

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON SANITATION
AND SOLID WASTE
MANAGEMENT

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November 19, 2014
Start: 1:21 p.m.
Recess: 5:32 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E: Antonio Reynoso
Chairperson

COUNCIL MEMBERS:

Andy L. King
Vanessa L. Gibson
Costa G. Constantinides
Steven Matteo
James Vacca
Mark S. Weprin
David G. Greenfield
Fernando Cabrera
Rory I. Lancman
Robert E. Cornegy, Jr.

A P P E A R A N C E S (CONTINUED)

Kathryn Garcia
Commissioner of Sanitation

Keith Anderson
Director of District Department of Environment,
Washington, D.C.

Karim Marshall
Legislative Director of District Department of
Environment, Washington, D.C.

Christopher Kibler
Program Manager for District Bag Law,
Washington, D.C.

Maite Quinn
Sims Municipal Recycling

Aldrin Bonilla
Representing Manhattan Borough President Gale
Brewer

Hally Chu
Policy Analyst for Manhattan Borough President
Gale Brewer

Diana Blackwell
President of Fred Samuel President Association

Peter Kostmayer
Citizens Committee of New York

Naomi Morreva
Ninth Grader at Frederick Douglass Academy

A P P E A R A N C E S (CONTINUED)

Evelyn Knapp
Success Academy

Orlando Guzman
Williamsburg Greenpoint Organizations United for
Trash Reduction and Garbage Equity Outreach

Bertha Lewis
Black Institute

Brad Gertsman
Co-founder of New York Association of Grocery
Stores

Mark Daniels
American Progressive Bag Alliance

Eli Amsel
Lagmitz Paper and Plastic Company

Brendan Sexton
Chair of Manhattan Solid Waste Advisory Board

Eric Goldstein
Natural Resources Defense Counsel

John Coghlan
New York City Chapter of Surfrider Foundation

Kizzy Charles-Guzman
Policy Director New York City Program of Nature
Conservancy

A P P E A R A N C E S (CONTINUED)

Ya-Ting Liu

New York League of Conservation Voters

Charles Fisher

Founder of Hip-Hop Summer Youth Council

Reginald Bowman

Citywide Council at President Incorporated

Jennie Romer

Plastic Bag Laws.Org

Nicole Feldbaum

Hewitt School

Casey Peterson

Representing Deborah Marton, New York
Restoration Project

Erin George

New York Lawyers and Public Interest

Christopher Chin

Center for Oceanic Awareness Research and
Education

Daniel Tainow

Lower Eastside Ecology Center

Angela Tovar

Sustainable South Bronx

Natasha Dwyer

New York City Environmental Justice Alliance

A P P E A R A N C E S (CONTINUED)

Joss Philippe
Bag It NYC

Jordan Christensen
Citizens Campaign for the Environment

Roxanne Delgado
Bronx Resident

Elliot Cohen

Sharon Rowe
Founder of Eco Bags

Milcah Zewdie
Human Impacts Institution

Kellye Rosenheim
Nature Conservancy

Quentin Hebert

Susan Urich

Tyler Crozier
Center for Oceanic Awareness Research and
Education

Rebecca Subnum
Tompkins Square Middle School Student

2 CHAIRPERSON REYNOSO: As civil as
3 possible. It's going to be a very exciting hearing.
4 Thank you for being here this afternoon at this
5 moment, and I want to thank you all for being here,
6 and this is in regards to Intro 209 jointly sponsored
7 by Council Members Brad Lander and Margaret Chin,
8 which seek to reduce the use of carryout bags.
9 According to DSNY, plastic bags account for
10 approximately two percent of New York City's
11 municipal waste stream, meaning that the city
12 disposes of approximately 100,000 tons of plastic
13 bags annually, which cost the city roughly 12.5
14 million per year. In addition, SIMS municipal
15 recycling, the city's metal, glass and plastic
16 recycling partner has noted that plastic bags clog
17 recycling machines and can contaminate recyclable
18 materials if they are soiled. When plastic bags are
19 not properly disposed of they can clog sewers and
20 storm drains as well as accumulate in the oceans
21 where they threaten marine life. Intro 209, which I
22 will let Council Members Lander and Chin explain in
23 more detail, is very similar to bills that have been
24 enacted in many cities in the US, including
25 Washington, D.C., Boulder, Colorado, Los Angeles,

2 California, and San Jose, California just to name a
3 few. They have also been enacted in many cities and
4 countries in Europe, Asia and Africa. These laws have
5 led to significant decrease in plastic bag uses in
6 those areas. I look forward to hearing from the
7 Department of Sanitation and our Commissioner who's
8 going to be patiently waiting until our sponsors get
9 to speak and other interested groups and individuals
10 about this important bill. So I want to thank you
11 and now allow for our bill sponsors to make a few
12 statements. I want to call on Council Member Brad
13 Lander from Brooklyn might I had.

14 COUNCIL MEMBER LANDER: Thank you so
15 much, Chair Reynoso for chairing this hearing, and
16 it's an honor together with Council Member Margaret
17 Chin to be sponsoring Intro 209 to reduce plastic bag
18 waste, to dramatically reduce plastic bag waste in
19 New York City. I'm grateful also that Commissioner
20 Garcia is here. As New Yorkers we use 5.2 billion
21 single use plastic bags a year, that's that 100,000
22 tons of plastic bag waste that the Chair spoke of.
23 Plastic bags were designed to be used for just a
24 short period of time. Unfortunately, their negative
25 impacts are long lasting. Even when properly

2 disposed of, they often blow away out of the trash
3 can onto the streets and into our waterways. They
4 become eyesores in our trees. They clog up our storm
5 drains so it floods more at intersections. They clog
6 up our recycling plants like SIMS, making it harder
7 for them to recycle. They endanger wildlife. Some
8 of them end up as part of huge floating islands of
9 plastic waste in our oceans, and even when that
10 doesn't happen and they're more properly disposed of,
11 they still cost millions for us to transport to
12 landfills every year. New York State legislation
13 that created a voluntary plastic bag take back
14 recycling system lacks enforcement, and unlike other
15 potential recyclables, even when they're clean,
16 sorted plastic bags--and they're recovered, the
17 possibilities for recycling them economically are
18 very limited. I'll not the State of California spent
19 10 years trying to make plastic bag recycling work
20 only to conclude that it was not cost-effective, not
21 possible to do, and moved to a system very much like
22 the one that we're proposing here. When we began to
23 look at how to tackle this problem we knew we wanted
24 to dramatically reduce plastic bag waste and we had a
25 few criteria. We wanted to reduce plastic bag waste.

2 We wanted to shift as much as possible away from
3 wasteful single-use bags to reusable bags so we could
4 reduce our waste stream dramatically all together. We
5 wanted to construct a law so that people who remember
6 to bring reusable bags don't have to pay anything,
7 and we want an approach that did not place, that does
8 not place any additional burdens on our small
9 businesses, and that's why we designed the bill this
10 way. We looked at a band that has some problems for
11 retailers and it doesn't achieve the move to reusable
12 bags because people just switch to paper, which costs
13 the retailers more, and you don't get the reductions
14 that we're talking about. We looked at could we
15 improve recycling? And as I said, California tried
16 for a decade and wasn't able to make it happen. We
17 looked at a tax, that only not only has legal
18 problems, but it also again poses significant burdens
19 on our retailers. What we came to is this very
20 simple bill like any other product that you buy, if
21 you need it, you buy and you pay for it. you pay
22 what it costs. The retailers sell it to you. If you
23 need it you can get it. If you don't need it, if you
24 don't want to pay for it, you find a way around it.
25 And the good news is there's so many ways around it.

2 For those every day purchases there's these little
3 bags that tuck neatly into your briefcase or your
4 purse, and for your weekly shopping trips there's
5 shopping bags, and you can tuck a lot more shopping
6 bags in them, bring them with you for your weekly
7 shopping trip, and the good news here is for the vast
8 majority of the time people won't have to pay this
9 charge in city after city around the country when
10 they've adopted a program like this, and 140 cities
11 have adopted legislation. You've 60 to 90 percent
12 reductions in plastic bag waste because people become
13 able to remember to bring reusable bags. Now, look,
14 for those oppose the bill, we get it. Nobody likes
15 the idea of paying for something that used to be
16 free, and so I understand we'll hear from people
17 today who don't like that idea, but the evidence
18 shows the vast majority of people will use that fact
19 to remember to bring reusable bags in their daily
20 life, and even if you don't think you will, the
21 evidence from all over the country suggests that it's
22 true. I want to thank the Chairman, and I look
23 forward to a hearing where we can hear from
24 supporters, where we can hear from opponents on and
25 off the Council and from testimony as well. I think

2 it's great that this City Council can have a debate
3 where people can disagree without being disagreeable
4 or rancorous and in fact, I'm confident that by
5 having this hearing by listening and considering
6 everything that we hear, we'll be able to improve
7 this legislation and get to a place where we adopt
8 legislation that achieves those goals that
9 dramatically reduce plastic bag waste and that takes
10 New York City to forward to join so many other cities
11 from around the country. So, to my co-sponsor
12 Margaret Chin and to Chair Reynoso thank you very
13 much.

14 CHAIRPERSON REYNOSO: Thank you, Council
15 Member Brad Lander, and now the other co-sponsor,
16 Council Member Margaret Chin.

17 COUNCIL MEMBER CHIN: Thank you, Chair
18 Reynoso. Good afternoon. I'm Council Member
19 Margaret Chin. I represent District One in lower
20 Manhattan. I'm proud to be a sponsor of Intro 209
21 with my colleague Council Member Brad Lander. This
22 bill is at heart about reducing plastic bag waste
23 across the city and about taking a major step to
24 becoming a greener city. Particularly in my
25 district, which was left without power for over a

2 week, Superstorm Sandy was a wakeup call. It's time
3 for us to start doing real things to reduce waste and
4 reduce our impact on the environment. Some of these
5 things are not going to be easy, and some of these
6 things may take work on all our parts, but this is
7 about the kind of city we want to pass on to all our
8 children and grandchildren. We know that charging a
9 small fee for plastic bags can have a major impact on
10 unnecessary waste, because it's already worked across
11 the country and in countries across the world. This
12 isn't an idea we came up with overnight. We've
13 talked extensively with business groups, with labor
14 groups, community groups. While we understand not
15 everyone can be supportive of this bill, we did our
16 best to incorporate the feedback we've heard, even
17 before we introduced this legislation. This bill has
18 no record keeping requirements for small businesses
19 and there will also be a accrual [sic] during which
20 small businesses will not get fined. We also have
21 included extensive outreach, public education and
22 advanced notice to businesses as part of the bill.
23 Our goal with this bill is not to have people pay a
24 lot of fees. It is not a tax. All we want is to
25 encourage people to change their behavior and not

2 take a bag, a plastic bag unless they really need
3 one, and look, it's really not that hard to carry a
4 reusable bag with you. Some of it are so tiny you
5 could put it in your pocket, in your purse, and it's
6 also easy for men to put it in their coat pocket or
7 in their pants pocket because it's so tiny, and when
8 you open it up it becomes a big bag that you could
9 put groceries in, you can shop in, put bags of
10 goodies in and fold the bag up into a little pouch
11 you could put in your pocket. So I hope that my
12 colleagues who are still on the fence will consider
13 supporting this bill, and I want to thank Council
14 Member Lander for his leadership on this bill and
15 Council Member Reynoso for agreeing to Chair this
16 hearing so that we can start having a public
17 conversation about this important issue, and I thank
18 everyone for being here today. Thank you.

19 CHAIRPERSON REYNOSO: Thank you, Council
20 Member Margaret Chin, and then the third sponsor of
21 the bill is our Public Advocate, Ms. Letitia James.

22 PUBLIC ADVOCATE JAMES: Thank you. I'd
23 like to thank Chair Reynoso and the bill sponsors,
24 Council Member Lander, Chin and Richards for having
25 me here today, today's hearing. This is my first

2 visit to a Sanitation Committee hearing. As most of
3 you know, when I was in the City Council I was Chair
4 of this committee, and I'm feeling a little
5 nostalgic, because I see so many familiar faces, but
6 Council Member Reynoso, you're going to have a lot of
7 fun after the first snow storm, so get ready. And
8 the Commissioner as well. We have a lot of sand, I
9 hope. We have a lot of sand, Commissioner? Thank
10 you very much. This legislation, which I am a co-
11 prime sponsor is about preserving our environment and
12 safeguarding our communities from pollution. The
13 manufacturer and disposal of single-use shopping bags
14 has a detrimental impact on our immediate
15 surroundings and the environment at large. Plastic
16 bags clog our storm drains and contribute
17 significantly to the combined sewer overflows that
18 degrade our rivers. Plastic bags improperly placed in
19 the curbside recycling stream also make it more
20 difficult and costly for us to recycle. And we know
21 the huge cost in regards to our landfills in the city
22 of New York, money that could be well spent on social
23 services and other challenges here in the city of New
24 York. I believe this bill is a good step towards
25 reducing the number of plastic bags that are used and

2 discarded in the city. I recognize that there is
3 disagreement about aspects of this bill, and I
4 believe well-intentioned disagreement breeds better
5 and stronger ideas. I think today's hearing provides
6 us a good form for debate and open dialogue. If
7 individuals have specific recommendations for ways to
8 improve this bill, I'd love to hear them. There are
9 of course other ways of reducing plastic bag waste,
10 such as deposit fees similar to the bottle bill,
11 that's a legislation that I am sponsoring, or banning
12 plastic bags altogether as California has recently
13 done, but I believe this bill is the best option for
14 New York and it deserves an opportunity to be heard
15 and discussed. In addition to that, as we move
16 forward in the City Council I hope that we will
17 continue to have discussions with respect to
18 composting and recycling and other efforts to
19 maintain our environment. One particular aspect of
20 the bill that I like is that it doesn't place overly
21 onerous burdens on store owners. For example, a
22 deposit bill would require business owners to receive
23 and store used plastic bags and provide an accounting
24 of all the bags they sell and receive. This bill
25 imposes no such burden on store owners, and moreover,

2 the ten cent fee that store owners keep helps those
3 businesses that are struggling in the city. In
4 conclusion, I'd like to once again thank Chair
5 Reynoso, Council Members Lander, Chin, and Richards
6 for inviting me here today and to all of the
7 attendees who have joined us today to share their
8 input on this important legislation, and I look
9 forward to hearing your feedback on this legislation.
10 Thank you.

11 CHAIRPERSON REYNOSO: Thank you, Chair.
12 And now I just want to say we have a lot of speakers
13 today to say the least, and we have a lot of Council
14 Members that want to say, that have comments and want
15 to make statements as well, but I--we do need to have
16 this move along. So outside of the bill's sponsors
17 we're going to ask the Commissioner of Sanitation to
18 say her piece, and then we're going to have the--
19 we're going to open it up to Council Members, of
20 course, to make statements and ask questions, and we
21 want to make sure that the folks that are on the
22 committee also get a slightly extended amount of time
23 to be able to make their statements. Outside of
24 that, every other member and members of the community
25 that are going to speak today are going to get two

2 minutes. So you'll be on the clock, and hopefully we
3 can get this moving. We expect a long day, so it's
4 going to be a lot of fun. So now I want to ask the
5 Commissioner of Sanitation, Kathryn Garcia, to please
6 make her statement. Thank you.

7 COMMISSIONER GARCIA: Thank you. Good
8 afternoon, Chair Reynoso, Council Members Lander,
9 Council Member Chin, and Public Advocate James and
10 the members of the Committee of Sanitation and Solid
11 Waste Management. I am Kathryn Garcia, Commissioner
12 of the Department of Sanitation, and thank you for
13 this opportunity to comment on the proposed reduction
14 of single-use carryout bags in New York City as
15 contemplated by Intro Number 209. I would like to
16 provide some opening remarks, after which I will be
17 happy to answer your questions. As has been said,
18 New Yorkers use and discard a staggering number of
19 single-use carryout bags ever year. For this reason,
20 the Department has historically been a proponent of
21 meaningful single-use carryout bag reform and more
22 particularly recycling and waste prevention measures
23 designed to divert material from New York City waste
24 stream. To put it very simply, we have a pie of
25 waste that we create and we want to make sure there's

2 an opportunity for people to recycle or reduce what
3 they use every single day. As for single-use plastic
4 carryout bags, there is a very limited market for
5 plastic bag recycling in the United States. On
6 average the Department collects more than 1,700 tons
7 of single-use carryout bags per week, which equate to
8 91,000 tons of plastic and paper carryout bags each
9 year and presently costs the city 12.5 million
10 annually to dispose of this material outside the
11 city. Plastic single-use bags are particularly
12 problematic. They often end up blowing into the
13 streets and onto the branches of trees creating
14 unsightly street litter and are nearly impossible to
15 get out of trees. When rain carries them into catch
16 basins, they pollute the city's surrounding
17 waterways, posing a threat to marine animals that
18 often mistake these bags as a food source.
19 Additionally, plastic bags contained in the metal,
20 glass, and plastic loads delivered to the city's
21 recycling contractor, Sims Municipal Recycling, often
22 jam the sorting machines at their facility causing
23 processing delays during the cleaning and repair of
24 sorting equipment. Given the complexity of the many
25 approaches to addressing the use of carryout plastic

2 bags, I am pleased that the Sanitation Chair and this
3 committee have scheduled today's hearing to open up
4 public and meaningful debate on the various courses
5 of action that could help minimize the negative
6 environmental impacts associated with plastic
7 carryout bags. As proposed, Intro Number 209 would
8 authorize city retailers to charge and retain a 10
9 cent fee per single carryout bag to most consumers at
10 the point of sale. Intro Number 209 aims to reduce
11 single-use carryout bag consumption in the city while
12 encouraging consumers to use more sustainable
13 reusable bags when they shop if they so choose. The
14 strategy for reducing single-use carryout bags
15 contemplated by this legislation focuses not only on
16 bag reduction, but also promotes responsible reuse
17 that could help decrease the city's cost to dispose
18 of carryout bags and minimize street litter and water
19 pollution. For these reasons, Intro Number 209
20 offers one of many strategies we would like to work
21 collaboratively with the Council more fully in order
22 to examine the environmental and economic benefits of
23 this bill's approach. I also believe that we must
24 undertake such an examination in a way that balances
25 environmental benefits with the interest of the

2 business community, consumers, residents while
3 achieving the goal of diverting hard to recycle
4 materials from the city's waste stream. In addition
5 to the imposition of bag fees collected and retained
6 by retailers at check out as proposed under Intro
7 Number 209, a number of different strategies have
8 also been implemented both here and abroad to
9 minimize the use of single-use carryout shopping
10 bags, everything from the voluntary adoption of
11 reusable bags, mandatory take-back programs similar
12 to the statewide program we currently have in New
13 York State, bag fees and taxes legislated by
14 governments, outright bans on the distribution of
15 some or all carryout bags, involuntary product
16 stewardship initiatives such as those undertaken in
17 recent years by large nationally recognized retailers
18 including Home Depot, Whole Foods and Ikea stores in
19 New York City. Ikea doesn't give you--you have to
20 buy that blue bag these days. Intro Number 209 is
21 grounded in the experience of other city and state
22 governments throughout the country in their efforts
23 to curb carryout bag usage. In 2010, the nation's
24 capital, Washington D.C., implemented a five cent per
25 bag tax that helped reduce bag consumption by more

2 than 50 percent. In 2012, the city of San Francisco
3 passed sweeping reform by banning stores and
4 restaurants from distributing carryout bags to their
5 customers. Last year, Los Angeles County implemented
6 a ban on single-use plastic carryout bags accompanied
7 by a 10 cent fee for recyclable paper single-use
8 bags, and earlier this summer, the state of
9 California became the first state in the nation to
10 enact legislation broadening this initiative
11 statewide by applying the 10 cent fee to paper,
12 compostable and reusable bags. Several other cities
13 across the country including but not limited to
14 Seattle and Dallas have also passed reform
15 legislation to curtail the distribution of carryout
16 bags. The city of New York, an international leader
17 in urban sustainability must join these other cities by
18 exploring, developing, and implementing an
19 appropriate strategy to reduce the number of single-
20 use carryout bags entering our waste stream. In
21 crafting an appropriate strategy to reduce carryout
22 bag usage we must be mindful that all the reduction
23 strategies currently being implemented and tested in
24 other locations have their strengths and limitations.
25 Therefore, before I can comment specifically on the

2 merits of Intro Number 209, I would like to learn
3 more from the city's stakeholders and officials from
4 other jurisdictions that have adopted laws on this
5 topic to understand what has worked well and what has
6 been challenging for them. That is why I believe it
7 is important for the council and the Administration
8 to explore together the pros and cons of the various
9 potential measures aimed at reducing the number of
10 carryout bags in the waste stream so that we may gain
11 a better understanding of what will work best in our
12 dynamic and diverse city. We are eager to hear the
13 opinions of the numbers stakeholders testifying here
14 today, and I look forward to further engaging with
15 the Council and other interested parties in
16 productive and valuable dialogue to develop an
17 appropriate, integrated and common sense solution to
18 reduce single-use carryout bag consumption in New
19 York City. Once again, thank you for inviting the
20 Department to share our thoughts with you this
21 afternoon on this important subject, and I'll gladly
22 answer any questions you may have now.

23 CHAIRPERSON REYNOSO: Thank you,
24 Commissioner. Now, we're going to have a two minute
25 time limit on Council Members to make their

2 statements. If you are a member of the committee,
3 you are allowed to make a statement and then get
4 another two minutes to speak. So committee members
5 are going to get extra privileges today. I want to be
6 nice to my fellow members, especially committee
7 members. So, I want to call on Council Member Jimmy
8 Vacca from the Bronx.

9 COUNCIL MEMBER VACCA: Thank you. Thank
10 you, Commissioner. I'll make it brief because I rise
11 to speak against this fee. This is a hidden tax.
12 This is a tax that's going to hit people least able
13 to afford this tax and it's going to hit them where
14 it hurts. Make no mistake about it, you go shopping
15 today, you get a plastic bag like this. This plastic
16 bag is not worth two cents, leave alone 10 cents. If
17 you are a senior citizen, and you go shopping almost
18 everything you take home has to be double bagged.
19 Double bagged because often seniors, especially,
20 people on limited means who don't have money, they
21 don't take cars to supermarkets. They walk. They
22 take buses. Without double bagging, the bag will
23 break. You are talking, when you add up super
24 markets with use of these bags in bodegas and delis
25 and drug stores, you are talking five to six dollars

2 a week on average for people in this city who are
3 least able to pay. This is a tax. This is a hidden
4 tax. This is regressive, not progressive, in every
5 way. We, on this council, are making an error when
6 we talk about those who have been left behind
7 historically from an equity perspective in this city,
8 this will make that gap wider. This will make it
9 another attempt of government to tax those who can
10 least to pay. Really, the fee is a tax in sheep's
11 clothing, and those of us like myself from the Bronx,
12 we have constituents who have stepped forth who have
13 indicated that this is the wrong way to go, that they
14 are being penalized. I don't want seniors, I don't
15 want people of limited income to be penalized. I
16 think that this council is headed in the wrong
17 direction if we do this. We are here to do the
18 people's business, not give the people the business.
19 Thank you.

20 CHAIRPERSON REYNOSO: Thank you very much,
21 Council Member Jimmy Vacca. Now we're going to go to
22 a member of the committee, Council Member Steve
23 Matteo.

24 COUNCIL MEMBER MATTEO: Thank you, Chair
25 Reynoso. We have before us yet another proposal

2 asking our constituents to do more, to pay more, to
3 give more on account of a government mandate. Some
4 putting forth this proposal say that it's not a tax,
5 and I respectfully disagree with my colleagues. If
6 it looks like a tax, smells like a tax, feels like a
7 tax, it's a tax, and it's a tax that is hurting our
8 constituents and our businesses. Bottom line is that
9 our constituents are being asked to give more out of
10 their pockets in a context when they should least
11 expect to do so, when they are going food shopping
12 for their families. Not every family has the
13 opportunity to do a quick stop every day after work
14 and can stuff one bag in their pocket. For larger
15 families doing large food shopping, they can easily
16 get 30 to 40 bags worth of groceries at a time.
17 You're talking three to four dollars every week.
18 That adds up. Over a year, you're talking another
19 bill, another 250 dollar bill for a time when we have
20 rising water rates, property tax assessments rising,
21 for us increased holes that seem to never end. This
22 idea couldn't be less ill-timed. The opportunities
23 to pay more just to get to and from the store are
24 going up, and now potentially so could the shopping
25 itself. Like many of my colleagues, I represent an

2 area underserved by public transit. I shudder to
3 imagine the senior citizen who stands waiting for
4 infrequent service or no longer has a bus line on the
5 weekends like the S54 in my district. Is the senior
6 citizen supposed to carry the bags he or she gets at
7 the store as she's waiting for a bus that may never
8 come? Shouldn't the shopping experience be easier for
9 our seniors? It definitely shouldn't be more
10 expensive for our seniors on a fixed income. Also,
11 many of the families I represent, including my own,
12 reuse these bags in a number of different ways
13 throughout our homes. Let's talk about recycling for
14 a second. We believe in recycling. Staten Island is
15 recycled. A month ago I stood with Commissioner
16 Garcia to remind them about the importance of
17 recycling. That is where our focus should be, on
18 education. Finally, to underscore a point made in
19 the past by my colleague and good friend Council
20 Member Ignizio, Staten Islanders and the people of my
21 district already do much of their shopping in Jersey.
22 They're going to pay their gas. They're going to do
23 holiday shopping. They're going to visit
24 restaurants, and now they're going to go food
25 shopping. So, we shouldn't be asking our constituents

2 to give any more of their hard earned money away, and
3 for these reasons, I will be opposing the plastic bag
4 tax. I appreciate the opportunity to respectfully
5 descent. Brad Lander said at our softball game that
6 I was going to change his ideology. Apparently that
7 didn't work. But we respectfully disagree.
8 Commissioner, I just want to ask you a few questions.
9 Do you or does the Department of Sanitation believe
10 there's a better way of handling this issue than
11 imposing, you know, what we believe is this 10 cent
12 tax? Is there a better way? Should we be doing more
13 education? You know, we stood together, I believe,
14 in educating our constituents recycling. I've been
15 recycling since 1990, so have most of Staten
16 Islanders. So, do you believe that there's a better
17 way to go about this issue?

18 COMMISSIONER GARCIA: So, I mean, I think
19 that what I really--when I think about the material
20 in our waste stream, very broadly, really it's about
21 finding an outlet. So we could, of course, educate
22 people about recycling, but I don't really have a way
23 to recycle plastic bags at this point in time. They
24 cause problems with our metal, glass, and plastic
25 recycler. We think that there are many different ways

2 to do this, but that this has actually been a
3 successful approach in other cities. But we look
4 forward to working with the Council to find out what
5 your ideas may be and how we might incorporate
6 lessons learned from other parts of the country.

7 COUNCIL MEMBER MATTEO: And what about
8 the paper bag aspect and recycling?

9 COMMISSIONER GARCIA: Well, I mean, the
10 real driver here, the real objective of this or any
11 other legislation around single-use bag reform is to
12 not charge people as much as to really change
13 behavior, to really get people to reuse bags and
14 limit waste, and actually reduce that overall pie. I
15 mean, that's the first tenant of any sustainable
16 solid waste management program is to figure out how
17 to make that pie less than it was before.

18 COUNCIL MEMBER MATTEO: So, plastic bags,
19 do you know how much they take up? Do you think it's
20 a low percentage, maybe one, two percent?

21 COMMISSIONER GARCIA: It's about 2.3
22 percent of our last characterization of the waste
23 stream.

24 COUNCIL MEMBER MATTEO: So, do you
25 believe that this actually a problem or is there what

2 we should be focusing on is the education component
3 of the rest of the recycling instead of focusing on
4 any only two percent waste stream?

5 COMMISSIONER GARCIA: Well, I mean, I
6 think that one of the challenges with plastic bags
7 which is different than other materials that might
8 inadvertently end up in the wrong bin is that plastic
9 bags cause a significant litter problem. You know,
10 they end up blowing into trees and causing some real
11 challenges for this Department and other people
12 across the city who try and care for that. So, they
13 end up causing a different problem than for example
14 if a metal can ends up in regular waste, but I, as
15 you know, am committed to doing a lot of recycling
16 and expanding many of our recycling programs across
17 the city and do believe that there's always more
18 education that we can be doing with our constituents
19 to make sure that they both know and have the
20 opportunity to recycle, whether it's at home or on
21 the go.

22 COUNCIL MEMBER MATTEO: I'll just make
23 two quick points. One, I just want to reiterate, you
24 know, what I believe in my experience and the
25 experiences of my constituents that plastic bags are

2 the most reusable bags in the house, and you know,
3 most of my constituents aren't throwing them away.
4 They are reusing them for multiple uses in the house,
5 and I think that's important to note. And finally,
6 you know, I have created new Merchant Association of
7 Victory Boulevard Merchant Association, and we've
8 been doing clean-ups, and quite frankly, you know, I
9 just don't see that plastic bags--did we see a
10 plastic bag every now and then that we pick up? Of
11 course, but we see everything. We see coffee cups.
12 We see anything that someone's throwing out of their
13 car. So, for me, I don't see as much of a problem
14 that we should be imposing a 10 cent tax on our
15 constituents. So, I'm looking forward to working with
16 the Department. I just don't think that this is the
17 way to do it. Again, I respectfully, you know,
18 disagree with my colleagues, and I'll turn it back
19 over the Chair. Thank you.

20 CHAIRPERSON REYNOSO: So now we're going
21 to get some questions in from the sponsors. So I
22 want to call on Council Member Brad Lander followed
23 by Council Member Margaret Chin, and then Council
24 Member Gibson.

2 COUNCIL MEMBER LANDER: Alright, well
3 first of all, Commissioner, thank you very much for
4 being here, for your testimony. I guess just a couple
5 of questions just on plastic bags as a waste stream
6 product. And I appreciate your testimony and your
7 thoughtfulness about them, but just some obvious
8 questions. I mean, you know, obviously when you pick
9 them up, where do they go and what happens to them?
10 Do they break down? What can you do with them?
11 Where do they wind up and what do you think's
12 happening to them there?

13 COMMISSIONER GARCIA: So, most plastic
14 bags do end up in the refuse stream, and they do end
15 up being shipped out of city to landfills in the
16 region.

17 COUNCIL MEMBER LANDER: And then you
18 mentioned that those that do wind up at Sims, at the
19 recycling facility aren't helpful there. Can you
20 just say another--

21 COMMISSIONER GARCIA: [interposing]
22 Certainly, and I think that Sims is here today and
23 will be available to testify, but they have very
24 sophisticated equipment, which I encourage anyone
25 who's not been to see it to see it, because it's very

2 impressive in how they can take different types of
3 plastic and separate them, but it's sensitive
4 equipment and plastic bags wrap around that equipment
5 and cause it not to run or be as efficient as it
6 needs to be.

7 COUNCIL MEMBER LANDER: And then you
8 mentioned in both cases, so they do wind up in the
9 landfills. They're staying there a long time, yes?

10 COMMISSIONER GARCIA: They are staying
11 there a long time.

12 COUNCIL MEMBER LANDER: They're not
13 biodegradable?

14 COMMISSIONER GARCIA: They are no
15 biodegradable, no.

16 COUNCIL MEMBER LANDER: And you mentioned
17 the challenge finding an end use for them, you know,
18 you monitor those recycling markets. I assume if
19 anyone knew if there was a market for the reuse of
20 those bags, something that could be done with them
21 that was cost effective, you would likely be aware.

22 COMMISSIONER GARCIA: Right, I mean, I
23 think that, you know, from the perspective of the
24 Department, if there is an effective way to recycle a
25 material, we clearly want to be part of like a

2 circular economy. So for with paper it's very
3 straightforward. They pick it up in Manhattan, goes
4 to Staten Island, becomes a new box. That's a
5 classic example. If we could figure out that for
6 this type of material, we would, because there's
7 actually a financial incentive to do that, but we've
8 not found that to be true.

9 COUNCIL MEMBER LANDER: And then I guess
10 I would say in general, I appreciate the points that
11 you made, and I want to give my colleagues an
12 opportunity so I won't overstay my time. I look
13 forward to asking questions of a lot folks, but I
14 think the two goals that you--two of the goals you
15 laid out in here, I mean, dealing with the plastic
16 bags is one. Getting as much waste reduction overall
17 as possible and getting people to move to the
18 reusables, not just the little ones, Council Member
19 Matteo, but I think--I have 15, you know, in here.
20 So, if you're going to carry 15 bags home on your
21 way, I think you could probably carry this one to the
22 store to begin with. Overall reductions, and not
23 harming the retailers, and making sure we work with
24 the small business community. So, I appreciate that
25 those are in your testimony and that after the

2 hearing we'll work together. We'll listen to what
3 folks have to say and find a way to tweak this bill.
4 If we hear some things that make it, need adjustment,
5 but achieve the goals that you've laid out in this
6 testimony. So, thank you.

7 COMMISSIONER GARCIA: Thank you.

8 CHAIRPERSON REYNOSO: I wanted to ask a
9 quick question. I went on a tour to, I believe it's
10 Action Carting in the Bronx, and they do paper
11 recycling, and there's an optical sorter. The
12 technology's unbelievable. It's amazing. And the
13 one thing it can't do is separate the plastic from
14 the paper. It can do everything else, but has
15 trouble with the plastic from the paper. So, in
16 this--the technology that they have, you see it
17 running throughout like a Willy Wonka Chocolate
18 Factory of paper. It runs throughout and at the end
19 of it they have literally like 10 people on either
20 side physically by hand trying to catch all the paper
21 before it goes into the last part of the process.
22 And that was my largest concern. And at this point
23 for them, they--I asked them what they thought about
24 the plastic bags, and they said it's the only thing
25 that's holding us back right now. We would be able

2 to move forward at a faster pace and do more if we
3 can get rid of these plastic bags. Now, is that--
4 would that be on the time that they really effect
5 recycling, or you're saying equipment, when it gets
6 into equipment.

7 COMMISSIONER GARCIA: So, Action is
8 obviously a private company that we don't--

9 CHAIRPERSON REYNOSO: Yes.

10 COMMISSIONER GARCIA: We don't actually
11 have a relationship with them in terms of the
12 sorting. Sims is our partner in that. They have very
13 similar equipment at Sims. They have optical sorters
14 and they also do have hand sorting. So the actual
15 real challenge with recycling plastic bags is on the
16 market front. How do you turn them into a new
17 product? It's not just about the city being able to
18 put them in the right place and have them collected
19 and then have them separated. It is also about there
20 needs to be something it can be used for. That's a
21 real critical part of the recycling.

22 CHAIRPERSON REYNOSO: There's no end game
23 for plastic bags.

24 COMMISSIONER GARCIA: There's no end game
25 yet.

2 CHAIRPERSON REYNOSO: Alright. And also,
3 would--if and when if this piece of legislation would
4 pass, would you, and I guess I'm calling, kind of
5 calling you out before you even support or are
6 against it, but from what I heard it seems like
7 you're encouraged by the conversation at least.

8 Would we be able to get bags, reusable bags to
9 communities, especially low income communities where
10 it seems that a lot of Council Members are concerned
11 about? Reusable bags so that everyone can have them
12 for an affordable price?

13 COMMISSIONER GARCIA: So, I mean, I think
14 that obviously we want to work continuously with the
15 Council, but an objective would be to make sure that
16 we are looking at this and making sure that there's
17 equity across the board and that there's access in
18 all communities to reusable bags, and if whether or
19 not that's the reusable bags are being subsidized by
20 the city or subsidized by the proposed fee or in some
21 other way, I think that we want to encourage the use
22 of reusable bags across the city in all of our
23 communities. And I know that even--and the city's
24 done a lot of outreach on this particularly with
25 Birdie [sp?] and giving out free reusable bags

2 through that Office of Long Term Planning and
3 Sustainability in the past.

4 CHAIRPERSON REYNOSO: Okay. Now, what I
5 hear from you is you're leaning for?

6 COMMISSIONER GARCIA: I am not giving up
7 where I--I'm not coming off my testimony. I think
8 that the challenge that we have is that we do not
9 think that plastic bags are a good part of this waste
10 stream. We think they cause a lot of problems. What
11 that solution is, I think this is one of a variety of
12 options that we could explore, but I'm encouraged
13 that the council wants to figure out how to resolve
14 that big problem. So--

15 CHAIRPERSON REYNOSO: Thank you very
16 much. Now, we have--

17 COMMISSIONER GARCIA: [interposing] But
18 you did a very good Meet the Press.

19 CHAIRPERSON REYNOSO: Yes. I want to
20 call on Council Member Vanessa Gibson from the Bronx.

21 COUNCIL MEMBER GIBSON: Thank you. Thank
22 you, Mr. Chair and thank you to all of my colleagues
23 who are here, and thank you, Commissioner. This is a
24 big crowd. I feel like I'm holding a Public Safety
25 Hearing today. But I truly appreciate your

2 testimony, and you know, recognizing the city of New
3 York does not have a position. I am a member of the
4 Sanitation Committee. I represent the Bronx, and so
5 you know, just some of the concerns that I generally
6 have. First, let me just thank the public. I have
7 received so many emails for and against this bill.
8 I've received emails from constituents, small
9 business owners, everyday New Yorkers about some of
10 the concerns. So this is very important to hear from
11 the public and from all of the stakeholders because
12 this is going to make a lot of changes, good or
13 possibly bad. I'd like to know if the Department has
14 made any further efforts to encourage more recycling
15 across this city, because I recognize with some of
16 these bills we propose, this is really about changing
17 some of the bad and patterned behavior, right? I
18 used to serve in Albany, and sometimes we solved
19 problems by imposing taxes. Taxes are one part of a
20 solution, but not the only answer. So, I'm very big
21 on education, on spreading the message on the public
22 message of awareness so that people can make better
23 informed decisions. Some of the concerns that I've
24 heard in my district in the Bronx, not necessarily
25 about this particular bill, but the lack of

2 sufficient trash receptacles that we have across our
3 city. So we encourage people to loiter and filter
4 the streets with garbage. I've had concerns about,
5 you know, some of the programs that Sanitation has
6 where people are just not understanding of the
7 recycling. They're hit with more tickets than they
8 are with more education. And so as we move forward,
9 I want to make sure that I'm getting all the
10 information, because I am very concerned, as some of
11 my colleagues have expressed, about the message that
12 we send. Do we stop at plastic bags? Is this going
13 to be a model in which we start taxing our way out of
14 problems across the city? I'm very concerned about
15 that. I'm very concerned about seniors, those that
16 are on fixed incomes. I do know in this bill, there
17 is a carve out for residents who are EBT recipients,
18 but for all the other low income residents that are
19 not EBT recipients, they're not carved out at all.
20 And so, I know that communities like mine in the
21 Bronx are probably the most in need to change, but
22 how do we define that change? I don't know that a tax
23 is necessarily the answer, and so I'd like to know
24 are we looking at other ways to encourage recycling.
25 Is there more education that will be coming down, and

2 if this bill should pass, I'm concerned about the
3 burden it will put on the Sanitation Department. Are
4 we looking at more staffing? Will there be a cost on
5 implementation because, you know, we have a snow
6 season coming up, and I'm concerned about the burden
7 that it will put on the Sanitation Department.

8 COMMISSIONER GARCIA: So there's a lot
9 there in your statement.

10 COUNCIL MEMBER GIBSON: I always have a
11 lot to say.

12 COMMISSIONER GARCIA: First of all, we're
13 very well prepared for snow. We have more Sanitation
14 workers than we've had in the last five years, and in
15 case you saw a spreader last night, we did run our
16 mock drill, and most everything actually went pretty
17 well. In terms of recycling, we are continuing to
18 move forward on a lot of different fronts on
19 recycling more broadly. We expanded the organics
20 recycling to all of Manhattan's schools and all of
21 Staten Island schools and many schools in the Bronx,
22 Brooklyn and Queens. So we're now in 720 schools,
23 where I think that having the children be educated
24 helps bring that message home. Just to give you, I
25 know that some folks had raised the issue of what I

2 think about the two percent. If we actually
3 successfully launch organics more broadly and people
4 participate in metal, glass and plastic, you're
5 talking about 71 percent of the waste stream having a
6 home for recycling, which makes it--so you're
7 starting to look at smaller portions of the waste
8 stream as we roll this out. We are also working right
9 now with NYCHA to help figure out whether from an
10 infrastructure and education perspective how we can
11 continue to press that message in partnership with
12 Grow NYC, who've been incredibly supportive. So we
13 do believe that there are a lot of opportunities for
14 education, but we do think that this is a slightly
15 different paradigm in terms of how do we really
16 reduce the use of these bags overall, particularly
17 when they don't have a home in the recycling pie of
18 what can be done with them. So that's from a
19 sustainable point of view. We want to make sure that
20 we develop a legislation of some sort that helps
21 achieve that goal. And certainly, we do not want to
22 see a burden put on seniors. We do not want to see a
23 burden put on people who are on low incomes, and we
24 want to make sure that anything that is crafted this
25 Administration would want to view it through the lens

2 of what's the impact on the most vulnerable in the
3 population.

4 COUNCIL MEMBER GIBSON: So, in your
5 testimony, you cited Washington D.C. that implemented
6 a five cents per bag tax, and since that time there's
7 been a 50 percent reduction. Was that in a year or
8 was that over the course from 2010 to now? That's a
9 dramatic decrease.

10 COMMISSIONER GARCIA: It's a dramatic
11 decrease. I don't know exactly what the years were.
12 We can certainly get that information to you, but
13 it's still a very short period of time to see that
14 sort of decrease, and that's usually what you see in
15 the bills that have passed in many other cities,
16 whether or not they had fees attached, taxes attached
17 or were banned. A dramatic reduction in the use of
18 single-use bags, that people actually very quickly
19 start to use a reusable bag.

20 COUNCIL MEMBER GIBSON: Okay. In
21 closing, I just want to--again, and thank you so much
22 for being here. And you know, I just really stress
23 the point that, you know, we ultimately have to do
24 something and I recognize that. The question is how
25 do we do it in such a way where there's balance in

2 the system. How do we encourage small businesses to
3 still stay operable in this city when we put a number
4 of mandates and regulations on small businesses? We
5 can't say they're the foundation of our city and then
6 put taxes on them that run them out of business. At
7 the same time, the public message to everyday New
8 Yorkers, how do we address bad behavior in such a way
9 where we look at alternatives? I'm very big on
10 choices, and taxes, again, is one. I just encourage
11 my colleagues to be very open-minded about the
12 consequences that will happen if we impose a tax of
13 this nature. And so I'm thankful for your presence.
14 Thank you, Mr. Chair, for allowing me to speak, and I
15 look forward to the hearing today.

16 CHAIRPERSON REYNOSO: Thank you very much.
17 And I just want to say to all the Council Members
18 that are present, we actually have representatives
19 from Washington D.C. that are going to speak to their
20 experience with the plastic bag situation, and I
21 think, you know, of course the Commissioner could
22 answer all the questions that are asked of her, but I
23 do want to say I think it would be very insightful to
24 hold a lot of these questions for someone that
25 actually has the experience and has gone through that

2 process. So, you know, the faster we go through our
3 questions now, the faster we get to hear from a city
4 that has actually done it. So, now I would like to
5 call on Council Member Cabrera from Manhattan.

6 COUNCIL MEMBER CABRERA: Bronx.

7 CHAIRPERSON REYNOSO: From the Bronx.

8 COUNCIL MEMBER CABRERA: It's all good.

9 Mr. Chair, first I want to thank you and I want to
10 thank the sponsors of the bill for the email that you
11 sent out yesterday welcoming everyone from both sides
12 and those who are undecided. As of right now, I am
13 one of those doubters. I'm standing with sentiments
14 that Jimmy Vacca had mentioned regarding, Council
15 Member Vacca, regarding you know, the cost. Because
16 I did a little research here, and I think the
17 assumption sometimes is that when we get these
18 plastic bags that it's only used once. And what I
19 realize in doing a little bit of research, so far, 76
20 percent of all bags are reused. So, whether it's for
21 pet litter, which those bags that we presented will
22 not do. That means people are going to have to buy
23 those anyway or a version of it. Whether it's for
24 flea market or for whatever, for whatever else. I
25 know my wife saves them all. We have a little

2 corner. We save them all and we use them for a
3 myriad of things, and so I think in the long run it
4 just makes sense. I know there's sometimes concerns
5 about emission. It makes me wonder, I think this is
6 one of the good use when it comes to this byproduct
7 of gas and oil to transfer into something that is not
8 going to effect, you know, the quality of, you know,
9 the air environment that we have, especially in the
10 city which we battle so much of that. My biggest
11 concern, to be honest with you, in the Bronx are all
12 these leaves. I think that's what we should be
13 focusing on. I think most of the catch basin
14 problems that we have is because of the leaves. It's
15 not because we have--to be honest with you, I barely
16 see any plastic bags in trees. I don't know, maybe
17 somebody else is having that problem in their
18 neighborhood, and if so, you know, I think we need to
19 become more conscious and more responsible with our
20 neighborhood not throwing garbage in the floor, but
21 there's other things that are flying in the air and
22 we're not banning that and we're not banning trees.
23 Thank you so much, Commissioner. Looking forward to
24 having a discussion with you later on. Thank you,
25 Mr. Chair.

2 CHAIRPERSON REYNOSO: Thank you, and I'm
3 just really excited about all the fellow Council
4 Members that are here. They got the memo that we
5 were giving out free reusable bags and that's why
6 they showed up. That's what I--you have to wait. You
7 have to stay here for a good amount of time. Boom.
8 There you go. Brad Lander is giving out free
9 reusable bags. The next Council Member is Council
10 Member Mark Weprin from Queens. I get that.

11 COUNCIL MEMBER WEPRIN: Thank you for
12 getting that right. Commissioner, it's good to see
13 you. I'll start with the questions. Sometimes I feel
14 like you're sitting there hearing a lot of speeches,
15 and I'll add a speech afterwards, a short one. But
16 Commissioner, so today let's go back to the question
17 Council Member Reynoso had. So if this bill was to
18 pass in this current form, you don't know what
19 recommendation you make to the Mayor as far as
20 signing it vetoing it?

21 COMMISSIONER GARCIA: We have not made
22 that determination yet.

23 COUNCIL MEMBER WEPRIN: And you--because
24 a lot of your testimony, let's face it, did sound
25 like you support the concept of it, that you think it

2 works, but you're not willing to say that you could
3 support this in its current form.

4 COMMISSIONER GARCIA: Correct.

5 COUNCIL MEMBER WEPRIN: Okay. I was
6 curious, the number-- Council Member Lander always
7 cites the number five billion bags in the state. I
8 did notice in your testimony you had a different
9 number and you skipped it because I don't know if
10 Council Member Lander convinced you of that, but I'm
11 just curious, do we know how many bags? Because I
12 know your testimony said 10 billion. He said five
13 billion. We're not used to having billions thrown
14 around here, at least since Mike Bloomberg left
15 office.

16 [laughter]

17 COMMISSIONER GARCIA: Well, I do not
18 actually play in that financial playground either,
19 but it's 9.37 billion single-use plastic bags.

20 COUNCIL MEMBER WEPRIN: I'm sorry, just
21 one more time?

22 COMMISSIONER GARCIA: 9.37--

23 COUNCIL MEMBER WEPRIN: [interposing] Wow.

24 COMMISSIONER GARCIA: billion.

2 COUNCIL MEMBER WEPRIN: Now that's
3 specific. That's good. Who counted that?

4 COMMISSIONER GARCIA: So we do waste
5 characterization studies and then we extrapolate from
6 there.

7 COUNCIL MEMBER WEPRIN: It's funny, I'm
8 sort of torn on this bill, too, because I do think
9 it's a real problem. 9.37 billion bags is crazy, and
10 I go shopping to the supermarket and I'm always
11 amazed at how many bags you end up coming home with,
12 many of which you don't need. The supermarkets give
13 them out like they're giving out water, and that's a
14 problem too. But it also is a problem in that most
15 people don't know about the problem, and that's the
16 good news about what's going on here today, and
17 Council Member Lander and Council Member Chin and the
18 rest of the sponsors are calling attention to a
19 problem that is definitely needs to be addressed as
20 your testimony says. There's just something about
21 this 10 cent fee that just doesn't feel right, you
22 know, and it's very frustrating for the people I
23 represent who are always complaining that they're
24 getting nickeled and dimed just as Council Member
25 Matteo said, but there is a--we need to come up with

2 some type of way to reduce the waste stream. So I
3 don't know what that answer is either, and that's one
4 of the reasons I'm here. I'm not on the committee and
5 that's why my time is up, but it is an issue that
6 needs to be addressed in some ways, and I want
7 people, you know, to realize that we do need to
8 change our behaviors. I'm not sure this is the way
9 to do it, but we need to come up with a solution that
10 will change the way people shop and the way the
11 stores run their businesses. Because where I live
12 right on the Nassau/Queens border, people will shop
13 in Nassau if charge them a 10 cent fee, and it will
14 hurt New York businesses. But at the same time, we
15 do got to figure out a way to reduce this waste. So
16 I look forward to working with you and my colleagues
17 as we move forward in this discussion. Thank you, Mr.
18 Chairman.

19 CHAIRPERSON REYNOSO: Thank you. And
20 mind I gave you a 10 extra seconds at the end there,
21 even though you're not part of the committee. Now, I
22 want to call on Council Member Miller from Queens.

23 COUNCIL MEMBER MILLER: Thank you, Mr.
24 Chairman and thank you to the sponsors of this bill
25 for allowing not just the council but the public and

2 the communities to be a part of this very important
3 public dialogue that we've been having in the
4 district quite often. There's been some mention here
5 to date about equity. Let me tell you about equity.
6 I am here in support of this because I am one of
7 those three districts in New York City that handles
8 or responsible for more than 80 percent of the
9 garbage in New York City. Right? That's something
10 that should be talked about, and before we go through
11 Intro 495, 209 has to be a part of that. This has to
12 be a start and has to be a beginning that we should
13 not be disproportionately in our community, this
14 community of color, or anywhere throughout the city
15 impacted by garbage, plastic bags or anything that
16 creates an unsafe environment. Environmental justice
17 is an issue that quite frankly someone else should
18 not be carrying that water when we are
19 disproportionately impacted by that. I feel very
20 strongly about that. Let me also say, hey, we do,
21 out of my office with some volunteers each weekend,
22 at least every other weekend, we do a community
23 clean-up, and I think I pick up the same plastic bags
24 over and over and over again, whether it's in trees,
25 in gutters, it doesn't matter. And judging by these

2 numbers, I think I am, right? But also, coming from
3 a--representing a community that has suffered, again
4 disproportionately, from poor infrastructure and
5 catch basin problem, flooding, too much to even
6 mention, and often catch basins are clogged simply
7 with plastic bags as well. So, this is an issue that
8 impacts the quality of life, and we have to figure
9 out here through this intelligent public discourse
10 how we fix it, and this has to be a start. And if
11 this is what we come up, this is what I have to
12 support. Thank you, Mr. Chair for your leadership.

13 CHAIRPERSON REYNOSO: Thank you, Council
14 Member Miller, I am one of the other Council Members
15 that represent 80 percent of the responsibility of
16 handling the city's trash, and it's insane when you
17 hear it. It's even worse when you know how much
18 tonnage we're carrying on a regular basis, and this
19 would assist in addressing a portion of that issue
20 when it comes to recycling. So, we'll see if we can
21 make progress. Our 495 is also the way to go, but
22 we'll talk about that another time. Now, I'd like to
23 call on my colleague from Brooklyn, Greenfield.
24 You're up.

2 COUNCIL MEMBER GREENFIELD: Thank you,
3 Mr. Chairman, and it's so great to see such a robust
4 interest in your committee this week. I think it's
5 because of your leadership, nothing to do with the
6 issue at hand. You know, I just want to--I really
7 want to start off, and you know, I'm going to leave
8 my question for last that way the clock doesn't run
9 out on me. But I want to start off and just express
10 how frustrating it is that New Yorkers are struggling
11 to get by and the conversations that we have in this
12 body every single day are about affordability. Let's
13 increase affordable housing. Let's find more jobs.
14 Let's do everything we can to make things affordable,
15 and here we are, quite frankly, I'm ashamed to sit
16 here today to talk about actually raising taxes on
17 New Yorkers to make things less affordable for New
18 Yorkers. I just want express at the outset how
19 frustrating that is for me as a consumer, as somebody
20 who actually does the shopping in my family and I go
21 to the store on Thursday night. Just so that you
22 know, my Thursday night usually ends sometime between
23 11:00 p.m. and 1:00 a.m. when I walk into my shop,
24 right, and I leave with 25 and 30 bags, and now I'm
25 going to have to pay three bucks extra a week. I

2 just want to be on the record, it's outrageous. That
3 being said, I'd like to ask you a very specific
4 question, and I'm actually curious as to have you
5 actually studied the issue of paper bags? Because
6 one of the worst things that we do in politics is tha
7 we try to mix issues together, and this is a perfect
8 mix where some people don't like plastic bags, and so
9 now people are focused, and suddenly out the blue,
10 and a lot of Council Members didn't even realize it,
11 in this legislation, it would also tax the paper
12 bags, but much of your testimony really focuses on
13 the plastic bags. So can you expand on the paper
14 issue and specifically what the challenges are over
15 there? And the final piece of that, which is a two-
16 part question is, what can be done by the city to
17 actually encourage the recycling of these bags
18 instead of actually taxing consumers, which is what
19 is being proposed today?

20 COMMISSIONER GARCIA: So, as I testified
21 so far, I mean, our real objective here is to try and
22 drive down use of any bags as much as possible. We
23 want to see the overall amount of waste reduced.
24 Paper bags are a different kettle of fish. You know,
25 they do have the ability to be easily recycled.

2 About five percent of paper bags are recycled. So
3 they are slightly different than plastic bags, but we
4 certainly want to continue to work with you on how we
5 can figure out the most effective solution for
6 reducing the overall waste stream.

7 COUNCIL MEMBER GREENFIELD: Thank you. I
8 would just conclude with saying, and I think the
9 burden should be on us the city to find ways to
10 recycle these plastic and paper bags rather than
11 shifting the burden to consumers who already live in
12 the highest tax, most expensive city in the world.
13 Thank you.

14 CHAIRPERSON REYNOSO: I'd like to call on
15 Council Member Rory Lancman followed by Council
16 Member Cumbo. I'm sorry, I'm going to start trying
17 to give you guys heads up before it comes up.

18 COUNCIL MEMBER LANCMAN: It's okay.
19 Good afternoon.

20 COMMISSIONER GARCIA: Hi, how are you?

21 COUNCIL MEMBER LANCMAN: Good. So, I too
22 share Councilman Greenfield's concerns. I was elected
23 primarily as I saw it to make life more affordable
24 for New Yorkers, not less, and making a trip to the
25 grocery store more expensive rather than less

2 expensive really wasn't what my constituents sent me
3 here to do. I want to ask you about this particular
4 policy. We're not banning plastic bags, correct?
5 This policy?

6 COMMISSIONER GARCIA: I mean, my
7 understanding is that's not what this is proposed to
8 do.

9 COUNCIL MEMBER LANCMAN: And so if people
10 decided to bite the bullet and pay the extra amount
11 that it's going to cost, it's not going to have any
12 impact on recycling, on the amount of plastic bags
13 that are being used, correct?

14 COMMISSIONER GARCIA: If they choose to
15 buy the plastic bag, no.

16 COUNCIL MEMBER LANCMAN: Yeah.

17 COMMISSIONER GARCIA: But the evidence
18 from other cities is when you actually have a fee,
19 that people choose not to pay it, and they choose to
20 use reusable bags. So that's just the evidence. I
21 mean, it may be different in New York City, but
22 that's what the evidence is across the country.

23 COUNCIL MEMBER LANCMAN: Well, let me ask
24 you something. If plastic bags are so harmful to the
25 environment and so difficult to recycle, why do we

2 not just ban plastic bags? Why are we creating a
3 system where for those people who an extra few
4 dollars a week doesn't really matter to them, they
5 get to continue to use this toxic, hazardous
6 environmentally damaging product, but the rest of us
7 are forced to bear the burden of reducing the city's
8 plastic bag usage?

9 COMMISSIONER GARCIA: Well, I mean, I
10 think that looking at bans is something that the
11 Council should definitely explore as a different
12 option to imposing the fee. I mean, I think that
13 we're open to whether or not that's the solution to
14 reduce the overall waste.

15 COUNCIL MEMBER LANCMAN: So, let me ask
16 you something that came up earlier today at a press
17 conference. Instead of using the stick, how about
18 the carrot? What about incentivizing people by
19 perhaps giving them a 10 cent credit if they choose
20 to get a reusable bag as opposed to whacking them
21 over the head with a stick by punishing them if they
22 don't?

23 COMMISSIONER GARCIA: And I think you can
24 explore that. My understanding of how that would
25 work, which would be similar to the bottle bill, is

2 that there's an enormous burden on small businesses
3 then, a much higher burden than is contemplated in
4 this proposal.

5 COUNCIL MEMBER LANCMAN: Do you have any
6 reason to believe that it would be any more or less
7 effective to--

8 COMMISSIONER GARCIA: [interposing] I
9 don't know that we've ever seen that rolled out on a
10 large scale across the country. So, I mean, I think
11 it would have to be studied.

12 COUNCIL MEMBER LANCMAN: And do we have
13 any recycling program in New York City that relies on
14 a fee or a tax to incentivize or--

15 COMMISSIONER GARCIA: [interposing] Well,
16 clearly the bottle bill is where you--well, you pay
17 and you get your deposit back. So it should be--

18 COUNCIL MEMBER LANCMAN: [interposing]
19 That's a wash.

20 COMMISSIONER GARCIA: But there isn't--I
21 do not know of something where we necessarily are
22 paying you for something that isn't--doesn't end up
23 being a deposit like--

24 COUNCIL MEMBER LANCMAN: [interposing] But
25 other than the bottle bill, which is as you

2 acknowledge is a wash, you're only getting the five
3 cents back that you pay, are there any programs that
4 the city has currently where in order to increase
5 recycling or decrease the use of a particular product
6 we are--

7 COMMISSIONER GARCIA: [interposing] So,
8 what I would point to, and I think--

9 COUNCIL MEMBER LANCMAN: [interposing]
10 fining people?

11 COMMISSIONER GARCIA: slightly different
12 than what you're thinking of, but our refashion
13 program with textiles does allow you to get a tax
14 charitable donation credit for making sure that they
15 end up with Housing Works.

16 COUNCIL MEMBER LANCMAN: Right.

17 COMMISSIONER GARCIA: And we put those
18 refashion bins in any apartment building over nine
19 units.

20 COUNCIL MEMBER LANCMAN: Okay. Well,
21 thank you very much.

22 COMMISSIONER GARCIA: You're welcome.

23 CHAIRPERSON REYNOSO: Thank you. And
24 D.C., we got one more Council Member and then you
25

2 guys are coming up. Alright, Council Member Laurie
3 Cumbo from Brooklyn.

4 COUNCIL MEMBER CUMBO: Thank you very
5 much, Chair, and thank you, Commissioner, for your
6 testimony. I think that what is certainly positive
7 today is that through all of the advocacy and all the
8 education and awareness, everybody in the council is
9 in agreement that plastic bags are a serious threat
10 to our environment, and I think everyone's basically
11 just expressing their desire about how to address
12 that issue. My question is, I wanted to know, I
13 heard it in your testimony but wanted to get more
14 clarity on it, how many cities and states have
15 implemented this legislation across the United States
16 currently?

17 COMMISSIONER GARCIA: I don't know the
18 answer to that off the top of my head. So the entire
19 state of California, Dallas, Austin, San Diego, and
20 there are a number of--Washington D.C. We have a lot
21 of cities, but we can certainly get you the full
22 list, and we can break it down. We can do a matrix.
23 You can see who's done bans, who's done fees, what
24 those fees were, because I know that we have that
25 data. I just don't know it off the top of my head.

2 COUNCIL MEMBER CUMBO: Would you say that
3 it's maybe close to a dozen or a little under a
4 dozen?

5 COMMISSIONER GARCIA: Oh, I think it's
6 more than a dozen.

7 COUNCIL MEMBER CUMBO: It's more than a
8 dozen.

9 COMMISSIONER GARCIA: It's more than a
10 dozen.

11 COUNCIL MEMBER CUMBO: Has everyone done
12 it through the 10 cent tax or have some done it
13 differently?

14 COMMISSIONER GARCIA: So they've done
15 different fees or taxes. So some have actually done
16 taxes where the government gets the money.
17 Obviously, that's not the proposal here. There've
18 been different figures in terms of how much the fee
19 is in different cities, and then some cities have
20 done bans. You no longer have the option to have a
21 carryout bag.

22 COUNCIL MEMBER CUMBO: [off mic] Once the
23 ban was implemented?

24 COMMISSIONER GARCIA: You had to bring
25 your own bag or you didn't get one. I mean, it's very

2 similar. I would think that the biggest similarity
3 would be someplace like Cost Co. where the only time-
4 -they don't have any bags at the end, and you put
5 everything in sort of piece of used cardboard that
6 you find in the aisles or you bring your own bag.

7 COUNCIL MEMBER CUMBO: Has there been
8 any, on your end, has there been any study to show
9 this is what each of these cities have done, and as a
10 result of what each of these cities have done, this
11 particular approach and this particular city produced
12 the greatest reduction of plastic bag usage as it
13 pertains to the United States, and then maybe even
14 globally?

15 COMMISSIONER GARCIA: Right. So what
16 we've seen is that actually the fee tends to reduce
17 the amount of usage, actually more even than the ban
18 in terms of how much I end up disposing. So, we've
19 actually--and according to the research we've seen,
20 it's been the most effective, but we can provide you
21 with those reports.

22 COUNCIL MEMBER CUMBO: And then just very
23 quickly, I'm sorry to--but it's a quick question. Is
24 the city going to make any motions to distribute free
25

2 green bags for any extended period of time should
3 this be implemented and voted on by the Council?

4 COMMISSIONER GARCIA: Well, I mean, I
5 certainly--we would probably expand the programs that
6 are already in place. One of my sister agencies
7 probably gives out more than 40 or 50,000 reusable
8 bags every year as part of really trying to keep
9 plastic bags out of the waterways. So that's done by
10 DEP each year in their Clean Beaches, Clean Streets
11 program, and we would seek to expand that more
12 broadly. I mean, what we'd really like to see is
13 people use reusable bags.

14 COUNCIL MEMBER CUMBO: I think that would
15 be very helpful to be able to show what's happening
16 in other cities, and--

17 COMMISSIONER GARCIA: [interposing]
18 Absolutely.

19 COUNCIL MEMBER CUMBO: what has been the
20 success of it so that we could talk more
21 intelligently with our constituents with that
22 information as well.

23 COMMISSIONER GARCIA: Absolutely.

24 COUNCIL MEMBER CUMBO: Thank you.

2 CHAIRPERSON REYNOSO: Yes, and we're
3 going to do that right now because that is the last
4 Council Member that is speaking. Just in the bill it
5 does say that it wants to the best of the ability the
6 Commissioner shall seek the assistance of private
7 entities and local not for profit organizations to
8 provide and distribute reusable carryout bags to
9 residents and signs [sic] compliant with subdivision
10 of section 16492. So we're encouraging that in the
11 legislation. And now we get to hear from Washington
12 D.C. Commissioner, thank you so much for your time.

13 COMMISSIONER GARCIA: Thank you, Chair.

14 CHAIRPERSON REYNOSO: And your patience,
15 and thank you.

16 COMMISSIONER GARCIA: Happy to be here.

17 CHAIRPERSON REYNOSO: Now I'd like to
18 call up Keith Anderson from the D.C. Government,
19 Karim Marshall, also from the D.C. Government
20 Department of Environment, and Christopher Kibler
21 also from the D.C. Government Department of the
22 Environment. So, we're going to have them say a few
23 words. They have to be out of here by three, guys.
24 So that means that we have them for about 25 minutes.

2 So we got to--no, no, not everyone, the panel. So if
3 we could just ask our questions quickly.

4 KEITH ANDERSON: Actually, Mr. Chairman,
5 we changed our travel plans, so--

6 CHAIRPERSON REYNOSO: Alright. Thank you.

7 KEITH ANDERSON: Based on the amount of
8 folks in the room we thought that would be the wise
9 thing to do.

10 CHAIRPERSON REYNOSO: Oh, we really
11 appreciate that. So, I don't know if you have any--
12 so you guys would each get an opportunity to make
13 statements, and then we'll ask questions.

14 KEITH ANDERSON: Yes. Good afternoon,
15 Chairman Reynoso and members of the committee on
16 Sanitation and Solid Waste Management. I am Keith
17 Anderson, Director of the District Department of the
18 Environment, and with me today, I have Mr.
19 Christopher Kibler, who is a Program Manager for the
20 Districts bag law and Mr. Karim Marshall who is our
21 Legislative Director. Thank you for the opportunity
22 to present testimony regarding the District's
23 experiences in implementing the Anacostia River Clean
24 Up and Protection Act of 2009, more commonly known as
25 the Bag Law. I am thrilled that New York City is

2 considering joining the district and other
3 jurisdictions in implementing a fee on disposable
4 bags. The district's bag law was the first of its
5 kind in the United States and requires businesses
6 that sell food or alcohol to charge customers five
7 cents for each paper or plastic bag distributed with
8 any purchase. Approximately 4,200 businesses are
9 regulated by the district's bag law. Regulated
10 businesses retain one cent of each five cent fee
11 collected, or two cents if they offer customers a
12 rebate for bringing their own reusable bag. The bag
13 law came about as a result of a trash study on the
14 Anacostia River watershed, which was completed in
15 2008. The study found that disposable plastic bags
16 were a major source of pollution in district
17 waterways. Plastic bags comprise 22 percent of the
18 trash found in the Anacostia River and 47 percent of
19 the trash found in the river's tributaries. The
20 district's bag law aims to reduce the number of
21 disposable bags that end up in the district's water
22 bodies and the Chesapeake Bay. By charging a five
23 cent fee for each paper and plastic bag, customers
24 are incentivized to either forgo a bag or bring a
25 reusable bag instead of paying the five cent fee. In

2 order to ease implementation of the bag law, the
3 district Department of Environment staff spent the
4 first year after the law took effect conducting
5 outreach to district businesses, residents and bag
6 manufacturers and distributors. The District
7 Department and the Environment designed and
8 distributed cash register decals and window flyers
9 with a "Skip the bag, save the river" logo for
10 businesses to display. The District Department of
11 Environment staff also created television and radio
12 advertisements to raise public awareness. In
13 addition, DDOE partnered with businesses including
14 CVS Pharmacy and major supermarket chains to
15 distribute reusable bags to customers. DDOE also
16 created a "Skip the bag, save the river" website that
17 includes a copy of the law and regulations, a tip
18 line for reporting non-compliance, and outreach
19 materials catered to businesses. I am also pleased to
20 report that almost immediately after the law took
21 effect, businesses began seeing a drastic reduction
22 in bag usage, and environmental clean-up groups also
23 reported fewer bags polluting district waterways. In
24 2013, DDOE completed a census ballot survey of 600
25 residents across the entire city that found an

2 overwhelming reduction in bag use and a strong public
3 acceptance of the law by both residents and
4 businesses. An overwhelming 80 percent of district
5 residents reported that they had reduced disposable
6 bag use since the fee went into effect, and 79
7 percent of businesses reported providing fewer
8 disposable bags to customers. On average, residents
9 estimate their household has moved from using 10
10 disposable bags per week before the law took effect
11 to four bags per week today, a 60 percent decrease.
12 Fifty percent of businesses report saving money as a
13 result of the law. In addition, 83 percent of
14 residents, including low income residents and seniors
15 and 90 percent of businesses either support or have
16 not been bothered by the law. Although revenue is
17 not the objective of the law, the law has collected
18 over 9.4 million dollars to date. This figure
19 includes revenues from bag fees, tax contributions,
20 enforcement fees and the sale of commemorative
21 environmental license plates. These funds are
22 deposited into the Anacostia River Clean Up and
23 Protection Fund, a special purpose fund managed by
24 the District Department of the Environment. The
25 revenues deposited into the fund are used to

2 implement watershed education programs, stream
3 restoration, trash retention projects, purchase and
4 distribute reusable bags for residents and administer
5 the program. While I understand this bill will not
6 generate revenue for New York City, I expect you will
7 see similar positive outcomes from changes in
8 behavior. The District Department of the Environment
9 has two fulltime inspectors responsible for enforcing
10 the bag law who inspect over 400 businesses per year.
11 Inspections are performed through undercover secret
12 shopping. During these inspections, an inspector
13 determines if the business is in compliance with the
14 law by making a purchase and requesting a disposable
15 bag during the transaction. If the business fails to
16 charge the fee or meet the other requirements of the
17 bag law, the inspector issues you a warning letter
18 that states the violations found during their
19 inspection. The warning letter specifies the require
20 action to correct the violation and the deadline for
21 compliance. If a business is still out of compliance
22 during a follow-up inspection, the inspector issues a
23 notice of infraction, which encourages civil penalty
24 up to 400 dollars depending on the number of previous
25 violations. In addition to random inspections, DDOE

2 bag law inspectors respond to tips submitted through
3 the "skip the bag, save the river" website. Since
4 the bag law took effect almost five years ago, we
5 have been able to assess the effectiveness of the
6 program. We found the districts five cent fee to be
7 low enough that it is not burdensome to the public,
8 yet high enough to incentivize folks to bring their
9 own bags and affect behavior change. The law has
10 also improved the health of district communities and
11 water bodies. Sixty percent of residents and 68
12 percent of businesses report seeing fewer bags as
13 litter compared to before the fee took effect, and
14 stream clean-up groups report seeing 60 percent fewer
15 plastic bags polluting district waterways. I would
16 be remiss if I did not mention a few challenges
17 related to implementing the bag law. There has been
18 some confusion by residents about what types of
19 businesses are subject to the law. Some individuals
20 think that the bag law only applies to grocery stores
21 and liquor stores. However, the law applies to any
22 business selling food or alcohol, including
23 businesses such as hardware stores that only sell
24 food products at the checkout counter. Another key
25 challenge is exemptions that effect when businesses

2 are required to charge the fee, including an
3 exemption for charging for paper bags distributed at
4 restaurants with seating. DDOE addresses these
5 issues through regular outreach to businesses and
6 compliance assistance during our enforcement process.
7 Overall, the district's implementation of the bag law
8 has been a practical administratively feasible and a
9 cost effective way to reduce the use of disposable
10 bags, and thus, reduce litter in our communities and
11 waterways. I anticipate the implementation of a
12 similar bag law in New York City would be as feasible
13 and cost effective as has been in the District of
14 Columbia. I thank you for the opportunity to give an
15 account of the district's implementation of the bag
16 law, and we welcome any questions that you or the
17 committee may have.

18 CHAIRPERSON REYNOSO: Thank you very much
19 for your testimony, and I appreciate you taking the
20 time to come here and speak to your experience to the
21 law.

22 KEITH ANDERSON: It's our pleasure, Mr.
23 Chairman.

24

25

2 CHAIRPERSON REYNOSO: Thank you. So, I
3 would like to ask a couple of questions. Has this
4 disproportionately affected poor people in your city?

5 KEITH ANDERSON: That was a big concern
6 before the law took effect in the District of
7 Columbia, and we conducted a tremendous amount of
8 education and outreach to our underserved communities
9 about the reason for the law and how it would work.
10 We also distributed over 200,000 bags to community,
11 to underserved communities within the District of
12 Columbia before and after the law took effect. So to
13 answer your question, it has not had an effect on
14 folks in the underserved communities.

15 CHAIRPERSON REYNOSO: I want to give the
16 opportunity for the sponsors to ask a few questions.
17 Council Member Brad Lander?

18 COUNCIL MEMBER LANDER: Well, I really
19 also appreciate your coming up here and spending this
20 time with us and rearranging your travel plans back.

21 KEITH ANDERSON: It's our pleasure,
22 Council Member.

23 COUNCIL MEMBER LANDER: I'll start by
24 following up on this question. You mentioned the
25 survey that you did that looked statistically

2 significant, and I wonder as you did the survey now a
3 few years in whether you were able to look at this
4 question of across income groups how people feel
5 about it, whether they've been able to achieve
6 reductions?

7 KEITH ANDERSON: I'm going to turn to Mr.
8 Kibler who is our Program Manager who manages the day
9 to day operations of this program.

10 CHRISTOPHER KIBLER: When we examined,
11 you know, the people's opinions of the bag law across
12 different communities and different demographics, we
13 found that, you know, regardless of the demographic,
14 opposition to the law was about the same. So low
15 income communities did not have higher opposition to
16 the law, you know, than your more affluent
17 communities in the district. Anecdotally, with low
18 income communities, you know, what we hear is, you
19 know, we're willing to comply with the law. We just
20 want to understand what the purpose is, how the
21 environment is benefitting from the law and what we
22 have to do to come into compliance.

23 COUNCIL MEMBER LANDER: That's great. But
24 that number five years on of 80 percent of folks
25 either supporting or saying they haven't been

2 negatively impacted is roughly steady across income
3 groups including--

4 KEITH ANDERSON: [interposing] That's
5 correct.

6 CHRISTOPHER KIBLER: Yes.

7 COUNCIL MEMBER LANDER: Super. Thank
8 you. I guess I'd like to hear a little more about
9 the outreach education and free reusable bag
10 giveaways, all of which are contained in our law. Our
11 law requires outreach and education. It requires to
12 the extent feasible the raising of private dollars
13 for reusable bag giveaways. It's great to hear you
14 gave out 200,000 of them. We also want to help
15 people avoid the startup cost of having your reusable
16 bags. So if you can just talk a little more about
17 how you did the outreach and education and raised the
18 money and the reus--what worked in the education
19 outreach and reusable bag distribution. Oh, yeah,
20 and we have some samples of what you--these are
21 available, I think, for--especially for opponents,
22 too. So you'll have something that you can use.

23 CHRISTOPHER KIBLER: Before the law took
24 effect and for the first year after the law took
25 effect, our focus was primarily on outreach to all,

2 you know, all income groups, all wards, all
3 geographic areas of the city, especially the low
4 income and the senior populations. And so both
5 before the law took effect and for that first year
6 our focus was compliance assistance and helping
7 people understand what the purpose of the law was.
8 The government as well as, you know, we worked with a
9 number of large chains including Whole Foods and CVS.
10 You know, right as the law took effect, we
11 distributed those 200,000 bags and we've continued to
12 distribute tens of thousands of bag per year. We
13 just got an order in of 17,000. Earlier this week I
14 was working with senior home in D.C., you know, to
15 give them bags for Thanksgiving dinner that they're
16 doing. And so we're always looking for opportunities
17 and we found that both businesses and nonprofit
18 organizations and community groups are very receptive
19 to those types of outreach initiatives, and it's
20 really just connecting the dots, you know, between
21 those organizations and the implementing agency on,
22 you know, how you can make those initiatives happen.
23 They've been very successful across the board.

24 COUNCIL MEMBER LANDER: And then I'll
25 just ask one more question, and if I have others

2 after everyone else has I may ask again, but your fee
3 is five cents. We have proposed following the
4 California example, 10 cents. It sounds like,
5 though, you've done some looking at what works. I
6 assume considered where to set it. Could you just
7 reflect on, you know, why you chose five and, you
8 know, rather than 10, whether you think 10 would
9 achieve additional reductions, and suggestions for us
10 as we go forward in thinking about where to land.

11 CHRISTOPHER KIBLER: So the decision to
12 set the fee at five cents was the--it was at the
13 initiative of our City Council, and all they really
14 wanted to do was to set it so that it was high enough
15 so that people thought about it when they had the
16 option of purchasing a bag. A big portion of the
17 actual implementation is that the cashier has to
18 actually ask a person do they want a bag, and just
19 the act of asking them forces them to think about it,
20 which forces them to think about the five cents,
21 which makes them think about other ways to actually
22 get their bags home or get their food home.

23 COUNCIL MEMBER LANDER: Thank you. Thank
24 you, Mr. Chairman.

2 CHAIRPERSON REYNOSO: Absolutely. And
3 just stating your name, your title after every single
4 question is asked just so we can keep it for the
5 record, and stay as close to the mic as possible so
6 that we can all hear you. Now we're going to go
7 through some-- Council Member Greenfield, I hope you
8 have--you got your bag?

9 COUNCIL MEMBER GREENFIELD: I got my bag.
10 If you can give me another 39 of them I can go
11 shopping every week now. So, you know, I'm a little
12 perplexed about a couple of things. Are we on a
13 clock, Mr. Chairman? I just want to know for which
14 questions I should prioritize. Is there a clock or
15 no clock on this? Either way I'll be within five
16 minutes.

17 CHAIRPERSON REYNOSO: There is a clock of
18 two minute that I--

19 COUNCIL MEMBER GREENFIELD: [interposing]
20 Two minutes.

21 CHAIRPERSON REYNOSO: There's two minutes.

22 COUNCIL MEMBER GREENFIELD: Holy moly,
23 okay. Well, in that case.

24 CHAIRPERSON REYNOSO: And it starts now.

2 COUNCIL MEMBER GREENFIELD: In that case
3 then, I'm going to go to the crux of it. Very
4 impressive sounding statistics what you're telling
5 us, Mr. Anderson. I only have one problem with that,
6 and that is that I didn't know you were testifying
7 here today, but I simply went to Google and googled
8 D.C. bag tax, and guess what? The Washington Post,
9 one of the most prominent newspapers in the country,
10 says that your statistics are wrong. And the
11 Washington Post of I believe it's January 9th of this
12 year actually says that you got your information
13 based on polling, which isn't accurate, because
14 what's happened in D.C. is that the tax numbers
15 actually remained consistent. You guys thought you
16 were going to get a million dollars a year in
17 revenue. Instead, you got two million in revenue,
18 and the revenue hasn't gone down, and what that means
19 logically is that people are still paying to use
20 bags, and therefore you have not significantly
21 reduced that, and that is the objective determination
22 of the Washington Post, one of the most respected
23 newspapers in the country. Would you care to explain
24 that discrepancy, sir?

2 CHRISTOPHER KIBLER: There's a key word
3 in the Washington Post article and that's
4 "continuing" and so it's looking at the continuing
5 decrease of plastic bag usage and paper bag usage in
6 the district, and so what it's looking at is how many
7 bags were used after that initial decrease of 60
8 percent. You really can't compare fee data from
9 before and after the fee took effect because we
10 weren't collecting fees before the fee took effect.
11 And so, you know, the Washington Post article is
12 focusing on, you know, after that initial 60 percent,
13 where has, you know, bag usage gone in the district,
14 and we've seen it's been--I think the term in the
15 article used is "remarkably consistent" and that
16 reflects our data.

17 COUNCIL MEMBER GREENFIELD: Yeah, but I
18 think the very clear argument that's made in the
19 Washington Post is that the bag usage is not actually
20 continuing as you said, I'll use your word, to go
21 down because people are still paying the fee. So if
22 they're paying the fee, it means that in fact, the
23 tax is not working.

24

25

2 CHRISTOPHER KIBLER: Well, there's an
3 initial reduction of 60 percent and we're seeing that
4 that usage is continually low at that new level.

5 COUNCIL MEMBER GREENFIELD: Alright. I'm
6 out of time. I just had final question. Why not
7 simply ban plastic bags? If your goal was to get it
8 out of the waste stream, why not simply ban plastic
9 bags and why did you decide to go after the paper
10 bags?

11 KEITH ANDERSON: We're looking--that is
12 our natural next step to ban plastic bags in the
13 District of Columbia.

14 COUNCIL MEMBER GREENFIELD: Alright,
15 thank you.

16 CHAIRPERSON REYNOSO: Thank you. And I
17 just want to--the same article, by the way, starts,
18 the first sentence says, "The district's four year
19 old tax on disposable bags has been a rousing
20 success, leading to 60 percent drop in household bag
21 use, and many few are plastic bags littering city
22 streets." I think then shortly thereafter I think it
23 speaks to what your point was, which is after that 60
24 percent, what we've seen in regards to reduction, or
25 what you've seen in regards to reduction.

2 COUNCIL MEMBER GREENFIELD: Mr. Chairman,
3 I seriously apologize, but you neglected to read the
4 next sentence, which says, "such are the claims of
5 city environmental officials citing surveys done by
6 an independent research firm last year."

7 KEITH ANDERSON: We can look at the
8 Washington Post all day long, but the reality of it
9 is is that we're pulling 60 percent less bags out of
10 our waterways.

11 COUNCIL MEMBER GREENFIELD: Based on
12 what?

13 KEITH ANDERSON: We're changing--

14 COUNCIL MEMBER GREENFIELD: [interposing]
15 Based on a survey.

16 KEITH ANDERSON: Well, and we're
17 changing--

18 CHRISTOPHER KIBLER: [interposing] We
19 have--

20 KEITH ANDERSON: changing behavior as well
21 within the District of Columbia. That was the goal
22 of the law, and Mr. Council Member, it is working.

23 COUNCIL MEMBER GREENFIELD: The Post
24 apparently disagrees, but I thank you for your
25 service.

2 CHAIRPERSON REYNOSO: Thank you. Thank
3 you again, and now we have Council Member Gibson.

4 COUNCIL MEMBER GIBSON: Thank you. Thank
5 you for your testimony, your presence here today.
6 Just three very quick questions. I know I'm on a
7 time frame. Before this tax was proposed, I'd like
8 to know if you made any other efforts to encourage
9 recycling in D.C., and then I'd like to know--I mean,
10 you gave a really good story, and I'm always thinking
11 about the unintended consequences. What was the
12 impact on some of the small business with regard to
13 the implementation of this bill?

14 KEITH ANDERSON: Well, I'll speak to the
15 impact on small businesses. The small businesses are
16 actually have benefitted from this because they're
17 purchasing less bags for the consumers. So there's
18 actually been a positive for the small businesses in
19 the District of Columbia. We have one major retailer
20 that is reporting that they're purchasing 50 percent
21 less bags. So that's a net savings for that company.

22 KARIM MARSHALL: Regarding prior--this is
23 Karim Marshall. Regarding prior recycling efforts,
24 as your Commissioner stated plastic bags cannot be
25 easily recycled into anything that can be used in a

2 secondary market. So the issues isn't--the issue
3 isn't one of collection. The issue is what do you do
4 with it once you have them. We've been trying to
5 increase our recycling efforts for multiple years,
6 but again, plastic bag are a threat to the waterways,
7 and the best thing to do is to try to get them out of
8 the waste stream in total.

9 COUNCIL MEMBER GIBSON: What about some
10 of the small businesses that were plastic bag
11 manufacturers? Did you notice any impact on jobs?

12 KEITH ANDERSON: We don't have any in the
13 district.

14 COUNCIL MEMBER GIBSON: Oh, okay. Also,
15 in your testimony you talked about the enforcement of
16 the bill. You have two fulltime inspectors that
17 handle 500 businesses per year. You talked about a
18 lot of the efforts that the inspectors make to
19 enforce the law, but what does the Department do to
20 support the businesses? So, what process other than
21 the website do you use to help small businesses that
22 have questions? And also, you know, New York City is
23 very diverse, so we have a number of different
24 cultures, languages, and how do you get across those
25

2 cultural lines to make sure that you capture all the
3 businesses?

4 CHRISTOPHER KIBLER: We're very active in
5 our outreach materials for businesses, you know, with
6 respect to enforcement specifically and how they can
7 comply with the law. We also have a very diverse
8 jurisdiction and so we work through interpreters if
9 need be. And you know, it's been really--you know,
10 with compliance assistance as our first goal
11 throughout that process, and we really haven't had
12 any difficulties with businesses. We also issue a
13 warning letter beforehand, and we really have
14 extensive conversations. You know, we're willing to
15 burn the midnight oil if that's what it takes, you
16 know, to bring the business into compliance.

17 COUNCIL MEMBER GIBSON: Okay. Thank you.
18 Thank you, Mr. Chair.

19 CHAIRPERSON REYNOSO: Council Member Rory
20 Lancman, you're up.

21 COUNCIL MEMBER LANCMAN: Good afternoon.
22 Thanks for coming up. Let me ask you the 64,000
23 dollar question. If your next step is to ban plastic
24 bags outright, why and why wouldn't you then be
25 recommending to us that that's where we should go?

2 Because there are many debates within this issue, and
3 one of them is, I raised it earlier with the
4 Commissioner, if these bags are so harmful to the
5 environment, why set up a system where those who can
6 afford to use them get to use them and those who
7 can't don't. Let's just ban them. So, why are you
8 looking at taking your--well, eliminating your policy
9 of charging a fee or a tax on your bags and just
10 going to an outright ban?

11 KEITH ANDERSON: Well, we were asked to
12 speak about our lessons learned with the
13 implementation of our bag law, but I would definitely
14 recommend banning plastic bags in New York City. The
15 reason we didn't do it initially was because quite
16 frankly the bill--the appetite was not there to have
17 an outright ban. But now, the residents of the
18 District of Columbia see how important this law is,
19 and we are--our next step is to ban plastic bags in
20 the District of Columbia.

21 COUNCIL MEMBER LANCMAN: So, just so I
22 understand, the position of the District of Columbia
23 and so far as you're representing that point of view
24 is the way to attack this problem is to ban the
25 hazardous substance, the plastic bags.

2 KARIM MARSHALL: Well, there's a
3 practical matter of just making sure that the
4 residents of your city are actually prepared for the
5 step that may come. So you--it may require
6 incrementalism just move people along. So, starting
7 with a fee that makes them think about the actual
8 impact--

9 COUNCIL MEMBER LANCMAN: [interposing]
10 But--I get it. But the ultimate--

11 KARIM MARSHALL: [interposing] And then
12 making them recognize that the next--

13 COUNCIL MEMBER LANCMAN: [interposing]
14 sound policy that you--

15 KARIM MARSHALL: [interposing] step is to
16 remove it.

17 COUNCIL MEMBER LANCMAN: recommend--the
18 ultimate sound policy that you recommend is a ban on
19 the plastic bags, correct?

20 KARIM MARSHALL: We can't actually testify
21 to the political will or the political appetite in
22 New York City. We can say what we've learned is that
23 using an incremental ban first, or using an
24 incremental fee first, educating our citizens, and
25 then moving eventually towards a ban was what was

2 right for the district, but New York is a different
3 city. So what works here might not work in the
4 district.

5 COUNCIL MEMBER LANCMAN: Quick--have you
6 done any study or analysis of the economic impact on
7 individuals or families who continue to use plastic
8 bags and pay the fee as well as families who went out
9 and purchased reusable bags? Which don't last
10 forever.

11 CHRISTOPHER KIBLER: We've seen a really
12 significant reductions in the use of plastic bags and
13 paper bags as well. Again, the district's law
14 applies to both plastic and paper bags. Eighty
15 percent of residents report using fewer disposable
16 bags.

17 COUNCIL MEMBER LANCMAN: Yeah, but the
18 economic impact. Like, how much a family has to pay
19 each year to either keep using plastic bags or how
20 much they have to pay each year to purchase reusable
21 bags, which don't last forever.

22 CHRISTOPHER KIBLER: I think the majority
23 of, you know, households in the district are avoiding
24 that economic impact by bringing reusable bags.

2 COUNCIL MEMBER LANCMAN: Alright, but
3 they're not free. I mean, I know you gave out an
4 initial allotment of free bags, but they don't grow
5 on trees. Someone has to pay for those bags. So how
6 much does the average family that uses reusable bags
7 have to pay each year so that they have those--

8 KEITH ANDERSON: [interposing] Mr.
9 Councilman, I don't believe we've conducted a study
10 that speaks to your question.

11 COUNCIL MEMBER LANCMAN: Okay. Thank you
12 very much. I do really appreciate you coming up here.
13 I found it very illuminating.

14 KEITH ANDERSON: Thank you.

15 CHAIRPERSON REYNOSO: Thank you, again.
16 We got questions from Council Member Williams from
17 Brooklyn followed by Robert Cornegy from Brooklyn.

18 COUNCIL MEMBER WILLIAMS: Thank you very
19 much, Mr. Chair. I'm very excited that you're here.
20 Thank you. I had a bunch of questions, but I only
21 have two minutes, so I won't get to them. But it
22 was--

23 CHAIRPERSON REYNOSO: [interposing] It's a
24 lax two minutes, by the way.

2 COUNCIL MEMBER WILLIAMS: Oh, thank you.
3 Just following on some of that questions that Council
4 Member Lancman was asking, because I heard the answer
5 to your question about how it affected poor people in
6 the city, but was there--you said there was no study
7 to kind of see how it economically effected
8 individual people's or families?

9 CHRISTOPHER KIBLER: We have studies
10 about the usage of bags and how many residents are
11 bringing reusable bags, so I suppose you could
12 extrapolate some sort of economic impact, but the
13 focus of our study was, you know, the number of bags
14 entering the waste stream and consumer behaviors.
15 And so we haven't looked specifically at the economic
16 aspects of that.

17 COUNCIL MEMBER WILLIAMS: Alright.
18 That's one of the main things I actually was hoping--
19 I wanted to talk to people from another city to see
20 how people who are economically disadvantaged how
21 they're dealing with the tax, and you don't have that
22 information, I guess, for the people who are still
23 using it?

24 CHRISTOPHER KIBLER: Well, we have, you
25 know, a lot of outreach efforts focused on low income

2 and senior communities. We could also, you know, look
3 at how residents approach the fee and you know, in
4 low income communities opposition isn't any higher
5 than the rest of the district. So to the extent that
6 that speaks to the economic impact that it's having--

7 COUNCIL MEMBER WILLIAMS: [interposing]

8 Well, what are you gauging on that? What are you
9 gauging that on, saying that opposition is not higher
10 in those districts?

11 CHRISTOPHER KIBLER: So we asked

12 residents, you know, do you support it, do you have
13 no strong feelings about it, or do you oppose it, and
14 the opposition was no higher in low income
15 communities than it was in the rest of the district.

16 COUNCIL MEMBER WILLIAMS: Okay, and how
17 many bags did you say you moved out, you sent around?

18 CHRISTOPHER KIBLER: When the fee first
19 took effect, the government in its, you know,
20 partnerships through other large chains was over
21 200,000. We do tens of thousands per year. we just
22 got 17,000 in recently for distribution in the coming
23 months. So it's in the tens of thousands.

24 COUNCIL MEMBER WILLIAMS: Do you--did you
25 do any kind of study about how many bags people use

2 on average? I too have a Orthodox Jewish community.
3 They have large families. They use a lot of bags.
4 I'm worried about them. I'm worried about
5 economically disadvantaged people in general. Is
6 there any kind of study about how many bags people
7 generally use so we know how many reusable bags they
8 would need?

9 CHRISTOPHER KIBLER: The average
10 household in the district before the fee took effect
11 used 10 bags per week and the average household in
12 the district now uses four bags per week after the
13 fee took effect. So it's a 60 percent reduction.

14 COUNCIL MEMBER WILLIAMS: And do people,
15 where it's in effect, do they normally walk to the
16 grocery store or drive to the grocery store?

17 CHRISTOPHER KIBLER: I don't think we
18 have that type of analysis.

19 COUNCIL MEMBER WILLIAMS: Alright. I
20 think that's an important analysis also because
21 there's a difference, I think, in how people normally
22 shop in New York. And then my final question, based
23 on some of the things that you've said, would it be
24 better--would you have chosen to ban outright if you
25

2 had that option instead of doing the fee at the
3 beginning?

4 KEITH ANDERSON: I believe we're pleased
5 in the direction that we're headed, we've been moving
6 in. We've seen a significant reduction in the amount
7 of bags in our waterways and streams, and now I
8 believe it's time, you know, to look towards a ban.

9 COUNCIL MEMBER WILLIAMS: Would you have
10 preferred to ban the bags outright at the beginning
11 instead of going--

12 KEITH ANDERSON: [interposing] Me
13 personally, I would have preferred to ban, but I
14 think we took the best route to address the issue in
15 the city and change behavior.

16 COUNCIL MEMBER WILLIAMS: Thank you. And
17 who's bag--thank you for the bags. I did have a very
18 big accident that the sponsors are well aware where
19 curry leaked from the reusable bag I was given to
20 have my lunch all over my seat, so I was very upset
21 about that, and so hopefully these bags that won't
22 happen to. But thank you so much.

23 KEITH ANDERSON: They won't. You'll be
24 thoroughly protected with that bag, sir.

2 COUNCIL MEMBER WILLIAMS: Thank you very
3 much.

4 CHAIRPERSON REYNOSO: D.C. is claiming
5 that their bags are better than ours. Council Member
6 Cornegy, you're up.

7 COUNCIL MEMBER CORNEGY: So, first of
8 all, thank you so much Chair Reynoso, Council Member
9 Lander and Council Member Chin for this thoughtful
10 piece of legislation and while I do not agree with
11 the legislation, I do respect the hard work and
12 effort that was put into drafting it in the
13 thoughtful way that it was prepared. I'm not on the
14 Sanitation Committee and won't have an opportunity to
15 vote on the plastic bag proposal unless it comes to
16 the floor of the New York City Council, but I have
17 been engaged with this issue since the bill was first
18 introduced. Talking with the sponsors, plastic bag
19 distributors, bodega owners and constituents who have
20 a range of opinions. Today, I'd like to focus on a
21 few concerns that are particularly relevant to my
22 role as the Chair of the City Council's Committee on
23 Small Business. My first concern is that the burden
24 the bill will place on store owners to impose the 10
25 cent charge on their customers. Bodega owners in

2 particular predict that if this bill passes, they'll
3 have dozens of negative interactions with their
4 customers every day. With unhappy shoppers taking
5 their feelings out on the merchants, and it's not
6 just bodegas, but small retailers who struggle to
7 compete against the big box stores and internet
8 sellers are also concerned that nickel and diming
9 their customers in this way will harm their
10 relationships. I sympathize with these small business
11 concerns. Why is it fair to force these individuals
12 with the threat of fines to enforce the policy? If
13 what we want is to change behavior, government should
14 take on the responsibility of educating the public
15 and creating incentives, not force merchants do this.
16 Secondly, if plastic bags are what's causing a
17 problem in waste processing plants, why doesn't the
18 bill distinguish between plastic and paper? Paper
19 bags are biodegradable and don't cause the same
20 processing or litter problems. Shouldn't this
21 distinction in harms be recognized by the policy
22 giving merchants and customers and environmentally
23 friendlier choice to avoid the five cent, the 10
24 charge? Finally, I'd like to note that small local
25 clothing and shoe and electronic shops don't make

2 many sales in any single day. They go through only a
3 fraction of the number of bags used by a supermarket
4 or a big box store. Couldn't a logical distinction
5 be drawn between purveyors based on volume or size?
6 In that way, you could still accomplish the goal of
7 reducing bag use without harming small business.
8 Making this distinction would also protect the local
9 small businesses that distribute plastic bags,
10 because many small retail businesses are their main
11 customers. Generally, I always prefer policies that
12 use carrots rather than sticks. I'd be far more
13 comfortable with a proposal that emphasized
14 increasing recycling along with public education and
15 phased in reductions with the distinctions I
16 previously described. I hope that we can come to an
17 agreement on a more nuanced proposal that takes the
18 concerns of small businesses and low income New
19 Yorkers into consideration and does not place the
20 burden for making this social change on their
21 shoulders. Thank you.

22 CHAIRPERSON REYNOSO: Thank you. And I
23 guess to address a couple of those, and I think a
24 couple of Council Members want a round two. So just
25 very quickly, were there any negative interactions

2 between customers and the stores or the places where
3 they were using? Did you see a spike in, I guess,
4 angry customers?

5 CHRISTOPHER KIBLER: We came up with cash
6 register decals that said, you know, "as of January
7 1st, 2010, businesses are required to charge a five
8 cent fee for paper and plastic bags." That was very
9 effective, you know, at the point of sale kind of
10 easing customer's worries. Because cashiers, you
11 know, if there was kind of contentious interactions,
12 cashiers could just point to the sticker. It made
13 customers aware of fact that it was issue of
14 legislation. It wasn't, you know, the cashier's
15 personal opinion, and overwhelmingly from businesses,
16 you know, they've said to us anecdotally that, you
17 know, those have been really helpful in kind of
18 easing the process of implementing the fee.

19 COUNCIL MEMBER CORNEGY: So, I don't know
20 about D.C., but in Brooklyn, our residents are more
21 apt to voice their opinion in not such a nice manner.
22 I love my borough and I especially love Bed-Stuy,
23 however, we are very vocal in our opinions, and I
24 would beg to differ about that interaction.

2 KARIM MARSHALL: The district is very
3 diverse. We also have portions of the city that are
4 more apt to aggressively voice their opinion as well.

5 CHAIRPERSON REYNOSO: Don't knock the
6 D.C. hustle. It was. It was. That's two things
7 there. Now, I want to go through a round two. I
8 think Council Member Greenfield has a couple more
9 questions, and then moving forward will be followed
10 by Deputy Borough President's representative and Sims
11 Municipal Recycling.

12 COUNCIL MEMBER GREENFIELD: In my haste
13 to ask my question in two minutes, I forgot to say
14 that I am very grateful that you came down here
15 today. It is helpful to us. It is educational, and
16 we certainly very much appreciate it, and I hope that
17 New York City is refunding you for the Amtrak fare.
18 I do just have one specific question, and that is
19 what I'm not really sure about, and I think that's
20 why we have a little bit of a discrepancy. You said
21 that the bag use was lowered initially 60 percent.
22 That information is based on a survey or is that
23 information based on comparing how many bags were
24 used in the municipality of the District of Columbia
25 before and after, because that obviously I think is

2 the critical question over here, why we have some
3 confusion.

4 CHRISTOPHER KIBLER: We have stream
5 clean-up groups that do quantitative systematic
6 assessments of the types and sources of trash in our
7 rivers. So they've actually measured and counted
8 every single item of trash that they've pulled out of
9 the rivers, and so it's based on that number, and
10 then we did the survey, and the survey collaborated
11 that number almost exactly. So it's both qualitative
12 and quantitative.

13 COUNCIL MEMBER GREENFIELD: So based--so
14 you're pulling out 60 percent less trash bags out of
15 the river?

16 CHRISTOPHER KIBLER: Disposable carryout
17 bags.

18 COUNCIL MEMBER GREENFIELD: Okay, very
19 good. So, I guess my next question specifically is
20 you're referring to plastic bags, right, not paper
21 bags, right? Because I imagine that's really what
22 stays in the river, right?

23 CHRISTOPHER KIBLER: Paper bags--

24

25

2 COUNCIL MEMBER GREENFIELD: [interposing]
3 See Mr. Anderson is shaking his head in agreement,
4 yes?

5 CHRISTOPHER KIBLER: Referring to plastic
6 bags, yes.

7 COUNCIL MEMBER GREENFIELD: Plastic bags,
8 okay. So, I guess it leads me back to my original
9 question which is, why place the fee on the paper
10 bags, right? Paper bags are recyclable. They are
11 compostable. They are heavily reused. So why'd you
12 pick on the poor paper bags? What did paper bags do
13 to offend you guys?

14 CHRISTOPHER KIBLER: Per unit, paper bags
15 are more expensive than plastic bags. So if you only
16 put a fee on plastic bags, then all the customers are
17 going to ask for the free paper bag, but because
18 those are more expensive per unit, then businesses
19 are going to have shell out more money to get those
20 disposable bags.

21 COUNCIL MEMBER GREENFIELD: How much more
22 expensive is it?

23 CHRISTOPHER KIBLER: I don't have the
24 specific number in front of me. But if you put the
25 fee on both, then businesses save money, and we've

2 seen that 50 percent of businesses report saving
3 money as a result of the fee on both paper and
4 plastic bags.

5 COUNCIL MEMBER GREENFIELD: My final
6 question that I would ask is that working with your
7 supposition that you did see an initial reduction,
8 one of the things in your testimony was that in fact
9 that you found the right balance, which is this
10 nickel. So you would agree that nickel in fact is
11 the right number. So we here in the Council are
12 proposing to excessively tax folks at a dime, which
13 is 100 percent more than the nickel in Washington
14 D.C. Is that a fair assessment based on your
15 testimony?

16 CHRISTOPHER KIBLER: I can only speak to
17 what we've seen with the nickel. I can't speak to
18 what would happen with a dime.

19 COUNCIL MEMBER GREENFIELD: But the
20 nickel works for you?

21 CHRISTOPHER KIBLER: The nickel works.

22 COUNCIL MEMBER GREENFIELD: Thank you.

23 KEITH ANDERSON: The nickel works very
24 well.

2 CHAIRPERSON REYNOSO: Thank you. So if
3 the nickel works for you, it's going to work for
4 David. Thank you David for your support if it's
5 dropped to a nickel. I really appreciate it. We're
6 going to have to move on. Again, to reiterate what
7 Council Member Greenfield said, we're really grateful
8 that you guys could come down and let us know about,
9 and insight us what's the process in D.C. So thank
10 you again. Thank you very much.

11 KEITH ANDERSON: Thank you so much.

12 CHRISTOPHER KIBLER: Thank you.

13 CHAIRPERSON REYNOSO: Now I would like
14 Aldrin Bonilla from the Deputy Manhattan Borough
15 President and Maite Quinn from Sims Municipal
16 Recycling. And in any order that you guys see fit.
17 Well, actually, let's have the Deputy Manhattan
18 Borough President speak first.

19 ALDRIN BONILLA: Good afternoon. My name
20 is Aldrin Rafael Bonilla, and I'm Manhattan Deputy
21 Borough President delivering comments on behalf of
22 Borough President Gale Brewer. I'm joined by Policy
23 Analyst, Hally Chu as well. Thank you to Chair
24 Reynoso and to the Council Members of the Committee
25 on Sanitation and Solid Waste Management for the

2 opportunity to testify. The city spends more than
3 two billion annually to manage its solid waste. OF
4 this amount, we spend 300 million each year to haul
5 our trash to landfills in other states. It also
6 costs the environment 40 million miles of diesel
7 trucks traveling between New York City and to states
8 as far away as South Carolina, and the stuff that we
9 send to landfills generate over 675,000 metric tons
10 of greenhouse gas. For years, as Council Member, Gale
11 Brewer worked with the Department of Sanitation and
12 later with the Department of Education to divert
13 organic waste out of our schools and residential
14 building's garbage streams. The rationale behind
15 organic waste diversion is simple. Food scraps
16 should be treated as a resource for compositing and
17 to fertilizer and generating renewable energy.
18 Removing this very useful portion of the waste from
19 the overall tonnage truck to landfills is an
20 environmentally responsible policy. But what do we
21 do about garbage that--but what do we do about
22 garbage that has no reusable value like carryout bags
23 that are used once to transport groceries between the
24 store and home and then get discarded? Disposable
25 bags cannot be taken out of the garbage stream like

2 organic waste. They are the garbage. Nor are they
3 biodegradable. So, the stemming of disposable bags
4 must start at the consumer level, hence behavioral
5 change, which is why Gale Brewer supports Intro 209
6 to impose a 10 cents fee on carryout bags as a way to
7 decentivize and discourage the use of single-use
8 bags. Now you'll hear much about concerns about the
9 plastic bags, from the plastic bag industry claiming
10 that the 10 cents fee is regressive tax, that
11 implementation will threaten 2,000 manufacturing and
12 recycling jobs in New York State, and that instead of
13 reducing overall carryout bag usage, the city should
14 focus instead on recycling. Here are some answers to
15 these concerns. The 10 cents fee is not a regressive
16 tax. In fact, it is not a tax. It is a fee.

17 Meaning that the entire amount that the consumers pay
18 for the bag will go to the businesses and not to the
19 city. Second, it is an avoidable charge. Consumers
20 are encouraged to bring their own reusable bag. This
21 is the intent of the proposed bill. An organization
22 such as the Citizens Committee will work with the
23 Department of Sanitation to ensure people who need
24 reusable bags receive them through targeted outreach
25 efforts. Third, the current language in the bill

2 exempts SNAP and WIC recipients from the fee. So the
3 10 cents charge in addition to being an option will
4 not adversely affect the city's most vulnerable
5 populations. Next you will hear about these 2,000
6 job losses or potential. We would argue that it will
7 be a gain, a preservation of 2,000 more workers in
8 environmentally sustainable manufacturing. Rather
9 than seeing a threat of 2,000 jobs loss as the
10 plastic bag industry claims, I believe that the bill
11 will be a catalyst that sparks innovation and
12 encourage New York State manufacturers to transition
13 into making reusable bags and other environmentally
14 sustainable products. Transitioning into a greener
15 manufacturing is often encouraged by state and local
16 governments. In California, the state will provide
17 two million in competitive loans to help plastic bag
18 businesses transition into making reusable bags. In
19 New York State we can have similar initiatives. You
20 will also hear that let's reduce plastic bag usage in
21 addition to encouraging recycling and its reuse.
22 There is almost no market demand for recycling
23 plastic bags. Less than five percent of all plastic
24 bags are recycled and this is already a generous
25 estimate because plastic bags are usually counted

2 among other recyclable plastic films for this
3 statistic. According to the recently published
4 article in Tulane Environmental Law Journal analyzing
5 Intro 209, plastic carryout bags often hinder
6 municipal recycling by becoming caught in recycling
7 processing equipment causing recycling sort lines to
8 go offline while waiting for plastic bags to be
9 removed. Plastic bags also require extra energy and
10 cost to the recycling process, which is why Sims
11 Municipal Recycling in New York City, which you will
12 hear from supports the proposed bill. The American
13 Progressive Bag Lines is proposing to set up plastic
14 bag recycling in NYCHA buildings in lieu of
15 supporting Intro 209 to reduce overall carryout bag
16 use. Now, I fully support recycling in NYCHA and have
17 worked with the Manhattan Solid Waste Advisory Board
18 to introduce plastic, metal and recycling in NYCHA
19 houses and worked with, for example, Joan Levine and
20 Grant Houses. So this is admirable, but this should
21 be both and. In the plastics--if the plastics
22 industry wants to promote recycling in NYCHA, that is
23 wonderful, but it should not be pitted against Intro
24 209, and in order to go about it most sensibly and
25 effectively, the focus should be on recycling items

2 that have a viable recycling market such as plastics,
3 metal and paper recycling. Or we can collaborate on
4 how to introduce organics waste diversion among NYCHA
5 developments since organics waste are also a valuable
6 market through composting and renewable energy
7 generation. I absolutely want to see recycling
8 happen in NYCHA, but not of plastic bags that can be
9 prevented from entering NYCHA development from
10 grocery and retail stores to begin with. Let's
11 promote reduced usage of carryout bags and recycling
12 of marketable waste. I want to conclude by
13 mentioning that my hope is to see Intro 209 become
14 law, and that this can serve as a stepping stone to
15 further environmentally responsible waste management
16 practices. The current bill does not apply to
17 restaurants, but perhaps one day as it is with Los
18 Angeles as an example to be encouraging. In 2014,
19 the city of Los Angeles Bag Ordinance expanded to
20 include all food retailers. Imagine the amount of
21 single-use bags we can save from takeout and delivery
22 services. Thank you again for the opportunity to
23 voice support for Intro 209 today. I look forward to
24 continue working with the committee and with the

2 Department of Sanitation to ensure New York City
3 becomes sustainable in all areas of waste management.

4 CHAIRPERSON REYNOSO: Thank you very much,
5 Deputy Borough President for that. And now we're
6 going to ask Sims. Thank you.

7 MAITE QUINN: Thank you. Thank you for
8 the opportunity to testify on Intro 209. My name is
9 Maite Quinn, and I'm the Marketing and Business
10 Development Manager for Sims Municipal Recycling,
11 SMR. As many of you may know, SMR has a contract
12 with New York City Department of Sanitation to
13 process and market 100 percent of the metal, glass
14 and plastic collected through the city's curbside
15 recycling program. I am here today to testify in
16 support of Intro 209. Supporters of this bill speak
17 to a variety of problems posed by plastic bags such
18 as litter, clogged storm water drains, and an overall
19 reduction in waste generation. I would like to speak
20 to the issue of plastic bags as the processor of the
21 city's recyclables and as someone who is personally
22 responsible for marketing these recyclables after
23 they have been processed. While we understand that
24 large plastic bags are an excepted method of plastic
25 recyclables at the curb for collection, we also

2 receive a seemingly endless stream of small carryout
3 plastic bags mixed in with the recyclables. These
4 bags present a range of challenges and costs
5 including wind blown litter at our facilities,
6 clogged recycling machinery and contamination of
7 otherwise saleable recyclable materials. We have
8 literally millions of dollars of equipment installed
9 for the sole purpose of getting plastic bags away
10 from recyclables that we want, and we have many
11 fulltime employees dedicated to clearing jams,
12 untangling bags from screening equipment and hand
13 picking pieces of bags from our finished recycled
14 commodities. After going to great effort and expense
15 to separate plastic bags from other recyclables, we
16 are only able to capture 30 percent. The rest goes
17 straight to landfill. The plastic bags that we
18 capture are dirty and usually contaminated with other
19 materials because of their flexible nature. We call
20 this produce MRF film, which is material recycling
21 facility film, and the only reliable market is the
22 landfill. In more than 10 years that we have been
23 processing this city's recyclables there have been
24 many plastic reclaimers that have taken trial loads
25 of our sorted plastic bags for recycling and we have

2 in the past and continue to work with several of
3 these companies to make a MRF film product of a
4 quality they can use, but these efforts have not
5 resulted in a consistent and reliable market for this
6 material. To my knowledge, that is the same case,
7 not just for the MRF film we produce but for the
8 plastic bags that are produced at co-mingled metal,
9 plastic and glass processing plants across the
10 country. Finally, we are first and foremost a
11 recycling company. We subscribe to the waste
12 management hierarchy often referenced in public
13 policy which is reduce, reuse, and then recycle.
14 Take out bags are a prime candidate for waste
15 reduction, preventing unnecessary waste from being
16 produced in the first place. We thank you for your
17 leadership on the issue and encourage the council to
18 pass Intro 209.

19 CHAIRPERSON REYNOSO: I want to ask a
20 couple of questions from Council Member Brad Lander.

21 COUNCIL MEMBER LANDER: First, thanks to
22 all of you, to the Deputy Borough President as well,
23 but and to Sims for the great work that you are
24 moving forward in Brooklyn, and actually I guess,
25 before I go to plastic bags, I wouldn't--if you

2 could--and I know you're having separate hearings on
3 it, but if we could get a 30 second update on how the
4 rigid plastics recycling is going. Obviously we're
5 enthusiastic more broadly about the waste stream
6 reduction. So, I know you didn't come prepared today
7 to testify on that, but if you could just give us a
8 quick update on how rigid plastic recycling is going
9 at Sims.

10 MAITE QUINN: That we've been accepting
11 the material. It's actually difficult to talk
12 exactly on the increase because we did open up
13 Brooklyn in the middle of that. So, and we had
14 Jersey City, so it's kind of hard to talk exactly on
15 what we've seen as an increase or not.

16 COUNCIL MEMBER LANDER: Okay. Alright,
17 so I guess, I think this is implied in your
18 testimony, but I just want to--can I have it for the
19 record, because I think that conspiracy minded folks
20 out there who think this idea that it's difficult to
21 pull the plastic bags out with an optical sorter or
22 some machine is like some kind of ideologically
23 driven goal. I assume you've tried to figure out ways
24 using optical scanners, using technology to do

2 something that would reduce the cost and time to you
3 of pulling them out of your equipment.

4 MAITE QUINN: Right. So, basically when
5 we opened up Brooklyn, we actually knew it was a
6 problem with plastic bags, so we did dedicate optical
7 sorters to take out the plastic film in hopes that we
8 could create a commodity. So, in the past six months
9 we've been making plastic bags, this MRF film was
10 what we call, but we're only able to capture 30
11 percent of that, and we've been going to different
12 markets. I basically have a customer for about three
13 months, and then they call and say, "Sorry, we can't
14 accept it." So, we do not have one consistent
15 customer, and that customer usually we have to--it's
16 a zero price. They won't pay for that. So we're
17 spending lots and lots of money to make that, and not
18 having a consistent--I have not had one customer
19 return.

20 COUNCIL MEMBER LANDER: And just to be
21 clear, and again, I think you know, most folks know
22 this, but your business model is premised on taking
23 these products and finding markets for them.

24 MAITE QUINN: Right.

2 COUNCIL MEMBER LANDER: It would be in
3 your strong financial interest to find a market if
4 you possibly can.

5 MAITE QUINN: Absolutely. And so for
6 film in different facilities, so if they're at a
7 paper facility, typically it might have a market
8 because it's not as dirty, but when it comes to a
9 plastics and metal and glass facility, it comes in
10 with what we call soot and the grime of the Coca-Cola
11 and other drinks and organics in there, and it sticks
12 to that bag, and it makes it really difficult for a
13 reclaimer to actually take that and clean it and make
14 a new product.

15 COUNCIL MEMBER LANDER: So just to be
16 clear, when we, you know, when we report that it's
17 not recyclable product, it's not driven by ideology
18 or the goal of reducing, it's driven by some really
19 good hard experience from somebody who's got a
20 financial interest in making it work--

21 MAITE QUINN: [interposing] It's my job to
22 find markets for all of those commodities. And so I
23 try really hard to find a market for film.

24 COUNCIL MEMBER LANDER: Thank you very
25 much. Thank you, Mr. Chair.

2 CHAIRPERSON REYNOSO: Thank you as well.
3 Thank you guys for your testimony. Can I ask the
4 Sergeant of Arms to just add another chair to the end
5 here? We're going to start moving forward with
6 panels of five at two minutes each, and our first
7 panel is going to be Dana Blackwell from Citizens
8 Committee of New York, Peter Kostmayer, Naomi Morreva
9 [sp?], Evelyn Knapp, and Orlando Guzman. And we'll
10 be going panels for and panels against one after the
11 other. So the next panel will come up shortly after.
12 So I'm going to ask you guys to begin. It'll be two
13 minutes, and just want to make sure you guys do your
14 best to stick to two minutes. I'm not going to be
15 rude, but I'm going to let you guys know that it's
16 times up and hopefully you guys can just move on.
17 Alright? Or wrap up statements.

18 PETER KOSTMAYER: Thank you, Mr. Chair,
19 very much. I'll be very brief. I'm Peter Kostmayer
20 from Citizens Committee for New York City.

21 CHAIRPERSON REYNOSO: One second. There
22 you go. We need to hear you on record.

23 PETER KOSTMAYER: Chairman, thank you
24 very much. I'm Peter Kostmayer from the Citizens
25 Committee--

2 CHAIRPERSON REYNOSO: [interposing] Is it
3 on? Check if it's on.

4 PETER KOSTMAYER: Mr. Chairman?

5 CHAIRPERSON REYNOSO: There you go.

6 PETER KOSTMAYER: Thank you very much.
7 I'm still Peter Kostmayer from the Citizens Committee
8 for New York City. Thank you for your leadership on
9 this issue. We'll be very brief. Diana Blackwell is
10 a resident of Harlem. She's a New Yorker. She brings
11 with her two terrific young people. I think this is
12 the first opportunity. You've actually heard from
13 residents, so called residents of the city. So,
14 without further ado, I'll introduce Diana who will
15 introduce her two guests, and we'll not consume any
16 additional time, and thank you again, Mr. Chairman,
17 so much for your leadership. Diana Blackwell.

18 CHAIRPERSON REYNOSO: Thank you.

19 DIANA BLACKWELL: I'm Diana Blackwell.
20 I'm from a NYCHA development, so this is very
21 important to us. And to my right, immediate right is
22 Ms. Evelyn Knapp, she is from Success Academy and
23 Ms.--

24 NAMOI MORREVA: Naomi Morreva from
25 Frederick Douglass Academy.

2 PETER KOSTMAYER: Lean in Naomi closer to
3 mic.

4 NAOMI MORREVA: Oh, Naomi--

5 PETER KOSTMAYER: And make sure it's on.
6 There you go. Speak loudly.

7 NAOMI MORREVA: And my name is Naomi
8 Morreva and I'm from Frederick Douglass Academy Two,
9 and I'm a ninth grader. Like I said, I introduced
10 myself.

11 PETER KOSTMAYER: You got to lean in and
12 speak up. Terrific.

13 NAOMI MORREVA: Hi, I'll introduce myself
14 again. I'll say hi, my name is Naomi Morreva, and I'm
15 a 15 year old, and the school I go to is Frederick
16 Douglass Academy Two. I'm a ninth grader, and I live
17 in NYCHA Fredrickson [sic] New Housing Development in
18 144th and Lenox. I want to thank the Council Members
19 for letting me be here today, and it's very important
20 for us two girls to be here today, because one, I
21 don't have to eat the nasty school lunch, and that I
22 can talk to you lovely people about my concern about
23 the use of plastic bags. I along with my peers and
24 my generations are concerned about the future,
25 because we are not taking litter too much--wait,

2 what? Oh, generations are concerned about the
3 future, because we are not taking care of our New
4 York City environment. Us New Yorkers litter too
5 much and litter ends up in trees, sewer systems and
6 all over the places, and it sure makes our New York
7 community look bad, especially with all those plastic
8 bags all over the sidewalks and trees in certain
9 parts of New York. In my neighborhood, there are
10 plastic bags all over the trees and it is effecting
11 our environment, which is also effecting our
12 breathing abilities. While after all that talking I
13 came here to ask you guys, the City Council, to help
14 us pass the bill, because it's not only effecting our
15 environment, but it's also effecting us economically,
16 and it's effecting young people's futures. To make
17 these bags it's 10 million dollars in--to make these
18 bags it's 10 million dollars, and New Yorkers use 9.7
19 billion plastic bags a year, which end up in the
20 ocean. And that's why we need to use reusable bags
21 so you don't have to pay 10 cents every time you go
22 to grocery stores or pollute our cities unless it's
23 necessary.

24 CHAIRPERSON REYNOSO: Appreciate your
25 testimony. Thank you very much for being here.

2 EVELYN KNAPP: Can you hear me? Okay.

3 CHAIRPERSON REYNOSO: Yes, as close to
4 the mic as possible and speak very loudly.

5 EVELYN KNAPP: Okay. My name is Evelyn
6 Knapp. I am a 13 year old. I go to Success Academy of
7 Harlem West, and I'm in the seventh grade. Thank you
8 for having me here today to hear this wonderful
9 hearing. Also I get to get out of school early
10 today, and I get to meet you beautiful people. In my
11 community, all you will see is plastic bags. These
12 plastic bags in the floor and in the water by River
13 Banks State Park. The government spends about 10
14 million dollars a year, which is a lot of money that
15 can go to something else like more affordable
16 housing, schools and school supplies. And New
17 Yorkers use about 9.7 billion, not million, but
18 billion plastic bags a year. I'm here today because
19 I want to pass on a bill to reduce plastic bags.
20 Thank you for having me here, and have a wonderful
21 day.

22 CHAIRPERSON REYNOSO: And the ten million
23 dollars can also go to better school lunches, but we
24 appreciate you guys coming out and speaking. It's
25 the first levels of activism. So it's exciting to

2 see. So thank you guys for being here. And I guess-
3 -who's speaking next? Orlando Guzman?

4 ORLANDO GUZMAN: Good afternoon, Chairman
5 Reynoso, Council Members. My name is Orlando Guzman.
6 I'm a community organizer with the Williamsburg
7 Greenpoint Organizations United for Trash Reduction
8 and Garbage Equity Outreach. We are a coalition of
9 different block associations, churches, parent
10 association in north Brooklyn, and we are together
11 for one single mission, the reduction of the waste
12 transfer stations in our community. We also are
13 advocating for the reduction of garbage throughout
14 the city of New York and for a fair distribution of
15 waste transfer stations throughout New York City.
16 North Brooklyn process alone 40 percent of New York
17 City garbage. Every day during rush hour, for
18 example, we have about two to three trucks of garbage
19 going back and forth in our streets, and I'm talking
20 about 16-wheeler trucks. Those trucks putting [sic]
21 safe and risk the safety to senior citizens going to
22 doctor's appointments, community centers, churches.
23 We have playgrounds next to truck routes or waste
24 transfer stations. We believe, and we are here
25 supporting this legislation. We believe it's time for

2 New York City to implement a more sustainable way to
3 reduce garbage. We believe that this legislation
4 alone with a better and more aggressive recycling and
5 composting plan along with the implementation of the
6 solid waste management plan and the opening of all
7 the transfer stations, and with the capacity
8 legislation, capacity reduction legislation, we're
9 going to have a more sustainable, more equal city for
10 all. Some people are concerned about low income
11 families having some burden with this legislation. I
12 just want to say something. The transfer stations in
13 New York City are located with the highest
14 concentration of low income families in New York
15 City. So you guys have concern about low income
16 safety, please implement this legislation. Thank you
17 very much.

18 CHAIRPERSON REYNOSO: Thank you Orlando.
19 Very well said.

20 DIANA BLACKWELL: Again, good afternoon,
21 Chairman Reynoso and the other distinguished members
22 of the City Council Sanitation Committee. I want to
23 first say that I am a senior and I am on a fixed
24 income. So, a lot of the concerns apply to me
25 personally. Again, my name is Diana Blackwell, and

2 I'm President of the Fred Samuel Resident

3 Association, which is part of NYCHA. We are located

4 above 96th Street in central Harlem. I want to

5 personally thank you for addressing this issue, which

6 is dear to me. That is, reducing plastic bag waste.

7 At Fred Samuel, we garden and now compost, and truly

8 appreciate the work that the Sanitation Department is

9 doing in this area, are happy that this committee is

10 back in such endeavors to recycle garbage, but as you

11 know, plastic bags do not degrade in a normal cycle.

12 Therefore, it cannot be used. This has motivated me

13 to learn about plastic bags from the beginning to its

14 present stage, which I have found that has many

15 positive factors, but the negative outweigh the good.

16 One of the most interesting facts is that the city's

17 official curbside recycler, Sims Municipal Recycling,

18 has listed plastic bags as one of the materials not

19 accepted. If this is true, my question is, why are

20 plastic bags being issued in this present volume?

21 And where does the plastic bags go not to a recycling

22 plant? As an official member of Harlem's own We Act

23 for Environmental Justice Advocacy Organization,

24 we've worked hard to close the 135th Street marine

25 transfer to help clean the air in our community.

2 These bags are a great pollutant and a big
3 contribution to the poor air quality that is leading
4 to a high rate of asthma in our community, and we
5 must find a way to eliminate the problem. This bill
6 that is before the City Council--just end this. I'll
7 just say this, in conclusion, this bill 209 will
8 create a healthier environment and a greener future
9 for our children. Thank you.

10 CHAIRPERSON REYNOSO: Thank you very much
11 for your testimony, and from what I gather, most of
12 these bags go to landfills. That's where they end
13 up.

14 DIANA BLACKWELL: They do.

15 CHAIRPERSON REYNOSO: Thank you very much
16 for your testimony you guys. The next group is
17 Bertha Lewis, Brad Gertsman, Mark Daniels, and Eli
18 Amsel. Everything okay? Okay, absolutely. Thank
19 you guys. And again, just want to state for full
20 disclosure that Berta Lewis is my former boss about
21 seven years ago, so just in case, just wanted to make
22 sure we're transparent.

23 BERTHA LEWIS: Not everybody.

24 CHAIRPERSON REYNOSO: But go ahead, Ms.
25 Lewis, please.

2 BERTHA LEWIS: Okay, I'll--Thank you.

3 I'll start. My name is Bertha Lewis, once again, and
4 I'm the President and founder of the Black Institute
5 and I want to thank the Chairman and my former
6 organizer whose extremely good, and members of this
7 committee for allowing me to testify today. I always
8 do this editorial every time I'm here at City Hall
9 for any hearing. This new Council ought to change
10 the way that hearings are conducted. Average people,
11 citizens who take the time to come here should be
12 heard first. I always say this every time, before
13 folks who's job it is, such as Commissioners and
14 other folks that work for the city, it's their job,
15 and they should be made to stay later, because people
16 take off work. So that's my commercial. I always say
17 that every time. So, I want to encourage you guys to
18 do that.

19 CHAIRPERSON REYNOSO: You got a lot of
20 support from the crowd on that one.

21 BERTHA LEWIS: Well, and I'm opposed to
22 this legislation at this time because of the
23 overwhelming opposition to it from the communities I
24 work in, and those are communities of color and low
25 and moderate income neighborhoods. When the

2 Institute and the Leadership Action Coalition heard
3 about the regressive tax on this community, the
4 concern was as always, what do the people who live
5 and work in these communities think about the
6 legislation? Now, my methodology for 30 years as an
7 organizer is I always I start in the street. I always
8 start with an issue first on the ground and then I
9 work my way up to elected officials, industry folks,
10 etcetera. The lens through which I view all issues
11 is how it effects the constituents I serve and
12 represent, and what will be the impacts on their
13 lives. My lens has been, always will be a lens of
14 color, period. I make no apologies about that. The
15 shocking surprise--people have attacked me for that,
16 criticized me for that, but as the name of my
17 institute says, I look through a lens, a black lens
18 and a lens of color, period. The shocking surprise to
19 me, when I went down into the street was that
20 everyone that I or my organizers spoke with, they had
21 no knowledge of the legislation. No one held any
22 town hall meetings on this in NYCHA or any of my
23 neighborhoods. None throughout the five boroughs.
24 And for months I've been collecting people's opinions
25 and signatures, and I got 9,000 signatures from

2 average New Yorkers of color citywide that oppose the
3 regressive tax that will disproportionately affect
4 people of color in this city. Residents and the
5 shoppers in the community asked us, "Who proposed
6 this? Will the money go to the city to help clean up
7 our neighborhoods, to help us with all of our health
8 issues? Will the money go to education? Will it go
9 to recycling? Will it go to be putting more garbage
10 cans in our neighborhoods, because there's one every
11 10 blocks?" The answer to these questions is no. I
12 lived in D.C. during the implementation of the five
13 cents tax. That went to the city and it was all to
14 clean up the river. I was there. I lived through it,
15 and in fact, I helped them because it was for the
16 river and it went to the city. The proponents of
17 this legislation say that either you care about the
18 environment by supporting this bill or you don't care
19 about the environment by opposing this. This is an
20 insult and the worst sort of patronizing attitude.
21 Proponents say that plastic and paper bags are so bad
22 for New York City that people must be charged. I
23 say, have the courage of your convictions. If
24 everything that you say is true, and I believe you,
25 then ban it. Ban it stop going directly to punishing

2 hardworking families. If you're trying to solve the
3 problem of waste, then at least let those affected
4 participate in finding a real solution. I was very
5 glad to hear today that folks actually want to have a
6 dialogue. There needs to be a real commitment. Talk
7 to NYCHA residents. Talk to people in my community.
8 Talk to seniors who say they're on a fixed income.
9 Talk to the folks who are purchasing the food.
10 There's a better way. Don't just treat us like we're
11 ignorant children that don't know what is good for
12 us. Don't treat us like we don't care about the
13 environment and how this affects us. All the other
14 cities that the proponents cite, they must have done
15 a far better job of educating and engaging the
16 community than what is happening right now. We
17 believe that there's a better way and a better
18 solution. We believe we should back up, start over
19 again. Let's all craft something that can solve the
20 problem and not just punish it away on the backs on
21 poor and working class people of color.

22 CHAIRPERSON REYNOSO: Thank you very much
23 for your testimony, and I do want to say that I--you
24 know, initially when we started this hearing we did
25 say that, you know, we want to encourage both sides

2 to speak, that this is an awareness throughout this
3 process or through this process of a hearing is
4 extremely important and it's bringing the issue to a
5 forefront. So I am happy to hear that, but agree
6 that we should always be doing the best we can to
7 engage communities in regards to any issues in the
8 city of New York. So thank you so much for your
9 testimony. I truly appreciate it. I guess, in any
10 order that you guys choose, go right ahead.

11 BRAD GERTSMAN: Good afternoon,
12 everybody. Thank you, Mr. Chairman. Thank you,
13 Council Members. Thank you everybody who is in
14 attendance today. My name is Brad Gerstman. I'm a co-
15 founder of NYAGS, that's the New York Association of
16 Grocery Stores and the voice of very small business
17 here in New York City. And this bill, this bag tax
18 is very, very troubling and we oppose it vehemently.
19 And the reason is this, is because this is just
20 simply another small business regulation that this
21 Council or some members of this Council are seeking
22 to heap onto the other regulations that small
23 business has to contend with here in New York City.
24 Understand that the members of the New York
25 Association of Grocery Stores, they're not large

2 businessmen. They are not people with a tremendous
3 amount of money. These are the people that are
4 eeking [sic] by, bodega owners, very small
5 supermarkets here in New York City that every nickel,
6 every dollar is very important to them, and when we
7 add regulation onto small business inevitably what
8 results, what follows are more and more fees, more
9 and more punishment, more and more time taken out of
10 their lives. It's a business tax when they have to
11 start paying it. There is nobody here that can
12 contest or argue against the fact that more
13 regulation will not mean more fees from these very
14 small hardworking business people. Secondly, I wrote
15 an op-ed that was published and it wasn't--and it was
16 about the health concerns of using a reusable bag,
17 using a burlap bag or a canvas bag of some sort.
18 These bags, unless they are washed every single day,
19 a university studied that it would become a petri
20 dish for bacteria. And we would have to expect that
21 all New Yorkers would wash these bags after every
22 single use in order to save New Yorkers from having
23 infections based on bacteria they bring home that is
24 carried in this bag. And with that, I concur, just
25 finally, with all the opponents, all the Council

2 Members who made very thoughtful and very important
3 remarks about this potential legislation, about this
4 bill, and I agree with them 100 percent, and so do
5 all members of NYAGS. Thank you very much for your
6 time.

7 CHAIRPERSON REYNOSO: Thank you, sir, for
8 your time as well.

9 ELI AMSEL: Hi, good afternoon, and thank
10 you for giving me the opportunity to speak, the two
11 minutes. I spoke to a couple of the Council Members
12 before. I'm just going to reiterate what I said and
13 try to get my point across. My name is Eli Amsel. I
14 am the owner of a plastic bag distributing business
15 located in East New York Brooklyn. I currently employ
16 14 people. I started this business 33 years ago
17 working out of my parent's basement in Brooklyn
18 dragging the boxes all by myself rain, snow or shine
19 for many years. If this plastic shopping bag law
20 will pass, it will definitely put me out of business
21 and destroy everything that I've toiled for the past
22 33 years. It will definitely destroy the jobs of my
23 14 employees and will tax eight million New Yorkers
24 who are already burdened with so many taxes. This
25 law is against all the principles and values that

2 this great country was built on. If I may just give
3 you an example. If I were to discover a magic fuel
4 that would give cars 300 miles per gallon, everybody
5 across the country would be so happy. This would be
6 great for our economy. It will decrease our
7 dependence on foreign oil and it will also cut our
8 energy cost to a fraction of what it is today.
9 Wouldn't that be great? But there's one catch to this
10 fuel, when you drive with this fuel, it spews black
11 smoke, causing people on the streets to get asthma
12 attacks, causing their eyes to tear, noses to run and
13 maybe even causing cancer in the long run. In this
14 situation, I would be the first one to say that the
15 New York City Council would have to act and pass laws
16 to stop this magic fuel since this will be making our
17 citizens safe. But plastic shopping bags are not
18 spewing black smoke. It is a clean, sanitary item
19 and it is 100 percent recyclable post-consumer, and
20 it also very, very cheap, which is great for the
21 consumer and the store owner. We must educate our
22 schools, all our neighborhoods, and all our
23 businesses to recycle, and this is the answer to the
24 plastic problem. I am your fellow New Yorker. Please
25 don't destroy my business. Please don't destroy the

2 jobs of my 14 employees and the thousands of other
3 employees in the city who are employed in this
4 business. Please don't tax us to death and throw us
5 under the bus. Thank you very much.

6 CHAIRPERSON REYNOSO: Thank you, Eli for
7 your testimony. Go ahead.

8 MARK DANIELS: Good afternoon, Chairman
9 Reynoso and members of the committee. I really
10 appreciate being here today. My name is Mark
11 Daniels. I work with Novolex, a plastic bag
12 manufacturer and recycler, and I'm also the Chairman
13 of the American Progressive Bag Alliance. Everybody
14 wants to do the right thing by both the environment
15 and working families. Unfortunately, this debate
16 over plastic bags has been hijacked by sensationalism
17 and emotional imagery at the expense of facts and
18 science. The reality is that taxes and bans on
19 plastic bags will fail to solve any environmental
20 problem, turn people towards inferior options and
21 jeopardize good American jobs, including those right
22 here in New York City. It is disappointing that the
23 Council is considering an almost 1,000 percent tax on
24 plastic bags, particularly in a place where their use
25 and their reuse is so frequent and necessary and

2 where education on recycling versus burdensome taxes
3 could go a long way. American plastic bags are fully
4 recyclable, made from a byproduct of natural gas, and
5 are reused by 90 percent of consumers. Our industry
6 has developed retail take back programs so that
7 consumers can easily recycle not only plastic bags,
8 but newspaper bags, dry cleaning bags, bread bags,
9 cereal bags, as well as all the plastic overwraps you
10 find on products. This retail take back program is
11 extraordinarily efficient and it is absolute separate
12 from the municipal recycling programs. In New York,
13 stores like Lowe's, Target, A&P Food Emporium all
14 participate in this fantastic program. Plastic
15 retail bags are the most environmentally friendly
16 choice at the checkout. They consume far fewer
17 natural resources, generate far fewer greenhouse gas
18 emissions, take up less space in landfills than paper
19 or reusable bags. Plastic bags, as already
20 testified, are less than two percent of New York
21 City's waste stream and typically a fraction of one
22 percent of litter, so taxing them will not have
23 meaningful impact on the reducing the city's litter
24 or waste. Environmental policy should be directed
25 towards recycling. Our position is simple, no one

2 should have to go home, tell his, you know, his
3 family that he lost his job, his salary, his benefits
4 because of misinformed policy. I'm encouraging the
5 City Council to have discussions about meaningful
6 recycling education. Current legislation will not
7 help the environment. It will turn shoppers towards
8 inferior options and has the potential to cause
9 economic harm to thousands of families. I hope
10 you'll join us in opposing this bill.

11 CHAIRPERSON REYNOSO: Thank you, and I
12 just want to--just, you know, you saying it's a--
13 we're hijacking and sensationalizing, and then two
14 sentences later saying that we're imposing a 1,000
15 percent tax--

16 MARK DANIELS: [interposing] That's
17 correct.

18 CHAIRPERSON REYNOSO: on bags.

19 MARK DANIELS: But plastic bags are--

20 CHAIRPERSON REYNOSO: Kind of it's almost--
21 -it's--

22 MARK DANIELS: Plastic bags cost a penny,
23 and there's a tax of 10 cents. That's a 1000 percent
24 tax on the product.

2 CHAIRPERSON REYNOSO: Right, you're
3 sensationalizing it. It's a 10 cents fee, and when
4 you say 1,000 percent, you're--anyone else looking at
5 that without knowing that it's 10 cents, would think
6 we're charging maybe a thousand dollars, 500 dollars.
7 It's not a thousand percent, and you talk about
8 sensationalizing. I'm just saying, you're practicing
9 what you preach.

10 MARK DANIELS: I apologize if that's
11 what--a plastic bag costs--

12 CHAIRPERSON REYNOSO: [interposing] That's
13 the first thing I heard. I was like, are we
14 sensationalizing, and then you said you the 1,000. I
15 said, he is.

16 MARK DANIELS: My apologies, Chairman.
17 My apologies, but let me reiterate. A plastic bag
18 costs a retailer a penny, and charging 10 cents is a
19 1000 percent increase in the cost.

20 CHAIRPERSON REYNOSO: I understand. I
21 understand what you're saying.

22 MARK DANIELS: That was the point I was
23 trying to clarify.

24 CHAIRPERSON REYNOSO: I understand what
25 you're saying.

2 MARK DANIEL: Okay, I apologize if that--

3 CHAIRPERSON REYNOSO: [interposing] I'm
4 not saying you're incorrect. I didn't say you were
5 lying. I said you're sensationalizing. Those are
6 two different things. But I do want to get to the
7 100 percent. You said it's 100 percent recyclable,
8 and I'm talking to Mr., and I just want to make sure
9 I get the names right, I think it's Ian [sic].

10 ELI AMSEL: Eli Amsel.

11 CHAIRPERSON REYNOSO: Yes, you said it--
12 Oh, here it is, Eli, right? You said it's 100
13 percent recyclable. So you disagree with the
14 statements made by the Sims facility whose work and
15 task it is to try to figure out how to do these type
16 of things and to eliminate these things from their
17 waste stream. So explain that to me, the difference.

18 ELI AMSEL: Well, I mean, basically I'm
19 saying the plastic itself is 100 percent recyclable.
20 If they have the exact way to fix it today and like
21 post-consumer and make it work totally, I don't know.
22 But my point is that, please, things take time. If
23 today we don't have the answer, it will be here
24 tomorrow, I mean, tomorrow and the next year, the
25 year after. I think to destroy people's businesses

2 and jobs, and there's thousands of jobs in this city
3 who are involved in this. It's just destroying
4 people's lives and livelihoods and it's just not the
5 right thing. I mean, things happen. It takes time.

6 CHAIRPERSON REYNOSO: So you're saying it
7 can--because of, you know, the future, the possible
8 technologies and things of that nature that we might
9 be able to get it to be 100 percent.

10 MARK DANIELS: May I answer that as a
11 recycler of plastic bags, sir?

12 CHAIRPERSON REYNOSO: Excuse me?

13 MARK DANIELS: May I answer that as a
14 recycler of plastic bags?

15 CHAIRPERSON REYNOSO: I'm sorry, I didn't
16 hear you. One more.

17 MARK DANIELS: May I answer that as a
18 recycler of plastic bags?

19 CHAIRPERSON REYNOSO: Sure. Sure, yes.

20 MARK DANIELS: Yes, through the store
21 take back programs with A&P and other shop wright, my
22 company collects that store, you know, materials in
23 truck load quantities. It's very valuable. We're
24 paying about 400 dollars a ton for that material. We
25 bring it back to our recycling facility in North Vern

2 [sic] Indiana, clean it, shred it, reprocess it, and
3 make new plastic bags out of it. It's a truly closed
4 loop system. We started in 2005 recycling three
5 million pounds. This year will we do 40 million
6 pounds. We've had two expansions within a recycling
7 facility because it is not only economically viable,
8 but it is the responsibility we think of our company
9 to, you know, care for the materials coming back.
10 This is separate from the municipal recycling
11 facility. That's why we want to work as a
12 public/private partnership to educate consumers on
13 what they can recycle, how to recycle it, and most
14 importantly, where to recycle it, because when we get
15 the store take back program, it's very clean, and we
16 reprocess it without any of the problems that Sims is
17 experiencing.

18 CHAIRPERSON REYNOSO: Alright, thank you
19 for that information, and you should think about
20 expanding your business, and maybe we wouldn't have
21 been in this situation that we are now, but I'm
22 still--I'm still somewhat skeptical regarding your
23 ability to recycle all plastic bags and reuse all
24 plastic bags, given that, you know, it is their job,
25 the Sims facility and other places, and we're talking

2 about countrywide efforts to figure out what to do
3 with plastic bags, and you say that you have the
4 answer, and what, it's just something that no one's
5 approached you with?

6 MARK DANIELS: Well, the education is
7 continuing. Discovery Channel just did a ten minute,
8 a show on us. You can find it on YouTube on exactly
9 how we wash, reprocess and make new plastic bags out
10 of this. Trex [sic] Company used plastic bags in the
11 manufacturing of their composite lumber and they
12 rebuilt the 150 miles of boardwalks in New York and
13 in New Jersey after that Superstorm Sandy. Those are
14 all manufactured with plastic retail bags that are
15 recycled. There's 1.1 billion pounds of plastic bags
16 through the retail programs that's being recycled.
17 It's the fastest growing recycling infrastructure in
18 the United States, Mr. Chairman.

19 CHAIRPERSON REYNOSO: So, it's good to
20 hear that. Hopefully, we can continue to engage in
21 conversations.

22 BERTHA LEWIS: Well, we're happy for this
23 because nobody wanted to listen, and it was only Sims
24 being the expert, who works for the city saying our
25 machines can't handle it, and we're happy to be able

2 to bring in folks from around the country, because
3 there is current technology and there's also current
4 technology that can do biodegradables. And so having
5 this dialogue now is good, even though it's after the
6 fact of this, but I think you're going to find that
7 there's a lot more people, if you're willing to
8 listen to them, that in fact can give you some other
9 information about how this can be done instead of
10 just one source.

11 CHAIRPERSON REYNOSO: Okay, and I think
12 our Council Member Lander has some questions, but I
13 do want to say it's not only Sims. There's other
14 facility, private facilities that I've toured that
15 are, that have no answer for plastic bags, and that
16 is why it's called a hearing, because we're
17 listening. So, I'm more than happy to let you know
18 that exactly what we're doing here is doing
19 everything we can. So, Council Member Brad Lander?

20 COUNCIL MEMBER LANDER: So thank you all
21 for being here. I really do appreciate your time and
22 of course we're sticking around to listen and ask
23 questions. So the bags that Novolex is taking back
24 are through the store take back program?

25 MARK DANIELS: Yes, that's correct.

2 COUNCIL MEMBER LANDER: And as a result,
3 they are substantially cleaner than what Sims is
4 seeing, not just post-consumer, but post-consumer and
5 then winding up in another piece of the waste stream,
6 right?

7 MARK DANIELS: You know, we have
8 recognized, Council Member Lander, that you know, it
9 is difficult. If you don't invest in the technology
10 to separate the pla--and it's not only plastic retail
11 bags. I mean, there is plastic trash bags. There's
12 newspaper bags, there's films, all kinds of plastics.
13 So removing just plastic retail bags from the
14 recycling, MRF recycling stream, is really not going
15 to have a tremendous amount of impact, but the best
16 thing to do is if we can educate public/private
17 partnership to educate consumers to bring back to the
18 store, there's a tremendous marketplace for that.

19 COUNCIL MEMBER LANDER: So this is my
20 question, I guess. You work nationwide?

21 MARK DANIELS: Yes, we do.

22 COUNCIL MEMBER LANDER: So what's the
23 highest percent of take back? You know, talk me
24 through what the--you know, I think here we're seeing
25 fewer than five percent of the plastic bags coming

2 back to the stores, despite the fact that we have a
3 mandatory statewide law. I know California spent a
4 lot of time here. Give me some examples of the
5 places where they've achieved significant take back
6 so that a meaningful percent of those plastic bags
7 are winding up in a place where we could reuse them
8 clean?

9 MARK DANIELS: Well, one of the things
10 that we have to recognize is that plastic bags are
11 reused between 70 and 75 percent of the time. So that
12 bag that--

13 COUNCIL MEMBER LANDER: [interposing]
14 That's not my question. I didn't ask how many of
15 them were used. You told me that you could recycle
16 what was achieved with a take back program, so my
17 question for you, we've got 140 cities. What are the
18 cities that have achieved significant success in
19 getting a take back program, a high percent of the
20 waste stream?

21 MARK DANIELS: Our largest--

22 COUNCIL MEMBER LANDER: [interposing] Of
23 the plastic bag stream.

24 MARK DANIELS: customer in our what we
25 call a bag to bag program is Kroger. For every 10

2 pounds of plastic bags that we sell them, we buy back
3 3.2 pounds. So we have a 32 percent recycling rate,
4 but we'll never hit a high recycling rate for plastic
5 retail bags because of the significant amount of
6 reuse for trash can liners or for picking up pet
7 waste. So we only have about a population of--

8 COUNCIL MEMBER LANDER: [interposing]

9 Well, it'd be hard for us to distinguish--

10 MARK DANIELS: 25 percent.

11 COUNCIL MEMBER LANDER: what got thrown
12 into the trash cans and wound up in the landfills
13 from what got reused and then thrown into the trash
14 cans and winds up in the landfills, isn't it?

15 MARK DANIELS: Well, what I think what my
16 point is is that if plastic bag are being reused for
17 trash containment or pet, we don't want that material
18 into the recycling stream. You know, we have to have
19 a clean recycling stream for us to be able to reuse
20 that material back into carryout bag and keep it a
21 sanitary product for carrying.

22 COUNCIL MEMBER LANDER: Okay. And so
23 Kroger, you have a sort of specific retail agreement
24 with. Are you aware of any cities or municipalities
25 or states that have been able to implement a broad

2 programming bodegas, covering small retailers,
3 covering local shops which don't have a big
4 relationship like you do with Kroger that have
5 achieved a meaningful take back?

6 MARK DANIELS: What we have done is we
7 have asked the bodega associations and smaller retail
8 or convenience stores to use posters to have the sign
9 saying please return this plastic bag back to a large
10 grocery store, because--

11 COUNCIL MEMBER LANDER: [interposing]
12 Which is admirable, and it's where I started when I
13 was looking at this legislation five years ago and I
14 couldn't find any place that had achieved a
15 meaningful take back rate through that. So, I'm just--
16 -if there is one, I would like to see it. I'd like
17 to talk to the folks there and figure out whether we
18 could achieve--

19 MARK DANIELS: We can certainly put you
20 in touch with the sustainability officers at Kroger
21 to have that kind of a conversation. You know,
22 again, we have to be mindful of the logistics of
23 getting the material back so to have it returned to
24 let's say a dry cleaning store occupying, you know, a
25 certain amount of square footage just for that

2 recycling bin. It's very difficult. And then to get
3 that material back. So, if we can educate with the
4 private/public to have consumers go and bring this
5 back to a Target store, a food emporium, an A&P, and
6 that, you know, people have this not only plastic
7 bags, but the newspaper bags, the dry cleaning bags.
8 We take so much more and pull through the recycling
9 stream that we think the private sector is doing a
10 very good job, but we need the public sector to help
11 us educate people.

12 COUNCIL MEMBER LANDER: So, and I--I'll
13 just say, as I--this is where I started out. I was
14 hoping we could improve our state law. I looked
15 around to see where it had been in a way that
16 achieved a meaningful percent take back, and I
17 haven't found it. If you can find it, please do let
18 me know and I'll take a look. The remainder of my
19 questions are for Mr. Gertsman. So, first I--you
20 know, you mentioned that you agreed with the number
21 of the opponents of the bill. One thing that several
22 of them said is that they thought that a better
23 approach would just be to ban plastic bags, not put a
24 charge in place on paper or plastic, but to ban
25 plastic bags and that would be a better approach. DO

2 your members agree that that would be a better
3 approach?

4 BRAD GERTSMAN: We never considered it
5 quite honestly. So we'd have to take it back and we
6 would take a look at that for sure.

7 COUNCIL MEMBER LANDER: We did speak with
8 you about it, so I know you guys considered it.

9 BRAD GERTSMAN: That's not true.

10 COUNCIL MEMBER LANDER: Because what I
11 heard from multiple retailers and trade associations
12 is that retailers would consider a ban dramatically
13 whereas than a charge--

14 BRAD GERTSMAN: [interposing] I'm not
15 looking to oppose you or I'm not looking--I just
16 said, I don't know. So you're just making a speech
17 and that's fine.

18 COUNCIL MEMBER LANDER: No, I'm asking
19 because I--

20 BRAD GERTSMAN: [interposing] I asked my--
21 -I answered the question.

22 COUNCIL MEMBER LANDER: Did you hear the
23 folks from D.C. articulate why they thought a ban--

24 BRAD GERTSMAN: [interposing] I heard a
25 lot.

2 COUNCIL MEMBER LANDER: without charge?

3 BRAD GERTSMAN: I hear a lot of the
4 statements from those people, yes, I did.

5 COUNCIL MEMBER LANDER: Do you know
6 whether your members pay more for paper bags or
7 plastic bags?

8 BRAD GERTSMAN: I know they--I know they
9 pay a very cheap amount for plastic bags.

10 COUNCIL MEMBER LANDER: Did you hear the
11 D.C. gentleman say that paper bags cost more than
12 plastic bags?

13 BRAD GERTSMAN: I don't know if I--yes,
14 they said it. They misstated a lot of things.

15 COUNCIL MEMBER LANDER: [interposing] You
16 know it's true. We don't have to play games.

17 BRAD GERTSMAN: But what's--but what's
18 the point? But what's the point?

19 COUNCIL MEMBER LANDER: Well, did you--
20 here is what I heard from retailers, from some of
21 your members and from many other retailers is because
22 we had this idea. There's quite a few people that
23 would love a ban to get rid of the plastic bags, and
24 so I asked a lot of retailers about it, and what I
25 heard is if you ban plastic without putting a charge

2 on paper, then the vast majority of our customers
3 will switch from plastic to paper. The paper bags
4 cost us a lot more per bag than the plastic bags, and
5 now we'll have to give out a product at just the same
6 amounts that's much more expensive than the plastic
7 bags. Then you'll be clobbered with--

8 BRAD GERTSMAN: [interposing] Did you
9 hear your own Sanitation--

10 [cross-talk]

11 COUNCIL MEMBER LANDER: [interposing]

12 That's what I heard from--

13 BRAD GERTSMAN: [interposing]

14 Commissioner? Councilman, did you hear your own
15 Sanitation Commissioner? How what percent of waste is
16 the plastic bags? Two percent.

17 COUNCIL MEMBER LANDER: You're not going
18 to--

19 BRAD GERTSMAN: It's two percent. It's a
20 very small amount--

21 COUNCIL MEMBER LANDER: [interposing] So,
22 you're not aware--you're not going to answer my
23 question at all? Because you could make a separate
24 speech. I'm asking you about whether you have talked
25 to your retailers, because I have, to your members

2 about whether they would prefer a ban, and what I
3 heard was that they would dramatically prefer this
4 charge approach to a ban approach.

5 BRAD GERTSMAN: They are against this
6 approach, and they would not be seeking a--I can't
7 imagine they want a ban, I do agree, but is that what
8 we're--is that what we are faced with at this point?
9 Is either we're going to take our two percent
10 problem, and we're either--

11 COUNCIL MEMBER LANDER: [interposing] You
12 can decide it's not a problem.

13 BRAD GERTSMAN: going to overregulate it
14 and tax the people.

15 COUNCIL MEMBER LANDER: So that's fine if
16 you want to decide it's not a problem and we should
17 do nothing about plastic bags, that's fine.

18 BRAD GERTSMAN: No, I--

19 COUNCIL MEMBER LANDER: [interposing] But
20 we--I have--my questions are for Mr. Gertsman.

21 BRAD GERTSMAN: And I would like to
22 answer.

23 BERTHA LEWIS: Well, it is offensive to
24 me that the whole--

2 COUNCIL MEMBER LANDER: [interposing] So
3 my questions are for Mr. Gertsman.

4 BERTHA LEWIS: Well, it is offensive to
5 say--

6 COUNCIL MEMBER LANDER: [interposing] My
7 questions are about how--

8 BERTHA LEWIS: [interposing] take the
9 retailers over other--

10 COUNCIL MEMBER LANDER: this affects the
11 retailers.

12 BERTHA LEWIS: And again, to make a
13 statement by, well, you don't care--

14 COUNCIL MEMBER LANDER: [interposing] I'm
15 asking questions about the retailers.

16 BERTHA LEWIS: about the environment--

17 COUNCIL MEMBER LANDER: [interposing] No
18 one's ever made such a statement.

19 BERTHA LEWIS: Like, come on, you just
20 said it.

21 COUNCIL MEMBER LANDER: I think you care
22 a lot about the environment.

23 BERTHA LEWIS: And, you know, what about
24 all of those folks that I deal with--

2 COUNCIL MEMBER LANDER: [interposing] Ms.
3 Lewis, could I ask my questions of Mr. Gertsman?

4 BERTHA LEWIS: And you say retailers, you
5 put more weight on what they had to say than what
6 regular people had to say.

7 CHAIRPERSON REYNOSO: Well, we also want
8 to--I want to be clear. So yeah, I want to make sure
9 we keep some type of order, and when a Council Member
10 is addressing someone in the panel that we keep it to
11 who they're addressing temporarily, but also the
12 panel right before this panel was of three members,
13 one of which is a tenant association president at a
14 NYCHA development that testified different to what
15 you're saying. So, we're listening to both sides,
16 and we do take both sides into consideration. And I
17 don't think it was ever mentioned that we don't think
18 that you don't care about the environment. What I
19 think he's saying is that he doesn't think that two
20 percent of an issue, and I think it was 2.3 percent
21 that the Sanitation Commissioner said, is an issue.
22 And what he's saying is that we disagree on that, and
23 I do also want to say that 2.3 percent, if you look
24 at it just on face value that's what you're seeing as
25 the percentage, but what it causes in regards to the

2 recycling stream and the effort to divert trash and
3 to get to numbers that are more respectable, it
4 becomes far more difficult for locations like Sims
5 and even Action Carting who is a private--that does
6 private functioning--

7 BRAD GERTSMAN: [interposing] Mr.
8 Chairman, I don't disagree in that. And I think we
9 need more robust--

10 CHAIRPERSON REYNOSO: [interposing] It's
11 not a two percent--it's not a two percent problem is
12 what I'm saying.

13 BRAD GERTSMAN: I think we need a more
14 robust educational plan on educating everybody about
15 how to handle this and that they should try to use.
16 Before we go right into the tax, which again, is 100
17 percent more if you want to cite the D.C., that we
18 are asking for 100 percent more than what they are
19 using as a five cent tax, but if we're going to look
20 at choices, we should start with the--a robust
21 education program where people can use those other
22 bags. Which, by the way, they do have their own
23 drawbacks as well that I mentioned, and the
24 university study has cited that there are bacterial
25 concerns about using--

2 COUNCIL MEMBER LANDER: [interposing] So
3 let me ask--

4 [cross-talk]

5 BRAD GERTSMAN: So nothing is a perfect
6 answer.

7 COUNCIL MEMBER LANDER: Let me just ask
8 about that. That's the University of Arizona study by
9 Professor Gerba [sp?]?

10 BRAD GERTSMAN: That's correct.

11 COUNCIL MEMBER LANDER: Okay, then you're
12 aware of the Consumer Report's analysis of that
13 study?

14 BRAD GERTSMAN: No.

15 COUNCIL MEMBER LANDER: Okay. So Consumer
16 Reports did a thorough rebuttal of that study. First,
17 do you know who paid for Professor Gerba's study? It
18 was paid for by the American Chemistry Council, which
19 is a trade group of the plastics industry--

20 BRAD GERTSMAN: [interposing] And that--

21 COUNCIL MEMBER LANDER: and Consumer
22 Reports--

23 SERGEANT AT ARMS: Quiet.

24 CHAIRPERSON REYNOSO: Excuse me.

25 SERGEANT AT ARMS: Quiet.

2 COUNCIL MEMBER LANDER: I'm not quite
3 questioning his honesty--

4 CHAIRPERSON REYNOSO: [interposing] If
5 you guys want to make comments whether its in support
6 or against, you guys can raise, do this if you want
7 to support or don't do anything if you want to--

8 BRAD GERTSMAN: Well, it doesn't make him
9 a liar, does it Councilman?

10 COUNCIL MEMBER LANDER: I haven't called
11 anyone a liar. I was asking--

12 BRAD GERTSMAN: [interposing] But you were
13 making the--

14 COUNCIL MEMBER LANDER: [interposing] if
15 you had read the Consumer Report's study--

16 BRAD GERTSMAN: [interposing] You're
17 insinuating--

18 COUNCIL MEMBER LANDER: [interposing] that
19 rebutted it.

20 BRAD GERTSMAN: that it's untrue--

21 COUNCIL MEMBER LANDER: [interposing] Do
22 you know how many bags they looked at?

23 BRAD GERTSMAN: because someone paid for
24 it?

2 CHAIRPERSON REYNOSO: Sorry, I'm going to-

3 -

4 COUNCIL MEMBER LANDER: [interposing] How
5 many bags they looked at.

6 CHAIRPERSON REYNOSO: I'm going to--He's
7 asking--

8 MARK DANIELS: The study was--

9 CHAIRPERSON REYNOSO: [interposing] He's
10 asking yes and no questions that can be answered--

11 COUNCIL MEMBER LANDER: [interposing] It
12 sounds like the answer is no. You haven't--

13 BRAD GERTSMAN: [interposing] Well, we're
14 not limited to yes and no--

15 COUNCIL MEMBER LANDER: [interposing] I
16 would encourage people to look at--

17 BRAD GERTSMAN: this isn't a court of
18 law, this is an open hearing.

19 CHAIRPERSON REYNOSO: So he can make a
20 comment. He can make, ask a question.

21 BRAD GERTSMAN: Fair enough, Chairman.

22 CHAIRPERSON REYNOSO: You answer the
23 question. If you don't want to answer the question,
24 you can just say you don't want to answer the
25 question, but--

2 BRAD GERTSMAN: I'd love to answer
3 questions.

4 CHAIRPERSON REYNOSO: He asked a
5 question. That's why it's a panel. We want to make
6 sure that it's fruitful, and this debate, and the way
7 you're having it is not making it so that it's
8 helpful. He's making--you're making claims. He's
9 disputing them, and you argue back. It's simple
10 debate. It's not that difficult. So we need to do
11 it the right way or we're going to have to cancel
12 this panel and move onto to what we have is five more
13 panels in support. And we don't want to do that. We
14 want to give you the opportunity to speak.

15 COUNCIL MEMBER LANDER: I'll wrap up, Mr.
16 Chairman. I'll wrap up. You know, the reasons I'm
17 asking are I, you know, are honest ones. We decided
18 we wanted to dramatically reduce plastic bag waste.
19 We set a goal of doing it in a way that would not
20 harm the retailers, and we looked at what was going
21 around the country. We looked at bans. We looked at
22 taxes, and we interviewed and talked to many of your
23 members, and this issue of not doing a ban was
24 something we heard over and over from retailers, and
25 so that was why I asked that question. It's fine if

2 you haven't looked at the Consumer Report's rebuttal
3 of the study. I would urge other people to do it.
4 And then just the last thing I would say is that you
5 speak to the fine in your testimony. I do just want
6 to point out that this bill, for the first time in
7 history of City Council legislation, requires that in
8 each year, every single year, the first time a
9 business would violate the law there would have to be
10 a warning, as we heard in D.C. You wouldn't get a
11 250 fine the first time, the first time you come.
12 Every single year, not just once you get a warning
13 rather than a fine. If you keep not charging, you
14 would eventually have a fine, but that is a
15 significant step that the council has not taken
16 before when it's imposed new regulations, and I think
17 is significant.

18 BRAD GERTSMAN: And I just would like to
19 add, Mr. Chairman, is just very simply is it's--I
20 think it would be unfair, a bad policy for this
21 Council to threaten the industry with a ban of
22 plastic bags in order for them to buckle under to
23 this bill.

24 COUNCIL MEMBER LANDER: [interposing] I
25 was just quoting the opponents.

2 BRAD GERTSMAN: And I just think that
3 it's a--I think that's--

4 COUNCIL MEMBER LANDER: That you said you
5 agreed with.

6 BRAD GERTSMAN: I think that's just bad--
7 I think that's just--

8 COUNCIL MEMBER LANDER: Okay.

9 BRAD GERTSMAN: I think that's just a bad
10 way to operate.

11 CHAIRPERSON REYNOSO: Well, thank you
12 guys. And I appreciate you guys coming in, and we
13 gave you a lot of time. I hope that you felt that at
14 least you were heard. And we're going to move onto
15 the next panel. Thank you very much. The next panel
16 is Brendan Sexton, Eric Goldstein, John Coogan [sic],
17 and Ya-Ting Liu, Kissy Charles-Guzman, or Guzman.
18 Please, and I'm going to say in order from your right
19 to left. So we're going to go this way and come all
20 the way over here. Just because your chair seemed
21 oddly placed, so you're going to be last, yes. Thank
22 you.

23 BRENDAN SEXTON: Thank you. I am Brendan
24 Sexton, and I'm very appreciative of this opportunity
25 to testify on this issue that actually has been a

2 nagging issue in New York City for at least a couple
3 of decades. I'm here today as Chair of the Manhattan
4 Solid Waste Advisory Board where I work with most
5 closely. If I can just say thank you to Aldrin for
6 him and the Manhattan Borough President. We are a
7 nonprofit, non-governmental organization, which is a
8 joint creation of you, the Council, and the Borough
9 President. We're composed of waste and recycling
10 experts, mostly from the industry and several
11 citizens. We are nominated by Council Members and
12 confirmed by the Borough President. We are very
13 strongly in favor of this bill. We--I think
14 represent a very broad section of the people
15 concerned with recycling and waste reduction in New
16 York including several people who've testified before
17 today and so happens a handful of the testifiers are
18 members of the SWAB, in fact. We believe this bill
19 has great and deep and wide support in the
20 environmental community and in the waste reduction
21 and recycling community. Plastic bags are costly.
22 They're environmentally harmful. They're easily
23 preventable. They're one of the only easy targets
24 for waste reduction in the several decades I've been
25 grappling with this problem. The first environmental

2 goal with waste is reduce even before recycling or
3 reuse, not to have the waste in the first place is
4 always the first priority, but finding the targets
5 where that really applies is very difficult for waste
6 managers. This is one that's easy. Single-use
7 plastic bags are costly to the consumers and tax
8 payers. This cost does turn out, the waste disposal
9 cost doe turn out to hit every tax payer and consumer
10 in New York. It looks free, but it is not. The New
11 York City Office of Management and Budget estimates
12 that New Yorkers use 5.2 billion carryout bags per
13 year, the vast majority of which are not recycled.
14 Therefore, you're paying to export them at whatever
15 it is now, 180, 200 dollars a ton. We are--I'm
16 almost done. Thank you. We have been focused at the
17 SWAB on this issue and prevent the overall goal of
18 rationalizing residential and commercial waste
19 management and we fully endorse this intro. We
20 encourage the council to recognize this legislation
21 as an important mechanism to reduce municipal waste
22 and improve the impact of waste management on the
23 citizens of New York. And thank you.

24 CHAIRPERSON REYNOSO: Thank you. Thank
25 you very much.

2 KIZZY CHARLES-GUZMAN: Okay, thank you.

3 Good afternoon. You guys are troopers. My name is

4 Kizzy Charles-Guzman, and I am the Policy Director

5 for the New York City Program of the Nature

6 Conservancy. Since 1951, our more than 600

7 scientists located all across 50 US states and more

8 than 35 countries have been working to conserve the

9 lands and waters upon which all life depends. Our

10 New York City Program is promoting nature

11 environmental solutions to enhance the quality of

12 life of all New Yorkers, and we're strongly in

13 support of this legislation, and we're really

14 thrilled to see this Council take this issue on. I

15 don't want to stick to the script because we have

16 heard these numbers over and over today, but the

17 bottom line is the numbers are staggering. Billions

18 of plastic bags, the bottom line is they cannot be

19 recycled. Reused and recycling are two different

20 things, okay? if we can use them for pet waste, we

21 can use them to put our own garbage in, household

22 waste, and they still end up in a landfill. And that

23 landfill is in the very communities that we are

24 claiming that we are concerned about, low income

25 communities of color across the United States. We are

2 shipping our waste out and having it in landfills all
3 across the US, one. I was encouraged to hear Council
4 Member Miller, I believe, earlier to just represent a
5 perspective that is so important, right? So we are--
6 we have districts in New York City that are burdened
7 by our waste disposal system and our waste, our
8 consumerism. And this is a perspective that we can't
9 ignore. So I want to bring that up strongly. It is
10 unnecessary to take a bag. This is not a legislation
11 that is magically going to solve a problem, but it
12 helps us to get there, okay? It's what the data
13 shows us. So if we want to be--have a thoughtful
14 approach that is data driven and science driven, we
15 can definitely generate the graphs and figures that
16 the Council Members need, okay, in order show some of
17 the numbers that we are seeing. In fact, New York
18 City is lagging behind as we've heard from D.C., but
19 there are many other US cities that have implemented
20 this as you've heard. One that hasn't been mentioned
21 yet is the city of San Jose, which reduced plastic
22 bag litter by 89 percent in the storm drain system,
23 60 percent decrease in rivers, and 59 percent in city
24 streets and neighborhoods with a ban on plastic bags
25 and a 10 cent paper bag charge, okay? So the average

2 bags of--the average number of single use bags
3 decreased from 3 bags, to 0.3 bags per visit. So
4 consumers are increasingly responsive to the fee, the
5 10 cent fee, the five cent fee, especially the 10
6 cent fee. That's why we've seen a proliferate
7 worldwide.

8 CHAIRPERSON REYNOSO: If you could just
9 wrap up, please.

10 KIZZY CHARLES-GUZMAN: Absolutely.

11 CHAIRPERSON REYNOSO: You didn't get the
12 timer, but I counted in my head, and it was more than
13 two minutes.

14 KIZZY CHARLES-GUZMAN: You've been
15 counting, okay.

16 CHAIRPERSON REYNOSO: Yes, yes.

17 KIZZY CHARLES-GUZMAN: Excellent. The
18 last thing I want to mention is that there's been a
19 lot of talk today about small business owners and
20 about undue pressures on businesses, and yes, there
21 are fines we've mentioned, but right now, I would
22 like to highlight that the bags are not free. Right
23 now, small business owners and the industry are the
24 ones paying for the bag. We the consumers are the
25 ones that are not paying for the bag, and so they

2 actually are generating revenue out of this proposal
3 and they get to keep it. So, even if they were to
4 keep their revenue and pay a fine every now and then,
5 that is--they're still coming out ahead, okay? So,
6 thank you for the opportunity to testify, and I look
7 forward to working with the Council on this.

8 CHAIRPERSON REYNOSO: Thank you. Thank
9 you.

10 YA-TING LIU: Alright, thank you very
11 much. Good afternoon, Chair Reynoso and members of
12 the committee. My name is Ya-Ting Liu, and I'm with
13 the New York League of Conservation Voters. We
14 represent--we have over 28,000 members in New York
15 City, and we're committed to advancing the
16 sustainability agenda that's going to make our
17 people, our neighborhoods, our community, our city
18 healthier and more resilient. I also don't want to
19 sort of read my testimony verbatim. Again, just
20 taking a cue from Kizzy's book. We've heard these
21 facts today over and over again. I want to start off
22 where we were as a city two months ago. Over 400,000
23 people came to New York City to say that something is
24 wrong with our planet, something is wrong with our
25 climate, something is wrong with our environment, and

2 enough is enough, and we demand action. Right? It
3 was this historic march. It made papers across the
4 country. It made headlines around the world. So we
5 can't forget about that moment, and here's why. The
6 city came out and the Mayor and the Council did this
7 tremendous thing, we made this bold commitment to
8 make New York City a leader, because we're a leader
9 in everything we do. We said we're going to commit
10 to 80 by 50. We're going to reduce our carbon
11 emissions by 80 percent by 2050, ambitious bold
12 commitment. We need that kind of vision, and we need
13 that kind of leadership, but we also need that same
14 type of leadership and action at the local level,
15 decisive, local action like this to reduce our
16 plastic bag use and to reduce the impact on our solid
17 waste system is going to be huge, and New Yorkers are
18 ready for that. We saw that two months ago. So
19 let's not forget about that. And lastly, I'll just
20 say that plastic bags, they're not free. New Yorkers
21 see it. we're paying for it every time we see it in
22 our trees, in our playgrounds, in our streets, in our
23 beaches, in our waterways, not to mention the clogs
24 in the storm drain system that causes flooding and
25 sewer overflows, which is a huge problem in the city

2 in all neighborhoods across--in all five boroughs.

3 So, I just want to end by saying New Yorker are ready

4 for this. We thank you for taking time and paying

5 attention to this issue and we look forward to

6 working with you to advance this agenda. Thank you.

7 CHAIRPERSON REYNOSO: Thank you very much.

8 Next.

9 ERIC GOLDSTEIN: Good afternoon, Mr.

10 Chairman. Eric Goldstein from the Natural Resources

11 Defense Council. Thanks so much for holding this

12 hearing. Thanks to Brad Lander and to Council Member

13 Chin for their leadership and their staff's work on

14 this issue. Thanks to Council Member Gibson for

15 staying for the whole hearing. Thanks for

16 Commissioner Garcia for her encouraging words, and of

17 course, thanks to Keith Anderson for coming up from

18 D.C. New York City is not the first jurisdiction to

19 look at this issue from coast to coast and around the

20 world. Jurisdictions have taken a look at the issues

21 of plastic bags and the myriad of problems they

22 cause, and they've taken one of two steps, they've

23 either banned them or they've imposed fees. They've

24 considered very carefully recycling and they haven't

25 chosen that, and there's a good reason why, which

2 I'll get to in a moment. So right now there are 150
3 jurisdictions around the nation that have already
4 taken action to get rid of plastic bags from the
5 municipal waste streams around the world. You have
6 Rome and the rest of Italy, Dublin and the rest of
7 Ireland, Delhi and the rest of India, Beijing and the
8 rest of China, all have banned plastic bags. Fees
9 have been imposed on single-use bags in Whales,
10 Scotland, Northern Ireland to Hong Kong. We've got
11 the whole list in our written testimony, which we'll
12 get to you as soon as my computer is fixed. Around
13 the country, as I said, here are just a couple of
14 leading cities, Austin, Boulder, Chicago, Dallas,
15 Honolulu, Los Angeles, Portland, San Francisco, San
16 Jose, Santa Fe, Seattle, Washington D.C. and of
17 course, last month the state of California, Governor
18 Brown signed legislation imposing a statewide ban on
19 plastic bags because of the complex problems caused
20 to the municipal waste stream in all of those. Let
21 me highlight just two quick examples. In Boulder,
22 Colorado there's a 10 cent fee on paper and plastic
23 bags at grocery stores, convenience stores and
24 department stores. It took effect in July 2013. Local
25 officials there have reported a 68 percent reduction

2 in plastic and paper bags. For that reason, Dallas
3 and Portland, Maine have also adopted fees on bags
4 that are taking effect later this year. Three final
5 points in closing. Recycling of plastic bags, New
6 York has tried that. We passed that law almost a
7 year ago. The law has by all accounts been a failure,
8 very low participation rates. Regarding paper, paper
9 bags are better than plastic, but far from ideal from
10 an environmental perspective. Even if every bag were
11 recycled, there would still be very significant
12 adverse environmental impacts, and as Council Member
13 Lander noted, much, much more expensive for
14 retailers. That's why supermarkets switched in the
15 1970's from paper bags to plastic bags in the first
16 place, because they were much cheaper, but of course,
17 the environmental costs of that switch were not
18 accounted for in the process.

19 CHAIRPERSON REYNOSO: If you could also--
20 I'm sorry, but if you would also wrap up.

21 ERIC GOLDSTEIN: And I guess, finally, I
22 will say that there have been some good suggestions
23 that have come up today, ensuring sufficient lead
24 time, better public education before a fee were to
25 take place, providing additional give-aways for

2 reusable bags. You've wisely made this the first
3 hearing. We think the committee is going to go back
4 and explore the ideas that have come up today, and we
5 hope that in 2015 there'll be some legislation based
6 upon all of the comments you hear today that will
7 move this issue forward, and again, we appreciate
8 your leadership, Chairman Reynoso.

9 CHAIRPERSON REYNOSO: Thank you. Thank
10 you, and they don't ask paper or plastic anymore.
11 It's just plastic.

12 ERIC GOLDSTEIN: Right.

13 CHAIRPERSON REYNOSO: We've lost that, but
14 we'll see. Next?

15 JOHN COGHLAN: Thank you. My name is
16 John Coghlan, and I'm here today on behalf of the New
17 York City Chapter of Surfrider Foundation. Surfrider
18 Foundation and our hundreds of members in New York
19 City and thousands of members across the country are
20 asking for your careful consideration of Intro 209.
21 Surfrider Foundation has supported successful
22 legislation aimed at reducing carryout bags
23 consumption in a number of municipalities across the
24 country, including Washington D.C., Portland, Oregon,
25 and recently the state of California. We hope New

2 York City will follow suit. I know--I just wanted to
3 add there was also a question earlier about how many
4 cities have enacted some type of legislation, and I
5 know that the number is over 100. Our organization's
6 mission is simple, to protect and enjoy our oceans,
7 waves and beaches. The waste and litter created from
8 the proliferation of single-use bags poses a major
9 threat to that mission. Plastic is the most common
10 type of marine litter. An estimated 100,000 marine
11 mammals and up to one million sea birds die each year
12 after ingesting or being tangled in plastic marine
13 litter. While many plastics contribute to these
14 tragedies, plastic bags are a particularly dangerous
15 threat to our oceans, marine life and beaches. In
16 fact, plastic bags have consistently been reported in
17 the top five most common forms of ocean litter. It's
18 easy to forget that this is a costal city, that we
19 are on an island surrounded by water. New York City
20 has about 520 miles of coastline. We must recognize
21 that a plastic bag littered here is much more likely
22 to end up in our oceans, waves and beaches than a
23 plastic bag littered elsewhere. I also want to
24 mention the tremendous public support that we have
25 seen among our supporters for this bill. In

2 September, Surfrider Foundation and a number of
3 organizations who testified today launched the first
4 Bring Your Own Bag Week in New York City. We asked
5 New Yorkers to go bag free for a week in support of
6 this bill and the response was tremendous. Hundreds
7 of New Yorkers signed up and reduced their
8 consumption by thousands of disposable bags. Imagine
9 the impact we could have with your support. By
10 taking action in support of intro 209, not only will
11 New York keep pace with other cities in its
12 environmental efforts, but we'll also be taking a
13 stand against the pollution, litter and carbon
14 emission caused by disposable carryout bags that
15 continue to negatively affect all New Yorkers. Thank
16 you for time and consideration.

17 CHAIRPERSON REYNOSO: Good job. You get
18 the gold star. Thank you guys for your time, and
19 like you said, a couple of you didn't read your
20 statements because a lot of these things are being
21 reiterated, a lot of the information, and we thank
22 you for your time and your effort and continuing in
23 the education front, which I think is a piece that I
24 took out from this hearing is that we really need to

2 make sure we do everything possible to educate folks
3 on how to behave moving forward. So thank you.

4 COUNCIL MEMBER LANDER: Mr. Chairman--

5 CHAIRPERSON REYNOSO: Oh, actually, I'm
6 sorry.

7 COUNCIL MEMBER LANDER: In the interest of
8 time, I'm not--I've had the opportunity to work with
9 and talk with all of you, so I'm not going to ask
10 questions now, but I do just want to really thank you
11 for the work that you've done and put in in helping
12 us get to this point, the research, the organizing,
13 the advocacy and being here. So, I just--I do want
14 to say thank you.

15 ERIC GOLDSTEIN: Thank you.

16 CHAIRPERSON REYNOSO: And now--just to
17 the public, I have to head to another meeting, and I
18 don't want to recess this meeting because everyone
19 took their time to be here. So, after the next
20 panel, the deputy leader is going to take on chairing
21 the meeting, and I really thank you for your time,
22 and I'm going to ask William McDonald, Allison
23 Bigelow [sp?], Charles Fisher, and Reginald Bowman.
24 Everyone will be heard today. And just for a heads
25 up, there are seven panels left, at least seven

2 panels. Actually, there's more space on the table.

3 Let's--Ruby Barkley? Ruby? Reverend Cleveland

4 Coley? Reverend, thank you. Patsy Nettles? Okay,

5 thank you guys. So, please again, from right to left

6 or from--yeah, from right to left. So you would

7 begin. Thank you.

8 UNIDENTIFIED: Thank you and good

9 afternoon everybody. The New York City Council

10 proposed grocery plastic bag tax is actually a two

11 dollar surplus for using plastic bags, and the profit

12 goes to the stores. We're already living in one of

13 the highest cities as far as living goes. There's a

14 myth that the New York City Council wants us to

15 believe, which is sponsors of the bill to tax plastic

16 retail bags claim they are single-use and not

17 designed for multiple use. Fact, not only are

18 plastic retail bags reusable, but studies

19 consistently show 90 percent of people reuse their

20 bags for several household purposes. Myth, a tax on

21 plastic retail bags will significantly reduce a lot

22 of waste and litter in the environment. Fact, plastic

23 bags comprise less than two percent of the New York

24 City waste stream. So taxing plastic bags will not

25 have a significant impact on waste reduction in the

2 city. Similarly, plastic retail bags traditionally
3 make up less than one percent of litter. Myth, paper
4 and reusable bags are better for the environment than
5 plastic retail bags. Fact, plastic bags are the most
6 environmentally friendly choice at the checkout.

7 They consume fewer natural resources, generate fewer
8 greenhouse gas emissions, take up less landfill space
9 than paper or reusable bags and are also an American
10 made produce. Reusable clothes bags are largely made
11 overseas in China, India and Mexico. Myth, New York

12 City Council's plastic bag tax is friendly to low
13 income New Yorkers. Fact, the New York bag tax will
14 burden millions of New Yorkers who struggle to make
15 ends meet. Those stores will waive the charge for
16 providing paper or plastic bags for customers using

17 SNAP or WIC products. The exemption does not for the
18 working poor who are not SNAP or WIC participants and
19 will have to pay more for their groceries. Myth,

20 taxing plastic bags will have no effect on the
21 economy. Fact, the plastic bag industry employs over
22 30,000 Americans across the United States, with 1,800
23 working families in New York State relying on the
24 plastic bag manufacturing and recycling sector for

2 their livelihood. Alternatively, reusable bags are
3 often produced overseas. Thank you, Mr. Chairman.

4 CHAIRPERSON REYNOSO: Appreciate your
5 testimony. Thank you.

6 CHARLES FISHER: Yes, okay. My name is
7 Charles Fisher. I'm the Chairman--I'm the Founder of
8 the Hip-Hop Summer Youth Council. I want to thank
9 you, Chairman Reynoso for, you know, allowing me to
10 come here and have this opportunity to speak today.
11 I've heard a lot of knowledge, a lot of wisdom. I
12 learned more in the last hours in my entire life
13 about recycling. I don't want to hear anymore. But I
14 am going to take this back to my young constituents.
15 I was proud to see those two young ladies up here
16 from the school, played a little hooky today, but I
17 think that was a good thing. I was really proud of
18 them coming up here because we're all here today
19 because we care about the next generation. I know
20 all you guys mean well, and I applaud you for
21 presenting this legislation and getting everybody
22 stimulated. There's like three words in our world
23 today that you can use. Each of them have three
24 letters that gets everybody's attention, sex, gun,
25 and tax. When you mention any one of those three

2 words you get everybody's attention, and you
3 mentioned tax, alright. So you got the world's
4 attention right now, because any time you want to tax
5 the disadvantaged or the poor or whatever, you know
6 they're going to come for you, alright? They're going
7 to use this in your next election or whatever. So, I
8 want to just briefly say that I think it's great that
9 you're concerned about the environment, because as
10 adults we are gate keepers of the next generation. I
11 looked at China this week, and I got a snapshot when
12 the President was over there and I seen people
13 walking around with masks in Beijing, alright. The
14 government tried to shut down the city because the
15 President was coming in because of the pollution. So
16 all I wanted to say is this here, that we got a
17 snapshot of what it is. We need to clean up this
18 environment, clean energy, global warming, all that's
19 real. I suggest simply education, taxation without
20 education is a problem. I want to see a definitive
21 amount of money going into some kind of budget for
22 education, and I want to see good marketing used with
23 that money, and I think we should go after the
24 plastic industry to have them give money back,
25 because why are we taxing the people? You know, the

2 Mobil, Exxon, the plastic industry, they got the
3 money. Let's go get the money from them as opposed
4 to the consumer, because if you do that, if you get
5 the money from the people that really got the money,
6 we're all behind you 100 percent. Alright?

7 CHAIRPERSON REYNOSO: Thank you for your
8 testimony. I appreciate that.

9 REGINALD BOWMAN: Good afternoon,
10 everybody. My name is Reginald Bowman, and I'm the
11 President and CEO of the Citywide Council of
12 Presidents Incorporated, which is a nonprofit
13 organization that represents the more than 600,000
14 residents, consumers, over 300,000 voters that reside
15 in the public housing communities of the city of New
16 York. And I appreciate this opportunity, Mr.
17 Chairman and the council, for being able to come
18 before this group. It's kind of cold in here. Do
19 they have heat in the City Council?

20 CHAIRPERSON REYNOSO: We can't beat mother
21 nature, let me tell you.

22 REGINALD BOWMAN: Shoot, y'all got to
23 turn up the heat, because we got technology that
24 deals with this kind of stuff. Now, after sitting in
25 here for three and a half hours listening about the

2 environment, I'm surprised that you guys are trying
3 to save money on carbon emissions by not having heat
4 in the City Council Chamber. It's cold in here.

5 However, I'm not here to make light of this

6 circumstance. I'm here today to say no. Why? I can't

7 understand in 2014 in the 21st century that we have

8 no technology to recycle and to deal with the plastic

9 problem. They just landed a something on a comet

10 going around space, but we still haven't figured out

11 how to recycle plastic. Anyway, I'm here to say I

12 think it's wrong to try to solve a problem by looking

13 at it in a short term fashion. And I appreciate the

14 work that's been done over the decades in New York

15 City, but a lot of times, people that live in our

16 environment and in our neighborhoods are skeptical of

17 government and private industry because we can't

18 understand how they can create such an enormous

19 market for a product, but not figure out how to deal

20 with the side effects or the things in long term.

21 The second thing that--and I'm going to be brief.

22 The second thing that concerns me, there are many

23 ways to combat the problem of disposable plastic

24 waste. That's an international issue and we've heard

25 that said here all day today, but taxing us and the

2 working poor, or let's not even call it a tax, let's
3 call it an extra expense, will only add money to
4 other people's pockets, and it won't really solve the
5 overall problem. Plastic bags are not the only
6 plastic that we're concerned with in the environment.
7 In fact, if you've seen some of the documentaries of
8 the floating plastic that's in the oceans and the
9 other things, it's not just plastic bags. In fact,
10 our entire society is filled with bags, beverages,
11 bottles, cleaning products, hair, beauty products,
12 prescription drug bottles, almost everything that we
13 use every day is made of plastic. And to just focus
14 on the bag, I think that that's being short sighted
15 at this point in time. Again, I appreciate all of
16 the scientific research that has been done, but I
17 think it's time to do something a little bit more
18 practical if we're going to think about the bigger
19 picture, and as Mr. Charles just pointed out, if
20 we're going to really be stewards of the next
21 generation, it's time for us to change the disposable
22 mentality that we have, because we now know that
23 there is no such thing as disposable, and we're now
24 paying the cost of the limited thinking of the past

2 that went into profit making instead of being
3 stewards of the environment.

4 CHAIRPERSON REYNOSO: I'm going to--
5 apologize, but I'm going to have to--

6 REGINAL BOWMAN: [interposing] I'm
7 wrapping this up right now. But understand
8 something, I've sat here for five hours in a cold
9 room. Why not consider creating a new industry by an
10 additional strategic plan to recycle, and I say
11 recycle, come on, we have the technology and the
12 science to do so many other things, I just can't
13 understand at this point why we don't have a serious
14 technology that can deal with this issue. This is
15 not the only plastic. So I think this bill should be
16 rethought and restructured, and I believe that we can
17 expect better from the City Council members Chin,
18 Landers, and Richards to do something more
19 comprehensive than just raise funds. Let's bring the
20 corporations and business leaders to the table, and
21 invest in a long range plan to end disposable waste,
22 not a short range plan that will not solve the real
23 problem that is facing our environment. Thank you.

24 CHAIRPERSON REYNOSO: Thank you. And I
25 just want to let you guys know, a tax would imply

2 that the city is taking money from someone or that
3 the city's getting paid for it. In this system that
4 we have, the money goes to the business owners, not
5 to--

6 CHARLES FISHER: I would trust you with
7 the money before the business owners, alright?

8 CHAIRPERSON REYNOSO: I'm going to
9 introduce you to--two panels ago, I'm going to
10 introduce you to some guys from the industry.

11 CHARLES FISHER: Remember that I'll trust
12 you with the money. You can set up a fund, I'll know
13 it goes to the schools, to kids. They'll be educated.
14 I can track you. I can't track them.

15 CHAIRPERSON REYNOSO: Yeah, I think
16 you're the second person that said the money should
17 go to the city.

18 CHARLES FISHER: It should

19 CHAIRPERSON REYNOSO: If it means that
20 it's going to go to education.

21 CHARLES FISHER: Put that in the bill.
22 Put that in the bill.

23 CHAIRPERSON REYNOSO: So that's good, but
24 a tax does imply that it's--everyone's getting it,
25 one, fairly, and that's not happening. And also, I

2 just want to say that I come from a poor community
3 that's handling 40 percent of the city's trash
4 alongside south Bronx and southeast Queens, we're
5 handling 80 percent of the city's trash. And my
6 community is more than prepared to handle the
7 transition from plastic bags to reusable bags, and I
8 think it's a front to think that our people can't
9 figure that out, and that they can't do it, because
10 they absolutely can, and right now, my mother is
11 using reusable bags without ever being told that it's
12 the right thing to do. She just thought it was
13 practical and is doing that. So I just really want us
14 to reconsider this poor person's problem, and I don't
15 think that's what it is.

16 REGINALD BOWMAN: We're not saying that.

17 [cross-talk]

18 CHAIRPERSON REYNOSO: Not you, I'm not
19 saying you said that.

20 CHARLES FISHER: and I want to just say--

21 CHAIRPERSON REYNOSO: [interposing] But a
22 lot of people say that we got--that we're looking out
23 for communities of color or poor communities. We're
24 looking out for all communities. Every single
25 community needs to figure this out, not just one, and

2 everybody should be--every person is up--every human
3 can do it is what I'm saying, no matter where you're
4 from.

5 CHARLES FISHER: Well, can you guarantee
6 me that you won't go up 10 cents next year, and the
7 next year, and next thing you know I'm paying 50
8 cents a bag, because that's how you guys do.

9 CHAIRPERSON REYNOSO: I'm Sanitation Chair
10 for at least three more years. If I get re-elected,
11 even though you challenged my re-election in your
12 conversation because people don't like taxes, and I
13 agree, I don't like taxes either or an increase in
14 that. Unless it's for rich people. But so if I'm
15 here for eight years and I stay Sanitation Chair, I
16 would never allow for a hearing to come up here
17 regarding an increase from 10 cents to something
18 else.

19 REGINALD BOWMAN: But what I'm also
20 saying as the Chair of the Citywide group that does
21 represent 300,000 voters, and we did do a lot in last
22 year's election to make sure that people got elected
23 that represent our interests. We need to have more
24 extensive dialogue because I saw a lot of
25 conversations and there are a lot of things and

2 technically, this is the first I really heard of this
3 conversation, and I've been the Citywide Chair for
4 three terms, and I've been a resident association
5 leader and a lot of people in politics know me in
6 this town. So the dialogue and the conversation on
7 policy making, especially something as significant as
8 this, there must be a lot more put into the education
9 end, and taking into consideration the fact that
10 there's a bigger issue involved and more people need
11 to be involved. I'm not disputing what you're
12 saying--

13 CHAIRPERSON REYNOSO: Absolutely.

14 REGINALD BOWMAN: But I'm saying that
15 there needs to be an expansion of the dialogue to
16 include both sides of the aisle so that we can come
17 up with a viable solution that's not going to put
18 people out of work, and it's also going to be a
19 practical way of solving the problem of the bag. Like
20 I said in my testimony, it's not just a bag. We all
21 use plastic everything.

22 CHAIRPERSON REYNOSO: We--so I'm
23 Sanitation Chair. My goal is to bring the diversion
24 rates up 50, 60 percent for--that's what I'm trying
25 to do, and you do it one step at a time. You got to

2 do it right. We're doing this now. Imagine if I
3 would have--if we would have been introducing ten
4 more things to recycle, this place, we wouldn't be
5 able to fit everyone in here. What I do want to say
6 is this is the beginning. This is not the end, and
7 that's why we have hearings. Hearings are there so
8 that we can hear both sides. People can educate
9 themselves through this process and allow for this
10 dialogue to happen, and we still got a ways to go
11 before this moves from here to the actual vote. So,
12 see that as an opportunity to start doing that, and I
13 task everyone in the City Council to their best to
14 make sure we're educating our communities regarding--

15 REGINALD BOWMAN: Glad to be a part of
16 the dialogue.

17 CHARLES FISHER: Well, I will be working
18 the--with Power 105 and Source Magazine hip-hop
19 community to get the educational word out to young
20 people, because they need to be a part of the
21 educational process of cleaning up our environment.
22 So, I'd love to work with you and the hip-hop
23 community would love to so that we can really do
24 something about the problem.

2 CHAIRPERSON REYNOSO: Alright, sounds
3 great. Thank you guys. Appreciate it.

4 CHARLES FISHER: Thank you.

5 CHAIRPERSON REYNOSO: And now I have to
6 get going, and I'm going to transfer this over to
7 Council Member Brad Lander. And I believe all panels
8 against are now--if anyone else is against, it seems
9 like there's no more panels. We have one, two,
10 three, four, five, six more panels and they're all
11 for. And that is also telling. So thank you very
12 much.

13 COUNCIL MEMBER LANDER: Thank you very
14 much, Mr. Chairman for all your time and excellent
15 wielding of the gavel today and to Council Member
16 Gibson for sticking around all day in this cold room,
17 and it's a good time to thank Cullen Howe [sp?] for
18 his work on this bill and on this issue as well. I
19 will stay here as long as people would like to
20 testify. We have a, you know, a quite a few people
21 who were enthusiasts of this, and we're going to call
22 you in panels and be thrilled to have you come up and
23 testify. If you decide you have written testimony
24 and you want to submit it rather than read it that is
25 fine too, but we'll stay as long as anybody wants to

2 testify or the room gets too cold for us. Very good.
3 So the next panel is Jennie Romer from
4 PlasticBagLaws.org, Nicole Feldbaum from the Hewitt
5 School, Deborah Marton from New York Restoration
6 Project, Erin George from New York Lawyers and the
7 Public Interest, and Christopher Chin from COARE.
8 And I guess let me read the one after that while
9 they're coming up, just so the five people after that
10 know--can be ready. After that, if I--is Mark Dunley
11 from the Green Party, Daniel Tainow, Natasha Dwyer,
12 Alandra Asavedo [sp?], and Joss Philippe. Those five
13 I said are the subsequent panel after this one. And
14 if we've lost people along the way--well, it doesn't
15 look like it. Alright, great, wonderful. Great,
16 alright. You're also--if you give written testimony
17 we take it and we have some great letters by
18 students. I got some student letters this morning.
19 Take it away when you're ready.

20 JENNIE ROMER: Good afternoon. I think
21 it's still afternoon. My name is Jennie Romer, and
22 I'm an attorney and the founder of
23 Plasticbaglaws.org. I'm a national expert in
24 carryout bag policy and for the last six years I've
25 worked pro bono for cities all over the US helping

2 draft the most state of the art ordinances that build
3 upon lessons learned by other cities and help avoid
4 lawsuits by the plastics industry. In every city and
5 town that I've been involved with I hear the same
6 arguments from the plastics industry. These groups
7 usually have nice innocuous sounding names like the
8 American Progressive Bag Alliance or Save the Plastic
9 Bag Coalition. Plastic bag recycling is used as a red
10 herring by plastics industry to stall meaningful
11 regulations like fees and bans. We've seen this
12 tactic play out all over the country and the only
13 thing that such attempts ever succeed at is delaying
14 real action. This is a classic example of
15 greenwashing and preys upon people's natural
16 inclination to see recycling as something positive
17 and green, but the truth is that plastic bag
18 recycling rates are incredibly low, and more
19 importantly, there's virtually no market for the
20 plastic bags collected. The city is confronted with
21 an industry willing to spend seemingly unlimited
22 funds in protecting an unregulated market for its
23 product. The main culprit here is Hilex Poly, the
24 largest plastic bag manufacturer in the US, which has
25 a long history of well-funded lobbying. Hilex's

2 parent Novolex funded the website against this bill.
3 To give an idea of the scale of this lobbying effort,
4 over the past five years in California, bag makers
5 spent 5.3 million dollars in reportable lobbying
6 campaign payments to stall California bills and
7 recently Hilex Poly alone spent 1.1 million directly
8 on a referendum effort. Don't let corporate lobbyist
9 funded by plastics industry derail a grass roots
10 movement of environmental and community groups
11 working on proven policy. Thank you for your time.

12 COUNCIL MEMBER LANDER: Thank you. And
13 thanks for all your help in understanding the
14 experience around the country to bring the best of it
15 to the bill here.

16 JENNIE ROMER: And I also submitted this
17 Tulane Law Journal article that is entitled Plastic
18 Bag Reduction Ordinances, New York City's Proposed
19 Charge on Carryout Bags as a Model for all US Cities.
20 That was published recently.

21 COUNCIL MEMBER LANDER: Thank you.

22 CHRISTOPHER CHIN: While they're
23 switching seats, I'll go ahead. My name is
24 Christopher Chin, and I'm the Executive Director at
25 COARE, the Center for Oceanic Awareness, Research and

2 Education. And before I get started with the
3 statements that I've prepared, I'd like to
4 acknowledge the desire for education and the
5 importance of that, but I'd also like to point out
6 that effective and smart legislation is an amazing
7 vehicle for public education. So it's hard to miss
8 the symptoms of plastic litter. We see the bags. We
9 see dead bags in our trees, frozen in the gutters,
10 they litter our streets. They clog our drains. They
11 pollute our waterways and they poison our oceans.
12 The vast majority of trash in the ocean is land based
13 sources, and that means that what we do here in New
14 York City directly effects the health of our oceans,
15 the oceans that we depend on for food and for all our
16 oxygen. The ocean gives us life, but we are not
17 returning the favor. At least 267 individual species
18 of marine animals are directly affected by plastic
19 litter, our plastic trash. And so what we need to do
20 is we need to pay attention to that. We need to
21 reduce what we're doing. We need to reduce the
22 effect of our impact on the oceans. The oceans give
23 us life and that is--that's incredibly important.
24 So, sorry, I just got sort of sidetracked there.
25 What we can do--this is a global problem. We're

2 finding actually plastic in our fish now, and this is
3 a big problem, but there's a simple and local
4 solution. We don't need to create new jobs. We
5 don't need to create new factories to figure out how
6 to recycle. We just need to stop using plastic bags,
7 and by encouraging New Yorkers to look at their
8 choices, then this is the way that we can do this.
9 We just simply ask people to bring their bags, and we
10 encourage them to only use the bags that they truly
11 need. And I'll wrap up just by pointing out this,
12 the metro card. Everybody recognizes this, and if
13 you've lived in New York for any significant period
14 of time, you know that they used to be free and they
15 used to litter the streets, litter the subways, and
16 at some point the MTA decided that we were going to
17 charge a dollar for these. It's not a dollar every
18 time you ride. You buy one and you reuse it. Now,
19 you don't see these all over the place anymore, and
20 nobody complains that you have to pay a dollar the
21 first time you buy it.

22 NICOLE FELDBAUM: Honored members of the
23 Sanitation Committee and Council Members. My name is
24 Nicole Feldbaum and I am here representing the
25 students of New York City who have been working for

2 two years for this day to arrive. We have organized
3 two citywide conferences and participated in the
4 student advocacy day during which we met with several
5 city Council Members. We are calling upon you as our
6 representatives to take an environmental and fiscal
7 leap for the benefit of New York City. This bill
8 essentially proposes a 10 cent charge on any plastic
9 or paper bags coming from retail and grocery type
10 stores. Businesses keep the 10 cents, landfills and
11 recycling plants get to enjoy less plastic and fewer
12 clogged machines. The city of New York benefits from
13 the saved money from waste disposal, and we benefit
14 from the greener New York. There are a plethora of
15 bills out there that aim to make the world greener,
16 healthier, more sustainable. What makes this one
17 special is threefold. First, there's a certain
18 monetary value attached to the issue. Unlike many
19 other green processes that cost money to implement
20 and end up paying off their debt very slowly. For
21 every bag not used, money is saved by the government
22 of New York. There are no hidden fees. Second, once
23 this charge begins, the effects are nearly immediate.
24 In Washington, D.C. a tax dropped plastic bag usage
25 from 22.5 million bags per month to three million in

2 just the first month. There's little to no wait
3 time between the implementation of the charge and
4 visible results, which brings me to the third point.
5 The effects of this bill are very visual. The
6 statistics for previous versions of this bill point
7 to major differences in plastic bag usage with their
8 percentages. This is not an idea that drops usage
9 two percent or three percent. Rather, the statistics
10 are staggering. In Ireland, for example, a tax
11 dropped overall plastic bag usage about 95 percent.
12 A bill that can both aid the environment and have
13 visual quick results is quite rare. This bill is
14 very reasonable. It is not for posing an outright
15 ban on all single-use bags. Rather, it's proposing a
16 fee that will incentivize the bringing of reusable
17 bags. It's also certainly not aimed at charging
18 customers 10 cents every time they shop. This is why
19 the bill will have little impact on the finances of
20 our constituents. So long as they remember to bring
21 their reusable bags, bags that will be distributed
22 throughout the city for low income residents and then
23 to others as available. They will not be charged.
24 Along the same lines, the bill is sensible in that it
25 will not affect SNAP and WIC users, as their

2 transactions will never incur the 10 cent fee. We
3 urge you to strongly consider this bill for the
4 betterment of New York City as a whole. Your vote
5 will ensure our future.

6 COUNCIL MEMBER LANDER: Thank you very
7 much. You're Ms. Feldbaum, is that right?

8 NICOLE FELDBAUM: Yes.

9 COUNCIL MEMBER LANDER: First I want to
10 say thank you. That was excellent testimony, and
11 then I really do also want to call out the students
12 especially at the Hewitt School for their leadership
13 here that you've been consistent throughout. When we
14 first started talking about doing something here
15 Jennie said, "You got to go talk to those students at
16 the Hewitt School." And well before we had crafted
17 this and especially Hewitt, but really the students
18 throughout the city. We had a great lobby day with
19 150 students, and I just want to thank you for all
20 your involvement and your testimony today. And to
21 your teachers and your school as well.

22 CASEY PETERSON: Good afternoon. I'm
23 Casey Peterson, Government Relations and Special
24 Projects Manager at the New York Restoration Project,
25 or NYRP. I'm honored to be here to testify on behalf

2 of our Executive Director, Deborah Martin, in support
3 of this local law to dramatically reduce plastic
4 pollution and waste in New York City. And I would
5 first like to thank Council Members Lander and Chin
6 for co-sponsoring this local law. As an issue that
7 faces every New Yorker, plastic bags are not only an
8 eyesore as litter on the street and in our trees,
9 they threaten our waterways and contaminate our food
10 chain, air and water quality. And also, they
11 threaten our health. Recent studies related to brain
12 development show that a disorderly physical
13 environment has shown negative impacts on the
14 cognitive development of children. This legislation
15 is near and dear to NYRP's heart. Our founder, Bette
16 Midler, has long advocated for reduction of plastic
17 bag use. Around the time of our founding in 1995 she
18 launched NYRP's bag snagging program, removing
19 plastic bags from high tree branches using a custom
20 made telescoping grabber. NYRP has continued the
21 program for the past 19 years devoting roughly a
22 quarter of our 45 percent field staff's time in
23 winter months to snagging literally thousands of
24 plastic bags from precarious tree branches across our
25 city, mostly in low income communities. And as an

2 organization that focuses on equity, I was pleased to
3 learn that the 10 cent fee won't be applied to
4 purchases made on food stamps and that the bill will
5 save an estimated over 10 million annually in tax
6 payer money put towards carting the thousands of tons
7 of plastic bag waste produced every year. And I'd
8 also like to note that the environmental cost
9 associated with plastic bags in my opinion far
10 outweigh the fees associated with this bill. And as a
11 closing point, if this legislation passes NYRP will
12 seek funding to purchase and distribute reusable bags
13 and make them available to the people who use our 52
14 community gardens in the parks where we work. So,
15 thank you for your time and we urge your support to
16 ensure a more environmentally and economically sound
17 future for New York City.

18 COUNCIL MEMBER LANDER: Thank you very
19 much for all your work and for that commitment to
20 work with us on distribution. I do want to point
21 out, and we're so excited to have Ms. Midler's
22 support as well as NYRP, and there was a slander in
23 the recent article that I couldn't name a Bette
24 Midler song, and I just want to say for the record, I
25 was asked to name either of my favorite song or my

2 favorite movie. I'm not going to sing my favorite
3 Bette Midler songs right here and now, but I'm a big
4 fan and we appreciate both her and your support.

5 ERIN GEORGE: Good afternoon. Thank you
6 for the opportunity to provide testimony today and
7 for sticking it out. My name's Erin George. I'm an
8 advocate with the Environmental Justice Program of
9 New York Lawyers for the Public Interest. NOPI [sic]
10 has worked for over a decade with community and
11 environmental justice organizations to advance fair
12 and sustainable waste management to advance fair and
13 sustainable waste management practices in New York
14 City. I don't want to restate what's been well
15 stated prior, so I'm going to keep it brief. Low
16 income and minority communities are unfairly burdened
17 with the vast majority of trash generated by all New
18 Yorkers. The resulting abundance of diesel
19 emissions, dangerous hauling vehicles and waste in
20 their neighborhoods is seriously detrimental to
21 health and wellbeing. Passage of Intro 209 would
22 reduce plastic bag waste and have a real meaningful
23 impact on NYC's overall waste stream, which would
24 translate to real benefits for all New Yorkers, but
25 in particular for these environmental justice

2 communities. I know it's been highlighted, but it's
3 important to note that the goal of the legislation is
4 to encourage people to change their behavior and
5 reduce their overall use of carryout bags, not force
6 them to pay a fee, and we know that this happens
7 because of the data from other jurisdictions. Passage
8 of Intro 209 is an important incremental step towards
9 zero waste in New York City. We produce approximately
10 35,000 tons of waste every day, and this waste is
11 then transported by environmentally hazardous diesel
12 trucks and eventually buried in landfills or
13 incinerated. These practices contribute to global
14 warming through the production of methane, carbon
15 dioxide and nitrous gas emissions. There's a
16 critical need for reform in New York City. This is
17 why NOPI cofounded Transform not Trash NYC, which
18 seeks to reduce waste and pollution and foster
19 cleaner and healthier communities. We're pleased to
20 support the Council's effort to address plastic bags
21 and we look forward to working with you further on
22 ways to reform in the future. Thank you.

23 COUNCIL MEMBER LANDER: Thank you very
24 much. Thanks to everyone on this panel. Really
25 appreciate all your work and your testimony. So,

2 thank you. And it was great, and it will obviously--
3 it's all still being web streamed and we'll share
4 testimony with other colleagues as well. The--and we
5 have--yes, we have signed cards and letters from
6 students all over this city, which we will make sure
7 are available for our colleagues to have. The next
8 five people up if they're here, Mark Dunley, Daniel
9 Tainow, Natasha Dwyer, Alandra Osevedo [sp?], Joss
10 Philippe. I think call in on the last break. Let me
11 thank Kate Sealey-Kirk [sp?] and Pat McClellan [sp?]
12 for their work in sticking it out as well, and our
13 Sergeants at Arms, and Ben Smith my Policy Director
14 who's also done an enormous amount of work on this
15 bill, and Yumay Kidasay [sp?] and Sam Picone [sp?]
16 from Council Member Chin's office as well. We can--
17 alright, so yeah, we have some room on this panel.
18 Angela what? Angela Tovar from Sustainable South
19 Bronx, will join this panel as well? Super, thank
20 you. Go ahead, and we'll--

21 NATASHA DWYER: Okay. So my name is
22 Natasha Dwyer, and I'm here to testify on behalf of
23 the New York City Environmental Justice Alliance in
24 strong support of Intro 209. Founded in 1991,
25 NYEJA's a nonprofit citywide membership network

2 linking grassroots organizations from low income
3 neighborhoods and communities of color in their
4 struggle for environmental justice. We're so pleased
5 that many of the people testifying and even Council
6 Member Miller were talking about the impacts on EJ
7 communities. Solid waste has been our oldest
8 campaign, and it's incredibly important that this
9 bill be passed. The vast majority of New York City's
10 garbage is truck to transfer stations in just a small
11 handful of New York City neighborhoods, and then
12 trucked back out of the city. Nearly 75 percent of
13 our waste is handled in just three communities, in
14 the South Bronx, north Brooklyn and southeast Queens.
15 This truck intensive system causes unnecessary air
16 and noise pollution and harms public health and
17 quality of life. Roughly 100,000 tons of plastic
18 bags are handled by New York City's waste system
19 every year. This represents a tremendous burden on
20 both the environment and on the environmental justice
21 communities where waste transfer stations are
22 disproportionately located. The new 10 cent charge
23 associated with plastic bag use is a luxury that not
24 all New Yorker will be able to afford, and that's why
25 we're so pleased to note that Council Members Lander,

2 Chin and Richards, and Public Advocate James have
3 addressed potential impacts on low income New Yorkers
4 by exempting SNAP and WIC transactions from the fee
5 and committing to the distribution of free reusable
6 bags in low income neighborhoods. The New York City
7 Environmental Justice Alliance is proud to support
8 New York City Council's plastic bag reduction bill.
9 This bill will contribute to our long term goals to
10 both reduce waste and reduce impacts on the low
11 income communities of color that handle the vast
12 majority of our waste. This is a significant step
13 towards achieving a more just and sustainable city.
14 Thank you.

15 DANIEL TAINOW: Thank you for the
16 opportunity to testify. My name is Daniel Tainow, and
17 I'm testifying on behalf of the Lower East Side
18 Ecology Center, a nonprofit organization that has
19 offered community based recycling programs in New
20 York City since 1987. We strongly support
21 Introduction 209 as a local law to dramatically
22 reduce plastic pollution and waste by requiring
23 stores to charge 10 cents on all carryout bags
24 provided at the register. The Lower East Side
25 Ecology Center has a unique and comprehensive view of

2 the negative impacts associated with disposable
3 plastic bags because we are not only a provider of
4 community based recycling programs, but we are also a
5 stewardship group for neighborhood green space and
6 the water surrounding New York City. Therefore, we
7 have directly observed the tremendous amount of
8 plastic bags that residents throw away as well as the
9 bags that even when thrown away in trash receptacles
10 become litter and wrap around city's trees, clog our
11 sewers and wreak havoc on aquatic ecosystems.

12 Collecting and transporting the thousands of tons of
13 disposable carryout bags for disposal in landfills
14 adds millions of tax payer dollars to our sanitation
15 bill. Likewise, it costs the city both economically
16 and environmentally when we have to clean the bags
17 out of trees, deal with exacerbated sewage discharges
18 and clean up polluted waterways. We believe that a
19 carryout bag fee at the register is a tremendous
20 opportunity for education to allow consumers and
21 stores to realize some of the true cost of these
22 bags, and then decide if they really need to use a
23 disposable bag. Data from other cities shows that
24 similar fees have reduced disposable bag usage by 60
25 to 95 percent. We hope that the City Council joins

2 the civic community and business organization that
3 support this environmentally and economically sound
4 legislation and pass introduction 209. Thanks.

5 ANGELA TOVAR: Hi, my name is Angela
6 Tovar. I'm the Director of Policy and Research at
7 Sustainable South Bronx. We're a nonprofit
8 organization that began out of the desire to advocate
9 and to promote environmental justice in a
10 neighborhood that is born and continues to bear a
11 heavy environmental burden for the rest of the city.
12 Our mission today is to address economic and
13 environmental issues in the South Bronx through a
14 combination of green jobs training, social enterprise
15 and community greening programs, including a
16 successful recycling program in the Highbridge
17 community. I want to begin just by thanking you,
18 Council Member Lander, for your leadership on this
19 effort and for the opportunity to testify.

20 Sustainable South Bronx supports the proposed
21 legislation to reduce the usage of plastic bags here
22 in New York. And just to be brief, the reason why we
23 support the bill obviously we've talked about this
24 1,700 of tons of garbage that is produced by plastic
25 bags on a weekly basis. Our community, Hunts Point,

2 we're home to 13 waste transfer stations. We handle
3 23 percent of the city's waste overall and 100
4 percent of the Bronx waste. So for us, any effort to
5 reduce or divert materials from the waste stream is
6 critical to our local environment. I also just want
7 to mention as advocates for improving the Bronx
8 waterway, we've talked a lot today and it's important
9 to mention again, that plastic bags never fully
10 decompose, right? Instead, they just gradually turn
11 into smaller pieces, and that really impacts our
12 marine and terrestrial environment in our
13 communities. The other thing I wanted to mention was
14 we've seen these reductions in D.C. and Los Angeles
15 County in Seattle. The other thing that we've seen
16 on this end is these cost saving measures. So we're
17 hoping that through this legislation and through this
18 effort that, you know, some of this cost-saving could
19 potentially be redistributed to recycling and
20 education programs. Finally, I just want to say that
21 South Bronx, we're an area--Hunts Point is an area
22 that has median income of 25,873 dollars, but we do
23 not see this as a tax or a burden, we see this as an
24 opportunity, and Sustainable South Bronx would love
25 the opportunity to work with the City Council and

2 with the Sanitation Department to pursue education
3 and outreach for our community, including bag
4 distribution and signage. So, thank you for your
5 time.

6 JOSS PHILIPPE: Hi, Joss Philippe. Thank
7 you for letting me testify today. I brought with me
8 this document. I'm going to ask you to just follow
9 along, and I actually have an extra one if you guys
10 want to--it's map time, you guys. So start with the
11 binding downwards, please. I work with Bag It NYC,
12 and I was working on a school project learning how to
13 make maps. The idea was using mapping to promote
14 environmental policy like this. 5.2 billion is a
15 pretty main dataset. It was kind of not a challenge
16 to work with. But about two years ago we started
17 using the hashtag BagItNYC on Instagram as a data
18 collection tool for constituents and activists alike.
19 The idea was to give New Yorkers a tool to document
20 things like plastic bag litter in their neighborhood
21 and directly lobby their council district members.
22 So, without further ado, map time. Map time is
23 actually a map meet up that I'll be attending
24 tonight. So, if you flip the first page down we come
25 to Bed-Stuy, my neighborhood. Satellite imagery,

2 you'll notice a pretty neat neighborhood, a lot of
3 trees. You can tell where the Cashuco [sp?] public
4 pool is, the Vaughn King [sp?] public park, community
5 gardens, streets, a lot of streets, beautiful
6 streets. Turn the page. A simplified version of
7 this map where you see again the parks and the
8 streets, and so yeah, a lot of communities call Bed-
9 Stuy home. One of its biggest community is the
10 plastic bag. Turn the clear transparent page, and
11 these points represent 267 Instagrams taken. We use
12 the geospatial data that comes with every Instagram
13 photo taken with our hashtag to sort of see where
14 these photos were taken. You'll see that they are in
15 the parks, on the streets. The photos on the top
16 page are the 60 latest photos taken on Instagram with
17 that hashtag. Sorry, almost done. Yeah, this should
18 give you a geospatial perspective on why we want to
19 reduce as opposed to push for more recycling. These
20 bags are everywhere. One seventy-four points on this
21 map were taken in under 30 minutes, when we had
22 volunteers go out with Instagram accounts that we
23 provided to activists and continue to, if anybody
24 wants to do this in their neighborhood. This has 267
25 points in District 36. Other districts have as much

2 as 300 in Committee Chair Antonio Reynoso's district.
3 We're hoping to get more points. So please pass the
4 word on. And flip the page again. This is my
5 favorite photo, kind of the visual definition of what
6 motivates me to--well, to make this map and hopefully
7 get this bill passed. Yeah, our map is visible at
8 Bagitnyc.org/map, and again, thank you for letting me
9 testify today. It was a first. Additionally, I work
10 as a bike mechanic for City Bike, and we get a lot of
11 plastic bags that get stuck in the chain tension or
12 interailer [sic]. It's also a hazard for those who
13 bike. Thank you.

14 COUNCIL MEMBER LANDER: Thanks all of you.

15 Let me first say, so I just, you know, for those
16 still watching alone at home and we'll do some
17 Twitter and Instagram and whatnot. Bagitnyc.org/map.

18 JOSS PHILIPPE: Forward slash map.

19 COUNCIL MEMBER LANDER: You have, you
20 know, it's well worth your time. It's--and then I
21 also want to thank the three of you, and in general
22 the Environmental Justice Community. I think this
23 hearing especially having people, you know, having
24 NYEJA, but have folks testify from the South Bronx
25 from Outrage [sic] from Williamsburg, to have Council

2 Member Miller speak from Southeast Queens, and We Act
3 here as well. It means a lot to have the EJ
4 community supporting this legislation and continually
5 reminding the council of our responsibility to attend
6 to the inequitable distribution of waste and its
7 impact on low income communities in New York City.
8 So, thank you. Next up--

9 JOSS PHILIPPE: Can I Instagram this?

10 COUNCIL MEMBER LANDER: Jordan
11 Christensen from Citizens Campaign for the
12 Environment, Elliot Cohen, Roxanne Delgado, Tim
13 Woodall, and Sharon Rowe. And really, we appreciate
14 your sticking around. As you can see, we have
15 managed to raise the temperature a little bit. But I
16 appreciate, you know, this--that people have stayed
17 and all your patience and energy. So, thank you.
18 Thank you.

19 ROXANNE DELGADO: Hi. As we all know,
20 habits are very hard to break, which is why I am not
21 surprised at the voluntary retail plastic bag
22 reduction isn't working. Hardly do I see shoppers
23 with reusable bags or retail stores taking plastic
24 bags back. What I do see is plastic bag litter all
25 over the streets and stuck on trees in Pell [sic]

2 Parkway, South Bronx, New York. A prime example of
3 how a green fee can break bad habits is the metro
4 card one dollar green fee. No longer do you see
5 subway station floors littered with metro cards, and
6 the consumer saves in the long run since the MTA now
7 nets less revenues for unused balances. This is not a
8 tax, and it will not burden the people. Look at the
9 numbers. It costs the city more to use plastic bags
10 than not to use them. People can avoid fee as they
11 do with the metro cards. Less government waste and
12 less plastic bags is what the people want. For those
13 that say this bill doesn't go far enough, I do agree
14 that it doesn't, but why kill a bill that can bring
15 us one step closer to eliminating plastic bags. We
16 will have less plastic bags to deal with if this bill
17 is passed. Less plastic bags result in less harm.
18 Less harm even to turtles in our seas. Sea turtles
19 rely on sight not sound or smell and confuse plastic
20 bags for jelly fish. Also the plastic bags aren't
21 biodegradable, but they do break down into toxic
22 additives, release is harming our ecosystem.
23 Pollution does not discriminate. Habits are hard to
24 break, but we do adapt, and adaption can bear many
25 new products and markets to our city, and I hope you

2 pass this message to my City Council Member James
3 Vacca, who opposed this bill on behalf the people,
4 but still didn't stick around to listen to the
5 people. Thank you.

6 ELLIOT COHEN: Hi. Thank you for staying
7 so late. My name's Elliot Cohen and I haven't been in
8 this chamber on environmental matter since 1980 when
9 I worked for Ruth Messenger [sp?] when she was in the
10 City Council. So, it's been a long time. I'm going
11 to not reiterate all the statistics and stuff I've
12 heard today, but I'm going to make a few new points
13 that I haven't heard other people make yet. Okay.
14 The first is made ad nauseam by the industry that
15 this is a tax. I'd like to remind you folks up
16 there, and I think you're familiar with the fact that
17 a tax is mandatory. If you don't pay a tax, there's
18 a real problem associated with it. This is
19 voluntary. So if it's a tax of any sort, I would hope
20 that all taxes would shift into a voluntary nature.
21 It is also a model that could be used down the line,
22 voluntary taxation to get rid of all sorts of non-
23 recyclable disposable products. I also want to point
24 out that while this is not a tax, not passing a
25 measure like this drains tax revenue, tax revenue

2 that goes into the system now that is used to
3 landfill these bags, transport these bags, pay for
4 the Sims project to take these bags out of the
5 equipment is money that could be used elsewhere if
6 this measure is passed. Okay, so I just--that was
7 the first thing I wanted to--okay. I also want to
8 point out that for--I'm a little bit fanatic maybe,
9 but I've kept a backpack on or carried a bag around
10 with me for more than 10 years now, and I hardly ever
11 get bags handed to me at the store. It's very rare.
12 Despite that fact, I have got so many of these
13 plastic bags in my house that I have enough to use
14 for my own trash and to give to my friends, as many
15 as they need, and they're still accumulating. And I
16 was disappointed to learn frankly that this bill--
17 just briefly. Okay, that this bill will not affect
18 restaurants and food delivery, because most of those
19 bags in my house come from food delivery, and I'd
20 love to see this measure amended in some form to keep
21 them from bringing the bags, because if you allow
22 them to charge the bags, they'll just add for it, and
23 it'll go on. And I just have one other point I want
24 to make. I liked what the gentleman from D.C. said
25 about not doing an outright ban, not because I don't

2 support a ban, I do, but because you have to have
3 people accept a law and want to comply with a law.
4 If they don't, you don't really solve the problem. We
5 want to reduce the use of this stuff, and a
6 transitional phase like doing this and having people
7 buy into it and feel like, oh yeah, that's not that
8 big a burden would be a real necessary first step in
9 getting people that aren't that concerned about this
10 as an issue to listen. So, I wanted to thank you
11 very much. I don't--did I say my name was Elliot
12 Cohen? Okay, that's it, and thank you very much, and
13 thank you for your leadership in passing this and
14 putting this measure forward.

15 SHARON ROWE: This is on? Okay. Hi.
16 Thank you, first of all, for sticking around. I
17 think it's pretty interesting that I'm near the last,
18 and I was one of the first. I'm Sharon Rowe. I'm the
19 Founder and CEO of Eco Bags. We're the original
20 reusable bag company, and we started at 181st Street
21 and Fort Washington Avenue in New York City over 25
22 years ago. And really, it started because we just
23 saw a lot of trash in the river and the trees, and I
24 decided I wouldn't bring bags anymore, and I looked
25 for bags, and I started reusing--using reusable bags.

2 And people around me said, "What a great idea." So we
3 launched a company, which actually we took the
4 message out throughout the US and to the UK and to
5 Ireland and we're part of all the bans there. And
6 what I'd like to say and bring to this beside from
7 all the really numbers that have been jumping around
8 all over the place, is that when people own where
9 they live and love where they live, and honor the
10 beauty of where they are and the abundance that they
11 have, whatever they have, plastic bag--not using
12 plastic bags, bringing reusable bags actually cements
13 that idea of community and ownership of who they are.
14 Plus, it--putting a fee or banning plastic bags, both
15 of which I would support, so I think the practical
16 first step is Intro 209. A ban, I would support as
17 well. These are all just baby steps in a very large
18 disposable waste problem. We used to talk about
19 source reduction. It's not a very sexy term, but
20 that's what we're talking about, and to close, I'd
21 just like to say, you know, the R's, except it's
22 refuse, reduce, then rethink, reuse, recycle.
23 There's a lot more R's in that little thing that
24 people throw out. And the key to all of this is
25 durability and a commitment that we're not going to

2 throw away today. We have a lot of beauty here.
3 Let's preserve it. Thank you.

4 JORDAN CHRISTENSEN: Hi, sorry about like
5 the awkward body position I'm in. I'm going to try
6 to face you guys. Oh, thanks. My name's Jordan
7 Christensen. I'm with Citizens Campaign for the
8 Environment. So we're an 80,000 member nonprofit,
9 nonpartisan group that works in environmental and
10 public health issues. We started in New York and we
11 have an office in Connecticut now too. But plastic
12 pollution has been a huge issue for our organization
13 for the last two decades, and what we've seen is over
14 the last 20 years, the public's become more and more
15 aware of the environmental damage that these plastic
16 bags cause, and they have voluntarily reduced their
17 consumption and started to bring reusable bags, but
18 public education just hasn't been enough in this
19 case. So despite numerous educational campaigns as
20 well as the mandatory recycling law in stores, New
21 York still recycles less than 10 percent of plastic
22 bags and the average American still brings--gets 300
23 on average plastic bags at the grocery store every
24 year, which means that legislation is really the only
25 proven way of truly reducing our plastic pollution.

2 The solution's so simple. It's so cheap. It's so
3 doable, and as we've seen hundreds of other
4 municipalities have already done this. If California
5 and Hawaii can do it, there's no reason why New York
6 can't have a substantial plastic bag law. So, New
7 York City has become a national leader in
8 sustainability. We have Plan NYC and Waste Less
9 [sic], and residents have proven time and time again
10 that they are willing to adapt their behavior when it
11 benefits the city and that they're invested and
12 protecting our local environment. In villages and
13 towns throughout the state have been working on their
14 own laws and they're all looking to you today to pass
15 this legislation. So once again, we do support Intro
16 209, and we think that this is a really great first
17 step and it could make a substantial change in the
18 way that not only city residents, but state residents
19 and nationally we think about our plastic waste.
20 Thanks.

21 COUNCIL MEMBER LANDER: Thank you very
22 much, and I really do appreciate your sticking around
23 and not just leaving written testimony. You know,
24 again, for the record and for the stream, I think
25 this panel was really excellent on the ways in which

2 this is part of the bigger picture, thinking more
3 broadly about the things that we treat as disposable,
4 what that means, and the steps we can take to put
5 some value on them and keep moving forward. So, I
6 appreciate all the suggestions, the comments on
7 restaurants and in general. Thank you again.

8 ELLIOT COHEN: Thank you.

9 COUNCIL MEMBER LANDER: And to Eco Bag,
10 thank you for your work also in general helping move
11 the city in this direction from a business point of
12 view as well as advocacy. Alright. Okay. And this,
13 yeah, I don't know whether, you know--thanks to
14 everyone for sticking around whenever you came. And
15 next up--or we still have some really great groups
16 here. So, Kellye Rosenheim from the Nature
17 Conservancy, Milcah Zewdie from the Human Impacts
18 Institute, Eric Shall [sp?], Patrick Garlinger [sp?]
19 and Lewbish Stephson--hopefully you'll know who you
20 are. Alright, we'll keep going if--I'll just quickly
21 re-read. That was Kellye Rosenheim, Milcah Zewdie,
22 Eric Shall, Patrick Garlinger and Lewbish Stephson,
23 if--just go. That's alright. We have two more
24 panels after this, but we'll see how large they turn

2 out to be. So go ahead, yes. You don't need sit in
3 the awkward chair this way, so that's a good extra--

4 : You can go ahead, you're on the--

5 MILCAH ZEWDIE: Oh, okay. Good evening,
6 I guess. My name's Milcah Zewdie, and I'm here on
7 behalf of the Human Impacts Institute and also as a
8 native New Yorker from the Bronx. As a child, I
9 learned that no matter where I went there would
10 always be trash everywhere in the city, but for
11 children who have yet to witness much else, do we
12 really want them to think that's how we should take
13 care of our city or our planet? Because that's what
14 it looked like to me as a child on our way to class
15 or on our way to ballet after school or to the park a
16 few blocks away. For many of us, concrete sidewalks
17 with trivial amounts of greenery and tons of litter
18 are almost all we know about the outdoors. How is
19 this wasteful consumption of these bags beneficial to
20 the next generation of children? How is it
21 benefitting public perception of New York City, both
22 to us New Yorkers and also internationally? I hope
23 many of you agree with me in that our community's
24 perception of safety is almost as important as the
25 actual safety. While the amount of plastic bags that

2 are in my neighborhood made it look even more run
3 down, dirty and unsafe, and more like people cared
4 less about who we were and where we lived. My family
5 owns our house in the Bronx and we're constantly on
6 the lookout for trash on the sidewalk surrounding our
7 home. So, guess what I did when I was child? Now, I
8 want to talk about my parents. I cleaned the
9 sidewalk, and if we didn't clean it, we were
10 ticketed. Even if we did clean it and someone
11 littered afterwards, we would still be ticketed, and
12 that's not okay. Placing this fee would benefit
13 property owners and that people would use these bags
14 more resourcefully. My dad, for example, wouldn't
15 come back from his night shift at 8:30 a.m. just to
16 clean the sidewalk before he went to bed, wake up,
17 and then clean the sidewalk again because anyone's
18 who's walked throughout the day has probably littered
19 some more. Life's tough, I get it, and people
20 litter, I get that, too. But it's not fair or right
21 that our government hasn't placed more effective laws
22 to reduce this waste. I know littering is illegal,
23 but more often it seems the actual people responsible
24 aren't held accountable. We need to encourage a
25 social change in our behaviors, one that includes

2 both retailers and consumers. As one of the most
3 exciting, famous and visited cities in the world, we
4 as New Yorkers should be leading by example. Thank
5 you.

6 KELYE ROSENHEIM: Thank you for staying.
7 Thank you all for staying. My name is Kellye
8 Rosenheim, and I'm a volunteer for the Nature
9 Conservancy. I lead bird watching walks for this
10 organization in Central Park and in other preserves
11 in the city. I urge you to support Intro 209, which
12 will reduce the number of single-use plastic bags in
13 New York City. And thank you for allowing me to
14 speak for some New Yorkers who can't speak for
15 themselves. For 15 years I've explored parks and
16 preserves in all five boroughs, and in each one that
17 borders the ocean or saltwater system there's a line
18 of garbage that accumulates along the shore. It's not
19 necessarily from visitors to the park, but garbage
20 that has gotten into the water and has been washed
21 ashore by the tide. And then there's the garbage that
22 we don't see, like plastic bags that eventually sinks
23 to the bottom and accumulates there. It's
24 aesthetically displeasing to see birds trying to feed
25 by picking their way around our trash, but it's

2 harmful to them as well. Someday, I hope to come
3 before you to talk about plastic tampon inserters and
4 cigarette lighters, but for now, know that these
5 birds and other animals unwittingly eat plastic bags
6 and other debris whereupon these objects become
7 permanent in their digestive systems. With these
8 objects in their stomachs, they feel full so they
9 don't feed and they can starve to death. Often,
10 birds that provide food for their young by
11 regurgitation feed this plastic to their chicks. I
12 have two chicks myself, although they've now fledged
13 and gone to college. I've brought home a lot of
14 groceries over the years, and the plastic bag is
15 wonderful invention, but I think often about the city
16 and the world my kids must live in. Please place the
17 10 cent fee on the single-use plastic bags and make
18 New Yorkers like me think twice about whether or not
19 we need to add one more piece of everlasting hazard
20 into our environment. Thank you.

21 COUNCIL MEMBER LANDER: That was great.
22 Thank you very much both for staying and presenting.
23 Next up, Allen Moses, 665 East 7th Street, Steve
24 Goodman from St. James--from James Street, Susan
25 Urich [sp?], or--maybe that's right, Quentin Herbert

2 from COARE, and is Wellington still here? He spoke--
3 no? Okay. Alright, so we won't have Wellington
4 Channing from the Journ [sic] Town Partnership. Go
5 ahead. It looks like it's the two of you on this
6 panel.

7 QUENTIN HERBERT: So my name is Quentin
8 Herbert. I come from France, and well I'm glad to be
9 here today. And I'd like to tell you that I find
10 this legislation very relevant and effective. Nearly
11 ten years ago in France we had this plastic bag fees
12 implemented and yeah, my experience is that it pushes
13 you to bring your own bag to the grocery stores. And
14 I've never seen anyone complaining about it, really.
15 So, the--sorry. Catching up my breath. The other
16 things is that I like to bring a more global
17 perspective to the discussion in saying that this is
18 a global issue. Plastic bags don't care about
19 borders. They drift away and a bag that down by here
20 could easily end up eventually on European coast. So,
21 this global problem, it's a local solution. And this
22 is what is very interesting about New York City, is
23 that it's--when you talk to someone in France, for
24 example, about America, the first image that comes to
25 his mind or her mind is New York. So as such an

2 iconic city, I believe that it is in the perfect
3 position to set inspiring example for the world's
4 cities and the world's cities across the world. And
5 yeah, I hope that you take this into account when you
6 reach decision. Thank you.

7 COUNCIL MEMBER LANDER: Thank you. And
8 I'll just note, you know, we talked about the 140 US
9 cities that have implemented a plastic bag policy,
10 and I do think it's worth noting that Australia,
11 Bangladesh, Cameroon, Chile, China, Haiti, India,
12 Ireland, Italy, the Ivory Coast, Mali, Mauritania,
13 Northern Island, Pakistan, the Philippines, Rwanda,
14 South Africa, Tanzania, Whales and France, and
15 actually I think quite a few that even aren't on that
16 list have taken steps here. So, sometimes New York's
17 in the lead, and sometimes we're following the good
18 examples of the rest of the world. So, thank you.

19 SUSAN URICH: Good afternoon, almost good
20 evening. My name is Susan Urich and I'm a senior,
21 and I'm a senior who takes public transportation, and
22 I'm so glad to hear everybody's been so concerned
23 about me all this time. I just didn't realize that.

24 [laughter]

2 SUSAN URICH: I appreciate the
3 opportunity to have my voice, my opinion here.
4 However, I am disappointed that so many Council
5 Members didn't stay to hear my opinion or the opinion
6 of most anybody. I mean, most people left the minute
7 you started on public opinions. I would like to take
8 one second of my two minutes to say this is my very
9 first council hearing every on anything, and boy has
10 it been an experience. And I--you're going to be
11 good for social conversation for the next six months
12 probably. So, I thank the two of you particularly
13 for sticking around to listen to this, and I'm sorry
14 that the people who were concerned about me as a
15 senior aren't here to hear it. What I would like to
16 tell you is that as a senior I'm really glad that
17 you're concerned about my money and my dimes, all
18 those dimes you're worried about with me, but I want
19 to tell you that if this legislation is passed, I'd
20 simply go out and get a reused bag, and people are
21 handing them out free all over. So even the Council
22 Member needed ten bags for his groceries, I only need
23 one. But who needed ten? I could personally find ten
24 bags free easily reusable for him. So, yes, I support
25 this legislation, and thank you for listening to me.

2 COUNCIL MEMBER LANDER: Thank you. Thank
3 you for staying, and you know, I know a lot of other
4 members would have liked to have stayed, and we'll--
5 they'll--you know, again, we pass out the written
6 testimony and we'll make sure that people are aware.
7 And I think we are now to our final panel. So if I
8 don't call you here and you still want to testify,
9 you can still sign up with the Sergeant, but
10 hopefully this will cover everyone who's still here.
11 Tyler Crozier from COARE, Vernique Pittman [sp?] from
12 the Green Schools Alliance, Lily Belanger [sp?] from
13 No Impact Project, Christopher Hicky [sp?] from New
14 York State Restaurant Association and Rebecca Subnum
15 [sp?] from the Tompkins Square Middle School. And
16 thank you again, you get the biggest, the most credit
17 for sticking around the longest. So, saved the best
18 for last as we say.

19 TYLER CROZIER: Apologize if the
20 microphone picks up my rumbling stomach. Hi, I am
21 Tyler Crozier. I am a Brooklyn resident. I live on
22 the Bushwick and Bed-Stuy border, and I'm here on
23 behalf of COARE, the Center for Oceanic Awareness
24 Research and Education. I will keep this very brief.
25 So, basically there may be a 10 cent bag fee, but I

2 don't believe this should equate to a five dollar a
3 week fee that adds into your weekly cost, because
4 basically with the idea being to bring your own bags,
5 you should be saving them. Several Council Members
6 that have opposed this have also said that they save
7 these bags. They recycle them. Why not continue
8 this recycling that you claim that you do and
9 continue to use them after this ban is passed,
10 hopefully, not ban, I apologize. My only other
11 statement really is that New York is a very
12 progressive city and has immense worldwide influence,
13 and I'd just like to call on the Council Members to
14 take charge, help New York to take the lead toward a
15 better city, nation and world. And I'd like to thank
16 you again for your time.

17 COUNCIL MEMBER LANDER: Thank you, very
18 much. And you're Rebecca Subnum, is that right?

19 REBECCA SUBNUM: Yes.

20 COUNCIL MEMBER LANDER: Alright. Thank
21 you for sticking around.

22 REBECCA SUBNUM: Good afternoon members
23 of the City Council. My name is Rebecca Subnum, and-
24 -thank you. I'm 11 years old and I go to Tompkins
25 Square Middle School. I worked with Cafeteria

2 Culture, and Cafeteria Culture is basically a
3 nonprofit organization that gets kids and parents
4 aware of the things that are going on in the
5 environment and they inspire change. So that's why
6 I'm standing here to testify in favor of the bill.
7 So, as kids, the things that are going on in the
8 environment would usually be the last thing on our
9 minds. When we go to throw something out, it wouldn't
10 matter if it went in the recycling bin or the trash
11 can. To us, it's the same thing. It's things like
12 this that everyone carelessly and continuously
13 ignores that will slowly turn our environment to a
14 bad future. From polystyrene to single-use plastic
15 bags, it's all the same. Though the ban on Styrofoam
16 will take effect soon, damages that it caused used to
17 be neglected. Styrofoam items would end up in many
18 places such as streets and oceans. Since Styrofoam
19 is non-biodegradable it just stays there and continue
20 to pile up. There are many animals that such birds
21 who mistake the Styrofoam as food. As a result, they
22 died. Also, it is noted that 57 chemicals,
23 byproduct, are released during the manufacturing of
24 Styrofoam, which pollutes the air. It's not just the
25 environmental damages that the Styrofoam caused, it's

2 also economic damages too. Many states spent
3 millions of dollars to clean up Styrofoam debris.
4 The facts of single-use plastic bags are very
5 similar. Plastic bags are environmentally harmful
6 because New Yorkers use 5.2 billion carryout bags of
7 which an immense amount is not recycled. As of 2008,
8 plastic bags were responsible for over 1,700 tons of
9 residential garbage per week in New York City. In
10 addition, plastic bags often become litter because of
11 their lightweight features. They get stuck in storm
12 drains, worsening the issue of flooding and how
13 sewage pours out into waterways. As a result, New
14 York City has to pay an estimated 10 million dollars
15 to transport 100,000 tons of plastic bags to
16 landfills in other states each year, showing the
17 economical damages that plastic bags causes. If the
18 bill passed, then it would encourage people to start
19 bringing their own reusable bags, thereon, reducing
20 the environmental and economical issues caused by
21 plastic bags. We should take what we learned from
22 the Styrofoam issue and apply it here. We are able
23 to succeed in that bill and we can succeed in this
24 bill too. If California can do it, so can we. We
25 are New York City. The steps that we take now will

2 make up for the negligence in the past. The steps
3 that we take now will raise awareness and encourage
4 others. The steps that we take now will make the
5 change we see tomorrow.

6 COUNCIL MEMBER LANDER: Thanks both of
7 you for sticking around. I'm really glad that you
8 did.

9 [applause]

10 COUNCIL MEMBER LANDER: And Rebecca,
11 you're making the Tompkins Square Middle School
12 proud, and I really appreciate that you stuck around
13 to testify, and I think the leadership of young
14 people on these issues of the environment is just so
15 critical. Sadly, your parents and grandparents have
16 not been good stewards of this planet, and your
17 generation is going to bear the consequences of that.
18 On the other hand, the leadership that young people
19 are taking to make a difference to reduce our solid
20 waste, to reduce our carbon footprint and think about
21 what our city and our planet's going to look like is
22 very encouraging, and I appreciate all the cards we
23 have from your fellow students around the city. And
24 I want to thank you for your time. I want to thank
25 everybody who stayed today, everybody who signed up

2 to testify. This was a really thoughtful hearing,
3 and I look very forward to moving forward to consider
4 what we heard, and with some good fortune move
5 forward to the passage of Intro 209 in the near
6 future. So, with that, this hearing is adjourned.

7 [gavel]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date November 26, 2014