost Home Energy Advisor service  
(866) 878-6008  
[advisor@bayren.org](mailto:advisor@bayren.org)
  - Network of trained participating contractors



For more info, please visit <https://www.bayren.org/home-rebates>



# Home+ Rebates

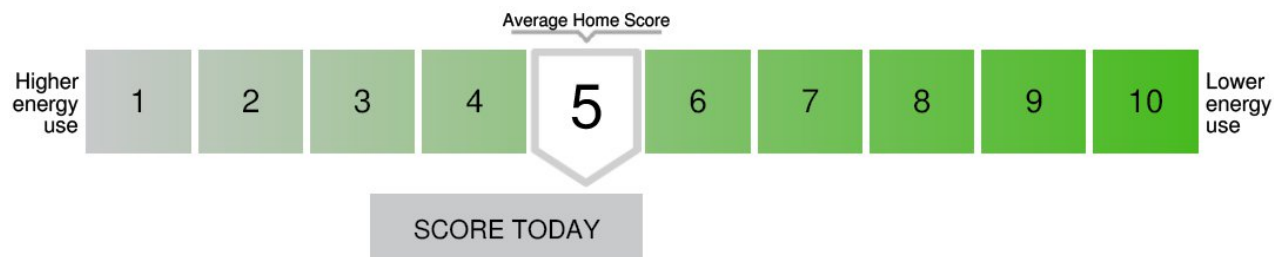
Home+ Measure	Rebate
Heat Pump Water Heater	\$400
Induction Cooktop	\$250
Wall Insulation	\$1,000
Attic Insulation	\$1,000
Air Sealing	\$150
Duct Sealing/Replacement	\$500
Heat Pump HVAC	\$400
Heat Pump Clothes Dryer	\$250
Energy Efficient Air Conditioning	\$200

\*Note: BayREN Single Family program is undergoing a redesign process to better serve underserved communities. Look forward to a revamped Single Family program launching in Q3 2024.



# Residential: Green Labeling

- Program offerings:
  - Home Energy Score - Developed by U.S. Department of Energy to create standardized label for understanding a home's efficiency and compare it to similar homes
    - Home Energy Score Report estimates home energy use, associated costs, and provides recommendations to improve the home's efficiency
    - BayREN offers \$200 rebate for HES assessments and streamlines with Home+ program
  - Green Real Estate Trainings – free training opportunities for realtors to learn about the benefits to sustainable homes and green buildings.



## U.S. DEPARTMENT OF ENERGY Home Energy Score

Know your home. Know your Score.

### HOME PROFILE

LOCATION:  
2227 McGee Ave  
Berkeley, CA 94703

YEAR BUILT:  
1921

HEATED FLOOR AREA:  
2,863 sq.ft.

NUMBER OF BEDROOMS:  
6

### ASSESSMENT

ASSESSMENT DATE:  
07/28/2023

ASSESSOR:  
Matthew Shedd  
Blue Rock Home, Inc.

PHONE:  
(925) 335-6770

EMAIL:  
matt@  
bluerockhome.com



Flip over to learn how to  
improve this score and  
use less energy.

### THIS HOME'S HOME ENERGY SCORE

1 out of 10

### THIS HOME'S ESTIMATED ENERGY COSTS

\$2,013 per year

### Home Energy Score details



Official Assessment | ID# 436196

The Home Energy Score is a national rating System developed by the U.S. Department of Energy. The Score reflects the estimated energy use of a home based upon the home's structure and heating, cooling, and hot water systems. The average score is a 5. Learn more at [HomeEnergyScore.gov](https://HomeEnergyScore.gov).

### How much energy is this home likely to use?

Electric:	9,425 kWh/yr	\$1,084
Natural Gas:	852 therms/yr	\$929
Other:		\$0
Solar PV:		(\$0)
Total energy costs per year		\$2,013

### This home's carbon footprint



- Actual energy use and costs may vary based on occupant behavior and other factors.
- Estimated energy costs were calculated based on average utility prices for the nine Bay Area Counties (\$0.12/kwh for electricity; \$1.09/therm for natural gas; \$2.21/gal for propane; \$2.58/gal for fuel oil).
- Carbon footprint is based only on estimated home energy use. Carbon emissions are estimated based on utility and fuel-specific emissions factors provided by the California Public Utilities Commission.
- Your carbon footprint may be lower if you get your electricity through a Community Choice Energy (CCE) provider. For more information visit [Cal-CCA.org](https://Cal-CCA.org).

### Tackle energy waste today!

Enjoy the rewards of a comfortable, energy efficient home that saves you money.

- ☒ Get your home energy assessment. Done!
- ☐ Choose energy improvements from the list of recommendations below.

Need help deciding what to do first? The BayREN Home Upgrade Advisors offer free phone consults with independent expert home advisors. Call **866-878-6008**.

- ☐ Check out [bayren.org/rebates-financing/single-family-homeowners](https://bayren.org/rebates-financing/single-family-homeowners) for information on BayREN energy efficiency programs and financing opportunities.
- ☐ Select a contractor (or two, for comparison) and obtain bids.
- ☐ Perform upgrades and enjoy a more comfortable and energy efficient home.

SCORE TODAY

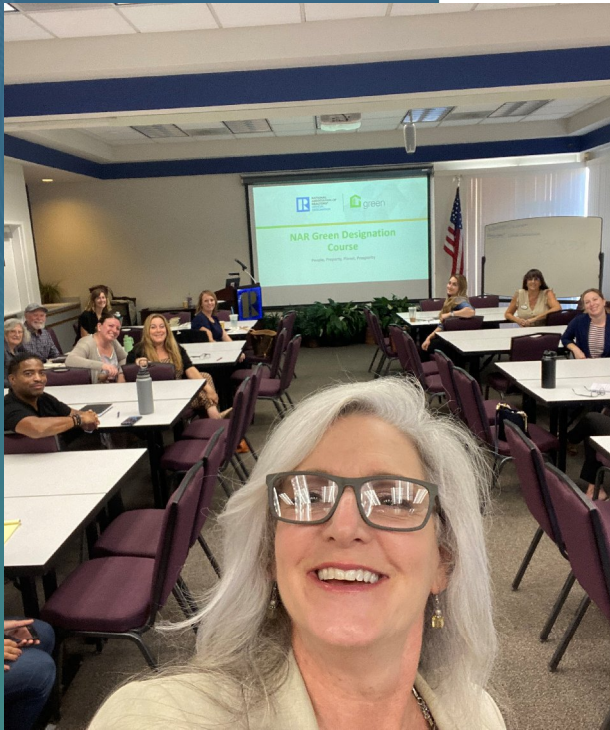
1  
out of 10

### Energy Improvements, customized for your home.

FEATURE	TODAY'S CONDITION	RECOMMENDED IMPROVEMENTS
Attic Insulation	Ceiling insulated to R-03	Insulate to R-44 or higher and air seal
Wall Insulation	Insulated to R-00	Insulate to R-13 or higher
Envelope/Air Sealing	Not professionally airsealed	At least 30% leakage reduction from vintage table defaults
Ducts (Duct Repair)	Insulated & Un-sealed	No recommendation
Floor Insulation	Insulated to R-00	Insulate to R-19 or higher
Heating Equipment	Natural gas furnace, 82% AFUE	Electric Heat Pump 9.4 HSPF/17 SEER or higher
Water Heater	Standard natural gas tank	Heat Pump Water Heater 3.24 UEF or higher
Windows	Single-pane	Double-pane or other high-efficiency windows
Cooling System	N/A	No recommendation
Appliances: Induction Cooking	Gas Range/Cooktop	Induction electric range/cooktop replacing a natural gas range/cooktop
Appliances: Heat Pump Dryer	Gas Dryer	Heat pump clothes dryer 4.5 Combined Energy Factor (CEF) replacing a natural gas clothes dryer

#### ADDITIONAL COMMENTS AND RECOMMENDATIONS:

# Draft Training Schedule



Date	Class	County	Format
5-Mar	NAR Green Designation	Alameda	Live
6-Mar	BayREN Reps & Realtors Meet & Greet	Alameda & Contra Costa	Live
7-Mar	The Power to Generate Listings	All	Virtual
26-Mar	NAR Green Designation	San Francisco	Live
28-Mar	Green Home Tour	Alameda & Contra Costa	Live
5-Apr	Green Home Tour	San Francisco & San Mateo	Live
17-Apr	NAR Green Designation	Sonoma & Marin	Live
29-Apr	Green Home Tour	Sonoma & Marin	Live
5-Jun	BayREN Reps & Realtors Meet & Greet	Sonoma & Marin	Live
25-Jun	Accredited Green Appraiser	All	Virtual
27-Jun	Green Lending Hot Topics	All	Live
9-Jul	NAR Green Designation - NAREB	Solano & Napa	Live
18-Jul	Green Home Tour - Fairfield	Solano & Napa	Live
19-Jul	The Power to Generate Listings	All	Virtual
24-Jul	Buzz About ADUs	All	Virtual
6-Aug	NAR Green Designation	San Mateo & Santa Clara	Live
14-Aug	Electrification/Induction Demo	Contra Costa & Alameda	Live
15-Aug	Green Home Tour	San Mateo & Santa Clara	Live
29-Aug	Mentoring Session 1	Solano & Napa	Live
9-Sep	Mentoring Session 2	Santa Clara & San Mateo	Live
10-Sep	NAR Green Designation - Broker	Santa Clara & San Mateo	Live
23-Sep	Inflation Reduction Act: Part 1	All	Virtual
25-Sep	BayREN Reps & Realtors Meet & Greet	Santa Clara & San Mateo	Live
30-Sep	Inflation Reduction Act: Part 2	All	Virtual
2-Oct	Electrification/Induction Demo	Napa & Solano	Live
8-Oct	Inflation Reduction Act: Part 3	All	Virtual
22-Oct	Inflation Reduction Act: Part 4	All	Virtual
13-Nov	BayREN Reps & Realtors Meet & Greet	Napa & Solano	Live



# Residential: Bay Area Multifamily Building Enhancements (BAMBE) program

- Eligibility:
  - Existing residential properties located in the 9-county Bay Area and served by PG&E
  - 5 or more dwelling units (renter- and owner-occupied both eligible)
- Requirements:
  - Must install 2 or more unique measures that achieve combined modeled energy savings of at least 10%
- Program offerings:
  1. No-cost, no-obligation Technical Assistance provided in partnership w/ the Associate for Energy Affordability (AEA)
    - Energy usage analysis, site visits, and project scope development
    - One-stop-shop to connect w/ contractors, financing options, & other programs
  2. Cash Rebates
    - Base rebate = \$500/unit
    - Rebate adders for properties pursuing electrification & those located in high-priority communities
    - May receive 25% of rebate up-front through BayREN; financing options available to fill funding gaps



# Examples of eligible measures

Eligible	Non-eligible
<ul style="list-style-type: none"><li>▪ Building envelope</li><li>▪ HVAC equipment</li><li>▪ Domestic Hot Water equipment</li><li>▪ In-unit appliances</li><li>▪ Low-flow water fixtures</li><li>▪ LED Lighting</li><li>▪ Pool heaters and pumps</li><li>▪ Thermostats, recirculation pumps and other operational equipment</li></ul>	<ul style="list-style-type: none"><li>▪ Solar PV</li><li>▪ EV Charging</li><li>▪ Battery storage</li><li>▪ Non-energy related remodels</li><li>▪ Landscaping</li><li>▪ Green building materials</li></ul>





Commercial

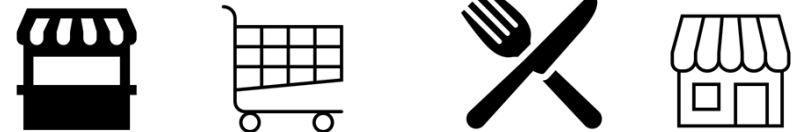


# BayREN Business Program

Aggregators/Contractors



Hard to Reach (HTR)  
Small Businesses



# Commercial: BayREN Business Program

- Eligibility:
  - Serving Only Hard-to-Reach (HTR)
  - Small & micro businesses
  - Maximum energy thresholds:
    - ≤ 150,000 kWh & ≤ 50,000 therms
  - Examples of businesses: Offices, corner/grocery store, small/medium retail, restaurants, auto repair, gym
    - Receive service from PG&E or CCA
    - 12 months of meter (gas & electric) data
    - Limited building uses, types
- Aggregators paid based on actual energy savings
- Program Offerings: Measure Agnostic
  - Any measure is allowed as long as it shows savings at the meter
  - Aggregators do lighting, limited refrigeration and limited HVAC measures
  - No aggregators installing water heaters yet



# All projects must be Hard to Reach (HTR) (3 pts required)

Criteria	Description	Point Value
Location	Located in a Disadvantaged Community*	2
Language	Primary language @ business is other than English	1
Business Size	≤ 25 employees or annual energy use: <20-kW or <10,000 therms	1
Rented, Leased?	Leased or Rented Facility	1

\*Top 25 percentile are Disadvantaged Communities:

<https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40>





Commercial



NEW!

## BayREN Refrigerant Replacement Program (BRRR)

This new program is still being developed, it aims to replace environmentally harmful refrigerants with eco-friendlier options at low-to-no cost to food service and convenience store businesses.

## Two New Public Programs

### Targeted Decarbonization Services

- Decarbonization Showcase
- Decarbonization Education and Financing

### Integrated Energy Services

- Energy Concierge
- Energy Roadmapping

# Public Sector: Integrated Energy Services Program

## Energy Concierge

- Objective single point of contact to help local government staff with identifying the best technical assistance, financing, and incentive options for public facilities projects
- To provide assistance with applications and accessing programs

## Energy Roadmapping Service

- Technical and engineering assistance to develop roadmaps for improving public facilities to meet energy goals
- Energy assessments for designated and potential Community Resilience Centers, and technical assistance for energy improvements



**BAYREN**



# Public Sector: Targeted Decarbonization Services Program

## Decarbonization Showcase

- Technical and financial support for selected public facilities projects
- Projects must pilot and demonstrate approaches to building decarbonization
- Collect and share real-world data

## Decarbonization Education & Financing

- Familiarize local government staff with decarbonization equipment and financing strategies
- Explore financing alternatives, including:
  - leveraging alternative funding sources
  - testing incentives



**BAYREN**



# BayREN Codes & Standards Program

## Building Dept. Staff - Energy Code Compliance

- Training for local building department staff
- Permit guides
- Online ePermit Tool
- CodeCycle Tool

## Local Government Staff Support: Energy Policy/Reach Code Support

- Quarterly Regional Forums
- Reach Code & Policy Working Group Calls in even-numbered months

[www.bayrencodes.org](http://www.bayrencodes.org)

All services and resources are free!



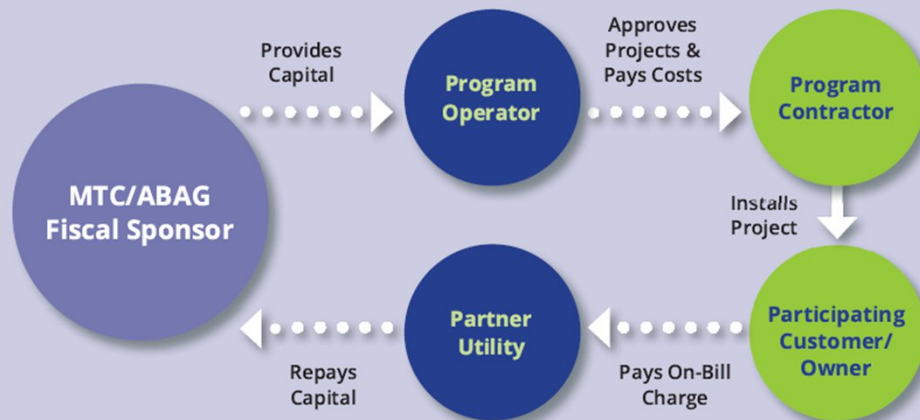


Cross-Cutting

# Water Upgrades \$ave Program

- California's 1<sup>st</sup> On-bill tariff program
- Utilities sign up to participate, and then customers can take advantage
- Supports Water conservation by:
  - BayREN provides project capital
  - Managing customer enrollment, project installation, and project close out
    - Securing customer agreements
    - Qualifying contractors
    - Onboarding, scheduling, & paying contractors
    - Overseeing project QA/QC
  - Answering customer/contractor questions including dispute resolution
  - Assisting w/ billing system set-up and project repayment tracking

## Program Model





Cross-Cutting



# Water Upgrades Save

- Benefits to utility customers:
  - No up-front payment, debt, or liens
  - Monthly on-bill charge is significantly lower than estimated savings
  - On-bill charge is tied to the meter, not the customer
  - Failed improvements are repaired or the charge is terminated



Cross-Cutting



NEW!

## Workforce, Education & Training - Climate Careers

- The Opportunity Build program teaches skills to prepare individuals for careers in union construction trades.
- The Climate Careers program addresses climate change by employing youth to provide energy efficiency services to Northern CA households. Youth are trained to conduct Green House Calls in their own communities.
- The Green House Call provides a “home energy kit” equipped with energy and water savings equipment and information about other energy-saving programs for homeowners and renters.

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# Napa County

## Board Agenda Letter

1195 THIRD STREET  
SUITE 310  
NAPA, CA 94559  
www.countyofnapa.org  
Main: (707) 253-4580

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Climate Action Committee

**Agenda Date:** 3/22/2024

**File ID #:** 24-508

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**TO:** Napa County Climate Action Committee  
**FROM:** David Morrison, Special Projects Director  
**REPORT BY:** Ryan Melendez, Planner II - Sustainability  
**SUBJECT:** Staff update on the status of the Regional Climate Action and Adaptation Plan (RCAAP) Development

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### **RECOMMENDATION**

**DISCUSSION:** Staff recommends providing monthly updates to the status of the development of the RCAAP to the Climate Action Committee.

### **BACKGROUND**

At the October 6, 2022, meeting of the Napa County League of Governments (NCLOG), which includes representatives from all six jurisdictions, there was broad support for proceeding with a Regional Climate Action and Adaptation Plan to provide a policy and implementation framework for reducing GHG emissions. There was also general agreement that each jurisdiction should consider the proposal for a Regional Climate Action and Adaptation Plan at a future Council/Board meeting, to guide Climate Action Committee (CAC) representatives as they move forward. Over the next five months, all six jurisdictions approved the idea of moving forward with the preparation of a Regional Climate Action and Adaptation Plan.

At their May 26, 2023, meeting, the CAC made the preparation of the RCAAP its top priority for the 2023-2024 Fiscal Year. Over the next three months, County staff worked with staff from the cities/town, the Napa Valley Transportation Authority, and the Napa County Resource Conservation District to prepare the RFP, which was approved by the Board of Supervisors on September 12, 2023.

The RFP was released on September 15, 2023. The submittal period ended on October 27, 2023. staff unanimously recommended Ascent Environmental as the preferred consultant. The CAC unanimously affirmed staff's recommendation of Ascent Environmental in a special meeting held on November 27, 2023.

At their December 19, 2023 meeting, the Napa County Board of Supervisors approved Agreement No. 240241B with Ascent Environmental, Inc. to prepare a RCAAP for a maximum of \$599,600 for the term December 19, 2023 through December 31, 2025.

It should be noted that as a part of their scope of work, Ascent Environmental will evaluate the options that the

jurisdictions have under the California Environmental Quality Act (CEQA) for adoption of the RCAAP. If an Environmental Impact Report (EIR) is required, Ascent and staff estimate that there would be an additional \$250,000 to \$400,000 in costs. The cost of an EIR would be borne by the member jurisdictions unless additional funding is secured.

On Thursday January 11, 2024, Napa County held a kickoff meeting for the RCAAP development. Participants included consultants from Ascent, staff from Napa County, Napa RCD, the cities of Napa, St. Helena, and Calistoga. At this kickoff meeting, the RCAAP development team discussed the project overview, public outreach and engagement strategy, the data and document needs to help update GHG forecasts and targets, communication channels, and a standing meeting schedule to coordinate on plan development. The core development team decided to meet biweekly. Staff recommends giving regular updates to the CAC regarding the progress of the RCAAP development.

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.





# Napa County

## Board Agenda Letter

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Climate Action Committee

**Agenda Date:** 3/22/2024

**File ID #:** 24-478

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**TO:** Napa County Climate Action Committee  
**FROM:** David Morrison, Special Projects Director  
**REPORT BY:** Ryan Melendez, Planner II - Sustainability  
**SUBJECT:** Ad hoc Subcommittee status update on the Lawrence Berkeley National Laboratory Napa County Greenhouse Gas Emissions monitoring project

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### **RECOMMENDATION**

**DISCUSSION:** Staff requests that the CAC Ad hoc subcommittee give regular updates to the Committee regarding the status of the planning and development of the prospective Greenhouse Gas Monitoring project in collaboration with Lawrence Berkeley National Laboratory.

### **BACKGROUND**

At the October, 2023 Climate Action Committee meeting, members heard from Lucas Patzek with Napa Resource Conservation District (RCD) and Sebastien Biraud with the Lawrence Berkeley National Laboratory (LBNL) on a prospective project to measure and monitor the Greenhouse Gas (GHG) Emissions over time within Napa County. This project would allow scientists at the LBNL, Napa RCD staff, the CAC members and staff, and other stakeholders to see baseline GHG data and the direct impacts of our actions against climate change, in real time. The World Meteorological Organization (WMO) is limited in its capacity to monitor atmospheric conditions on a regional scale, as they mainly observe at much larger scales. The results of this pilot project are important to achieving long-term climate goals in our region and acting as a pilot project for other regions across the globe.

At the November 27, 2023 CAC meeting, the Committee adopted a resolution to show support for a collaborative project with Napa Resource Conservation District, the CAC, and Lawrence Berkeley National Laboratory for tracking of net greenhouse gases within Napa County. The resolution also designated the formation of an Ad hoc subcommittee to work towards the development of the project.

Napa RCD and LBNL is seeking an estimated \$6M to see this project come fully to fruition. This would include five-to-ten monitoring towers estimated at \$500K per tower installed, and five years of staff time estimated at \$200K per year. There is currently no government funding in place for this effort, but it would be built on a platform of millions of dollars invested in LBNL by the US Department of Energy (DOE) over decades to better understand the impact of a changing climate on natural ecosystems. It will also build on recent investments in LBNL by the California Energy Commission (CEC) to estimate and mitigate methane emissions

associated with the oil and gas industry in California's Southern San Joaquin Valley.

Since the adoption of Resolution NO. 2023-01-CAC, showing support of the project and forming the project's Ad hoc subcommittee, staff have gathered data on existing tower infrastructure within and bordering Napa County where GHG monitoring equipment could be co-located. LBNL is currently working on a first draft cost estimate for the project infrastructure needs based on existing and new infrastructure needed. Subcommittee members have also begun outreach for fundraising efforts. On Thursday, January 4<sup>th</sup>, 2024, Subcommittee members, staff from Napa RCD, Napa County, City of Napa, City of St. Helena, and other interested parties met with Congressman Mike Thompson to discuss opportunities to secure funding. Congressman Thompson relayed that he can put in a request to a Congressional research team about funding opportunities relevant to this project. He also mentioned that, while there are impressive climate action efforts happening in locales, there is a general lack of regional-scale climate action coordination and suggested Napa County participation in a future Cool Davis Climate Conference. Other funding opportunities identified include: (1) FY25 Community Project Funding through the United States Department of Agriculture's (USDA) - Farm Protection and Conservation Program; (2) the Natural Resources Conservation Service (Conservation Operations) - which supports private landowners, conservation districts, and other organizations to conserve, maintain, and improve the nation's natural resources; (3) the California Air Resources Board; and (4) PG&E. The Subcommittee also plans to reach out to Assemblymember Aguilar-Curry and Senator Dodd for a briefing on this project and to inquire about other potential funding sources.

Staff requests that the Climate Action Committee Ad hoc subcommittee give an update to the general committee on the progress of outreach and fundraising opportunities for the project.

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

## **Achieving Climate Goals**

### ***Greenhouse Gas Emissions Monitoring in Napa County***

Despite global efforts to reduce greenhouse (GHG) emissions, atmospheric concentrations of the major GHGs continue rising. Carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>) and nitrous oxide (N<sub>2</sub>O) have increased since pre-industrial times by 49%, 162% and 24% respectively; this collective increase is the primary force behind climate change.

Lawrence Berkeley National Laboratory (LBNL) proposes a project in Napa County, California to serve as a model for how state-of-the-art GHG monitoring technologies and advanced modeling can inform actions to meaningfully reduce GHGs. Having real-time access to information about where GHGs are being produced (sources) and naturally stored (sinks) would empower policymakers, businesses, and the public to optimize their mitigation strategies to maximize impact.

We plan to set up five monitoring towers where GHG measurements will be collected. We will then calculate the atmospheric transport, which simulates the movement of air masses, to estimate measurement footprints (i.e., how far we can “see” with the measurements). Using this data, we will estimate sources and sinks of GHG emissions, including the level of uncertainty associated with those estimates, at a county scale. This independent and quality-controlled information will be shared with partners to support the development, implementation, and monitoring of local and regional climate action goals. This will be **the first public-private-international collaboration that promotes real time observations-based approaches to support climate policy** and will contribute to the development of a global blueprint for this type of project.

Monitoring changes to a region’s sink capacity of both natural and agricultural land in response to climate change is another critical component of this project. Currently, most estimates of sink capacity are based on inventories based on information about known sources of GHGs, which often yield substantially different estimates compared to those inferred from atmospheric measurements. Such measurement-based data are critically needed to generate baseline local, national, and regional emission estimates for future trend projection and emission controls. Our project would produce those results following international standards (provided by WMO as a technical United Nation agency) for cross-validation among different geographic regions.

Napa County Resource Conservation District (Napa RCD) -- a non-regulatory public agency that supports Napa residents in conserving and managing natural resources -- is LBNL’s main partner in this effort. They initiated the effort by requesting technical assistance from the World Meteorological Organization (WMO) to better understand the impacts of forest management on GHG emissions; the WMO Secretariat then encouraged its longtime partner LBNL to get

involved. WMO has identified a growing need for regional monitoring, as their Global Atmosphere Watch Programme does not capture the diverse patterns of GHG variability on the ground. **WMO sees the results of this pilot as being important to achieving global climate goals.**

Napa County is an ideal pilot site because strong climate commitments are present already. There is a process underway to develop a multi-jurisdictional, countywide climate action and adaptation plan -- one of the few in California. This enables us to establish baseline GHG emissions and then track the impact of climate action goal implementation over time. Additionally, it is a county containing diverse land uses, including large areas of natural and working lands, as well as concentrated urban corridors. This will provide a better understanding of GHG sources and sinks resulting from varying types of land management.

Currently, GHG measurements are not being collected across Napa County, as the necessary infrastructure is not in place. We have identified ten prospective sites for establishing an effective GHG monitoring network at a 500,000-acre scale. We are building a collaboration with conservation organizations (e.g., Napa RCD, Pepperwood Preserve), local government (e.g., Napa County Climate Action Committee), and large landowners and commercial actors (Gamble Family Vineyards and others) in order to develop and validate a robust, standardizable approach to GHG sources and sinks evaluation, and use this information to inform local policy development and climate action.

Our team has demonstrated powerful end-to-end capabilities, expertise, and partnerships with which to lead the development of this pilot project. LBNL has extensive experience in the field of atmospheric GHG observations and has partnered for many years with the Department of Energy (DOE), the California Energy Commission (CEC), and WMO in their GHG measurement work. Napa RCD has demonstrated great success in bringing together key stakeholders to effectively manage Napa County resources and fight climate change.

The costs involved in this project are (1) tower infrastructure, (2) power and communication, (3) instrumentation for the monitoring network, (4) instrumentation housing at the base of the tower, (5) inlet system setup for air sample analysis, (6) as well as the staff time required for data collection and analysis of the measurements. We estimate the materials costing about \$500K per tower for five to ten towers. To execute the pilot, we will need five years of staff time at about \$200K per year. **We are seeking \$6M to fully realize this vision from a combination of public funding and philanthropy.** There is no government funding currently in place for this project, but it will be built on a platform of many millions of dollars of investments in LBNL by the DOE over decades to better understand the impact of a changing climate on natural ecosystems. It will also build on recent investments in LBNL by the CEC to estimate and mitigate CH<sub>4</sub> emissions associated with the oil and gas industry in California's Southern San Joaquin Valley.