

## SINGLE-USE ITEM REDUCTION STRATEGY

### RECOMMENDATION

That Utility Committee recommend to City Council:

1. That Edmonton's Plan to Reduce Single-use Items, as set out in Attachment 1 of the March 25, 2022, City Operations report CO01033, be approved.
2. That Administration develop a draft Single-use Items Bylaw based on the direction as set out in Attachment 2 of the March 25, 2022, City Operations report CO01033.

### Report Purpose

#### Council decision required

Council is being asked to approve Edmonton's Plan to Reduce Single-use Items and to approve the recommended direction of the proposed Single-use Items Bylaw.

### Executive Summary

- Each year Edmontonians throw out an average of 450 million single-use items (SUI) such as shopping bags, takeout containers, cups, utensils and straws. The majority end up being discarded in the garbage stream, while others end up littering streets, parks and other open spaces such as the river valley.
- Edmonton's Plan to Reduce Single-use Items (SUI Plan) prioritizes the use of reusables and elimination of unnecessary SUI, no matter the material (compostable or not). Shifting how Edmontonians think about SUI is a key step towards changing overall attitudes towards waste reduction and will contribute to making Edmonton Climate Resilient.
- Edmonton's 25-year Comprehensive Waste Management Strategy (Waste Strategy) emphasizes the importance of waste reduction, and included a commitment to banning plastic shopping bags and plastic straws by January 2021. However, due to the COVID-19 pandemic, a bylaw banning plastic shopping bags and plastic straws was delayed.
- Edmonton's first Waste Reduction Roadmap (Roadmap '24) was approved at the May 17, 2021, City Council meeting (April 30, 2021 City Operations report CO00390) and reaffirmed the City's intent to regulate SUI. Utility Committee requested that a municipal plan and bylaw to reduce SUI be coordinated with, but not delayed by, related provincial and federal regulations, and directed Administration to proceed with development.

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- Administration recommends the approval of Edmonton's Plan to Reduce Single-use Items (Attachment 1). The SUI Plan describes the types of SUI most suitable for regulation at this time, voluntary reduction programs, the need for programs to support equity-seeking groups, and the role of effective communication and outreach campaigns.
- Administration is seeking feedback on the Proposed Bylaw Direction (Attachment 2). The proposed direction describes Administration's recommendations for regulating the distribution of shopping bags, polystyrene foam food serviceware (cups, containers, bowls and plates), foodware accessories (e.g. utensils, straws, prepackaged condiments and napkins) and single-use cups (other than polystyrene foam).
- The recommendation supports the ongoing implementation of Edmonton's 25-year Comprehensive Waste Management Strategy and the Waste Reduction Roadmap, and helps realize the goals to be Greener as We Grow, and achieve Climate Resilience as outlined in The City Plan and ConnectEdmonton, respectively.

## **REPORT**

Edmonton's Plan to Reduce Single-use Items (SUI Plan) prioritizes the elimination of unnecessary single-use items (SUI) and is a step in the transition to making reusables the standard. Other pending federal and provincial regulations focus solely on single-use plastic items; however, there are negative impacts associated with SUI made of all materials. Eliminating unnecessary SUI and replacing them with reusable alternatives are the only ways to achieve universally improved environmental outcomes.

The SUI Plan has been informed by research and findings from other municipal governments, as well as input from residents, businesses and industry associations in Edmonton. It includes recommended regulatory actions (such as bans, fees, other requirements) where alternatives are readily available, industry is ready to comply, and unintended consequences can be mitigated through bylaw exemptions and supporting programs. In addition, the SUI Plan recommends voluntary actions for other SUI to further incent reductions. Overall, the City aims to reduce the number of regulated SUI used in Edmonton by 20 per cent within four years.

### **Need/Opportunity**

Each year, Edmontonians dispose of an average of 450 million SUI, including shopping bags, takeout containers, cups, utensils and straws, comprising approximately 10,000 tonnes of garbage. Additional SUI are thrown in the recycling stream, or are littered in the environment. SUI that are disposed of in the garbage stream are typically landfilled, and no matter what SUI are made of or how SUI are disposed or processed, their production, distribution, use, and end of life management consume materials and energy that could be avoided if the SUI were not used. Littering of these items results in significant and widespread consequences—including increased clean-up costs, habitat damage and clogged storm drains—and contributes to the proliferation of microplastics in the environment.

Edmonton's Waste Strategy emphasizes waste reduction, and included a commitment to ban plastic shopping bags and plastic straws by January 2021. Due to the COVID-19 pandemic, a bylaw banning plastic shopping bags and plastic straws was delayed. Edmonton's first Waste Reduction

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Roadmap (Roadmap '24) was approved at the May 17, 2021, City Council meeting (City Operations report CO00390) and reaffirmed the City's intent to regulate SUI. Edmonton's Plan to Reduce Single-use Items, like the Waste Strategy and Waste Reduction Roadmap, supports the City of Edmonton's commitments to climate resilience and the Big City Move to be Greener as We Grow.

The objectives of the SUI Plan are to reduce waste generation in support of Edmonton's goal of zero waste; reduce terrestrial and aquatic litter; and reduce overall impacts associated with the production, distribution, use and disposal of SUI. These objectives need to be met while mitigating potentially disproportionate impacts on equity-seeking groups based on identity factors like sex, gender, age, place of residence, ethnicity, socio-economic status, employment status and ability. Economic impacts and costs were also considered for businesses, consumers and City Administration. Over the long term, research has shown that businesses experience cost savings by switching to reusable alternatives, and reduced SUI may reduce the City's costs for litter clean up and servicing waste receptacles in public spaces. The recommendations also align with current draft federal regulations for single-use plastics.

### Recommendations

Administration recommends the approval of Edmonton's Plan to Reduce Single-use Items and the development of a stand-alone bylaw to regulate SUI. The SUI Plan describes the types of SUI most suitable for regulation at this time, voluntary reduction programs, the need for programs to support equity-seeking groups, and the role of effective communication and outreach campaigns.

A bylaw is recommended to regulate the distribution of shopping bags, polystyrene foam food serviceware (cups, containers, bowls and plates), foodware accessories (e.g. utensils, straws, prepackaged condiments and napkins) and cups (other than polystyrene foam). This bylaw would apply to all City of Edmonton business licence and event permit holders, with specific exemptions, as required, to mitigate undesirable consequences and potentially disproportionate impacts. Facilities that do not require a business licence (such as provincially-regulated health care facilities) would not be subject to the SUI bylaw. Any mandatory fees businesses may be required to collect under the bylaw would be retained by businesses and not remitted to the City, due to limitations of the City's authority under the *Municipal Government Act* (MGA).

The recommended regulations for each type of SUI vary, based on the availability of alternatives and experience in other jurisdictions. The recommended regulations are:

Single-use Item	Recommended Regulatory Approach
Shopping bags	<ul style="list-style-type: none"><li>• Ban on plastic shopping bags</li><li>• Mandatory minimum fee on paper shopping bags and reusable shopping bags</li></ul>
Foodware accessories	<ul style="list-style-type: none"><li>• Customer request required for single-use accessories made of any material</li></ul>
Foam serviceware	<ul style="list-style-type: none"><li>• Banned</li></ul>
Cups (non-foam)	<ul style="list-style-type: none"><li>• Requirement for reusable cups to be used for dine-in orders in restaurants</li><li>• Requirement for restaurants to accept customers' reusable cups for dine-in and takeout orders</li></ul>

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The proposed bylaw direction is described in more detail in Attachment 2. Administration is seeking feedback from Utility Committee and City Council on the direction prior to drafting the bylaw.

Sufficient lead time for implementation and clear communication from the City were identified by businesses as key success factors. Administration recommends a one-year transition period following bylaw adoption. The lead time required to draft the bylaw after receiving Council input, followed by public hearings required under the MGA Charter, and finally, the recommended one year transition period after the bylaw is passed, will help ensure that the implementation of the SUI Plan will be resilient to the future of the pandemic, and effective in a range of possible conditions. During the transition period, extensive City-led communication and outreach efforts will inform organizations and residents about the upcoming changes. Bylaw guidance documents will prioritize icons and images over text, so that they are inclusive to various cultures and languages.

Administration recommends that monitoring for bylaw enforcement purposes should be complaint-driven. If a business is found to be non-compliant with the bylaw, the initial response will focus on education and support to help bring the business into compliance. Enforcement (via ticketing) will, like other bylaws, be at the discretion of a municipal enforcement officer and would be warranted in cases of deliberate and harmful non-compliance after outreach efforts have been exhausted.

Administration also recommends developing support programs to assist residents and businesses as they transition away from the use of SUI and to help ensure bylaw compliance. One support program is already under development: a new grant (in partnership with, and funded by, Capital City Clean Up) to help non-profit organizations with the cost of replacing SUI with reusable or recyclable alternatives. Additional support programs will be developed through engagement with residents once the direction of the bylaw is confirmed by City Council. These programs could include developing and implementing ways for low-income residents to access low-cost, clean reusable bags and reducing barriers that they may face related to using reusable cups.

Voluntary programs will be introduced for SUI that are not covered by the proposed bylaw. For example, Administration is not currently recommending that the bylaw address food serviceware that is not made of foam. Administration will engage with businesses to encourage them to adopt reusable serviceware and use serviceware that is locally recyclable.

### **Budget/Financial Implications**

Edmonton's Plan to Reduce Single-use Items will be funded within the approved utility budget and the utility rate forecasts presented in the December 9, 2021, Utility Committee, City Operations report CO00823, Waste Services 2022 Rate Filing and Fall 2021 Supplemental Budget Adjustment. Non-utility funding may be leveraged where actions integrate with the strategic priorities, work plans and approved budgets of other City business areas funded by the tax levy.

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## Legal Implications

City Council has the authority to pass a bylaw to regulate single-use items under the City of Edmonton Charter (the “Charter”), 2018 Regulation, AR 39/2018 and the *Municipal Government Act* (RSA 2000, c M-26 (the “MGA”). In particular, the Charter authorizes City bylaws relating to the well-being of the environment, including bylaws providing for the creation, implementation and management of programs respecting greenhouse gas emission reduction, environmental conservation and stewardship, the protection of biodiversity and habitat, and waste reduction and diversion. As with any Charter bylaw, a public hearing will be required before a new bylaw regulating SUI can be given a third reading by City Council.

## COMMUNITY INSIGHT

The development of the SUI Plan considered community insights from three separate engagement and market research initiatives.

1. Input was collected from thousands of Edmontonians during the 2018 and 2019 public engagement sessions that informed the 25-year Waste Strategy. A majority of residents, business organizations and individual businesses who participated in that engagement favoured eliminating or restricting single-use products including polystyrene foam, plastic straws, plastic bags, takeout containers and plastic utensils.
2. During the development of the Waste Reduction Roadmap in 2020 and 2021, additional input was gathered from the general public and stakeholders to help shape priorities (April 30, 2021, City Operations report CO00390). Stakeholder groups included non-governmental organizations, organizations that serve vulnerable or marginalized populations, non-residential waste generators, other governments, private haulers and residents. Overall, participants expressed a desire for regulations and other approaches to reduce product packaging, including the use of fewer single-use items (64 per cent). Many respondents also noted that they already own and are able to use reusable cups (66 per cent) and reusable shopping bags (61 per cent), suggesting that some behaviours to reduce SUI have already become commonplace.
3. The SUI Plan was further supported by targeted outreach and market research (consisting of focus groups and in-depth interviews) with over 60 businesses and residents. Outreach was directed at non-profit organizations and business and industry associations to help determine the impacts of the proposed regulations on the organizations and their members, and how negative impacts could be mitigated.

## GBA+

Gender-based analysis plus (GBA+) was embedded within the development of Edmonton’s Plan to Reduce Single-use Items to consider the needs of all Edmontonians and reduce barriers associated with accessibility, socio-economic conditions, gender, family structure, language barriers, health-related conditions and other identity factors.

The City of Edmonton’s Accessibility Advisory Committee provided guidance that informed the proposed approach. Some Edmonton residents (including people with disabilities and those

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recovering from medical procedures) rely on straws to safely consume beverages and nutrition; flexible plastic straws best meet their needs. Because an outright ban on plastic straws could create barriers, the proposed regulation allows straws of all kinds to be provided on request. A reduction in SUI is expected by no longer providing straws by default and a wide range of needs are protected by making straws available on request.

Other equity-seeking groups, like those experiencing low income, homelessness or that are at risk of homelessness, face additional barriers to using reusable alternatives to SUI. These barriers can include lack of access (due to cost), lack of storage or cleaning facilities, reliance on food that comes packaged in SUI, and tight and inflexible schedules that make it difficult to plan ahead. The recommended bylaw direction and support programs are intended to provide residents with ways to reduce the perceived and actual cost burden of regulations, and together with support programs, are intended to balance the need for equity with the need to achieve environmental commitments through waste reduction.

Administration is committed to working with partners and Edmontonians in the implementation of the proposed regulations to minimize the risks of unintended consequences on equity-seeking groups and work towards implementing equity measures.

## RISK ASSESSMENT

Risk Element	Risk Description	Likelihood	Impact	Risk Score (with current mitigations)	Current Mitigations	Potential Future Mitigations
<b>If recommendation is not approved</b>						
Governance	The City would need to rely on Federal regulations on single-use plastics. These regulations are anticipated to be implemented more slowly than the proposed municipal bylaw, and do not address waste reduction. The federal regulations are still in draft, there is also a degree of uncertainty about final scope and implementation timeline.	5 - almost certain	3 - major	15 - high	The approval of Edmonton's Plan to Reduce Single-use Items keeps the City aligned with the goals of the 25-year Waste Strategy regardless of the outcomes of the federal regulations.	Once the federal regulations are implemented, the City could further its understanding of how those regulations may impact its reduction goals.  Administration will leverage engagement for other projects being implemented in support of the Waste Strategy to understand and address the impact of not proceeding with a bylaw to reduce SUI.

## ATTACHMENTS

1. Edmonton's Plan to Reduce Single-use Items
2. Recommended Bylaw Direction