

Zero Waste Sonoma Environmentally Preferable Purchasing (EPP) Model Policy

1. STATEMENT OF POLICY

The Environmentally Preferable Purchasing Policy will commit the Agency to:

- 1.1 Protect and conserve natural resources, water, and energy;
- 1.2 Minimize the contribution to climate change, pollution, and solid waste disposal;
- 1.3 Institute practices that reduce waste by increasing product efficiency and effectiveness;
- 1.4 Purchase products that minimize environmental impacts, toxics, pollution, and hazards to worker and community safety;
- 1.5 Purchase products that include recycled content, are durable and long-lasting, conserve energy and water, use agricultural fibers and residues, use unbleached or chlorine free manufacturing processes, are lead-free and mercury-free, and use wood from sustainably harvested forests; and
- 1.6 Comply with State requirements as contained in the SB 1383 procurement regulations to procure a specified amount of Recovered Organic Waste Products to support Organic Waste disposal reduction targets and markets for products made from recycled and recovered Organic Waste materials.*

2. PURPOSE

The purpose of the policy is to incorporate considerations that include the following:

- 2.1 Conserve natural resources;
- 2.2 Minimize environmental impacts such as pollution and use of water and energy;
- 2.3 Eliminate or reduce toxics that create hazards to workers and our community;
- 2.4 Support a strong recycling market and circular economy;
- 2.5 Incorporate environmental considerations including recycled-content and recovered Organic Waste product use into purchasing practices and procurement;
- 2.6 Reduce materials that are landfilled;
- 2.7 Increase the use and availability of environmentally preferable products that protect the environment;
- 2.8 Identify environmentally preferable products and distribution systems;
- 2.9 Reward manufacturers and vendors that reduce environmental impacts in their production and distribution systems or services;
- 2.10 Align with the Agency's goal of Zero Waste by 2030 as adopted in the Zero Waste Resolution; and
- 2.11 Create a model for successfully purchasing environmentally preferable products that encourages the use of agricultural fibers, chlorine-free manufacturing processes, wood from sustainably harvested forests, and other environmentally friendly practices, and that encourages other purchasers in our community to adopt similar goals.

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3 DEFINITIONS

- 3.1 "Annual Recovered Organic Waste Product Procurement Target" means the amount of Organic Waste in the form of a Recovered Organic Waste Product that the Jurisdiction is required to procure annually under 14 CCR Section 18993.1. This target shall be calculated by multiplying the per capita procurement target, which shall be 0.08 tons of Organic Waste per California resident per year, times the Jurisdiction's residential population using the most recent annual data reported by the California Department of Finance. Annually, CalRecycle will provide notice to each Jurisdiction of its Annual Recovered Organic Waste Product Procurement Target by posting such information on CalRecycle's website and providing written notice directly to the Jurisdiction
- 3.2 "American Society for Testing and Materials" means ASTM International, an open forum for the development of high quality, market relevant international standards use around the globe.
- 3.3 "Bay Area Green Business Program" is a partnership of governments and businesses that certifies the environmental performance of government agencies and businesses.
- 3.4 "Bio-Based Products" means commercial or industrial products (other than food or feed) that utilize agricultural crops or residues but does not include products made from forestry materials
- 3.5 "Biodegradable Products Institute" (BPI) is a multi-stakeholder association of key individuals and groups from government, industry and academia, which promotes the use, and recycling of biodegradable polymeric materials (via composting). BPI does not create standards but certifies products that demonstrate they meet the requirements in ASTM D6400 or 06868, based on testing in an approved laboratory.
- 3.6 "Buyer" means anyone authorized to purchase or contract for purchases on behalf of this jurisdiction or its subdivisions
- 3.7 "The Carpet and Rug Institute" (CRI) is the national trade association representing the carpet and rug industry. CRI has developed and administered the "Green Label" indoor air quality testing and labeling program for carpet, adhesives, cushion materials and vacuum cleaners. The "Green Label Plus" testing program incorporates additional requirements to meet California's Collaborative for High Performance Schools low-emitting materials criteria
- 3.8 "Compost" means the product resulting from the controlled biological decomposition of organic solid wastes that are source separated from the municipal solid waste stream or which are separated at a centralized facility or as otherwise defined in 14 CCR Section 17896.2(a)(4).
- 3.9 Compost eligible for meeting the Annual Recovered Organic Waste Product Procurement Target must be produced at a compostable material handling operation or facility permitted or authorized under 14 CCR Chapter 3.1 of Division 7 or produced at a large volume in-vessel digestion facility that composts on-site as defined and permitted under 14 CCR Chapter 3.2 of Division 7. Compost shall meet the State's composting operations regulatory requirements
- 3.10 "Compostable plastic" means a polymer that is made from plants such as corn or

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soybeans, and breaks down during composting to yield carbon dioxide, water and inorganic compounds and biomass, at a rate consistent with other known compostable materials and leaves no visually distinguishable or toxic residues

- 3.11 "Contractor" means any person, group of persons, business, consultant, designing architect, association, partnership, corporation, supplier, vendor or other entity that has a contract or serves in a subcontracting capacity with an entity having a contract for the provision of goods or services.
- 3.12 "Direct Service Provider" means a person, company, agency, district, or other entity that provides a service or services to Jurisdiction pursuant to a contract or other written agreement or as otherwise defined in 14 CCR Section 18982(a)(17).
- 3.13 "Ecologo" is a third-party, multi-attribute eco-labeling program founded by the Canadian government in 1988 and part of UL Environment since 2010. The Program compares products / services with others in the same category, develops rigorous and scientifically relevant criteria, and awards the Ecologo to those that are environmentally preferable throughout their entire lifecycle.
- 3.14 "Electronic Product Environmental Assessment Tool" (EPEAT) is a procurement tool to help institutional purchasers in the public and private sectors evaluate, compare and select personal computers, displays, imaging equipment and televisions based on their environmental attributes.
- 3.15 "Electricity Procured from Biomass Conversion" means electricity generated from biomass facilities that convert recovered Organic Waste, such as wood and prunings from the municipal stream, into electricity. Electricity procured from a biomass conversion facility may only count toward the Jurisdiction's Annual Recovered Organic Waste Product Procurement Target if the facility receives feedstock directly from certain permitted or authorized compostable material handling operations or facilities, transfer/processing operations or facilities, or landfills, as described in 14 CCR Section 18993.1(i).
- 3.16 "Energy Star" means the U.S. EPA's energy efficiency product labeling program.
- 3.17 "Energy-Efficient Product" means a product that is in the upper 25% of energy efficiency for all similar products, or that is at least 10% more efficient than the minimum level that meets Federal standards.
- 3.18 "Environmentally Preferable Purchasing" means EPP is the procurement of goods and services that have a reduced impact on human health and the environment compared to competing products serving the same purpose. It is an essential part of our search for high quality products and services at competitive prices.
- 3.19 "Federal Energy Management Program" is a program of the Department of Energy that issues a series of Product Energy Efficiency Recommendations that identify recommended efficiency levels for energy-using products.
- 3.20 "Forest Stewardship Council" is a global organization that certifies responsible, on-the-ground forest management according to rigorous standards developed by a broad variety of stakeholder groups.
- 3.21 "Green Seal" is an independent, non-profit environmental labeling organization. Green Seal standards for products and services meet the U.S. EPA's criteria for third-party certifiers. The Green Seal is a registered certification mark that may appear only on

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certified products.

- 3.22 "Integrated Pest Management" is an ecosystem-based strategy that focuses on long-term prevention of pests or their damage through a combination of techniques such as biological control, habitat manipulation, modification of cultural practices, and use of resistant varieties. Pesticides are used only after monitoring indicates they are needed according to established guidelines, and treatments are made with the goal of removing only the target organism. Pest control materials are selected and applied in a manner that minimizes risks to human health, beneficial and nontarget organisms, and the environment.
- 3.23 "Jurisdiction" means a city, county, a combined city and county, or a regional agency with the responsibility for meeting Integrated Waste Management Act requirements. Jurisdictions may utilize a Joint Powers Authority (JPA) to comply with the requirements of SB 1383, however, the jurisdiction shall remain ultimately responsible for compliance. For this EPP Policy, Jurisdiction means the City of Sebastopol.
- 3.24 "LEED Rating System" means the most recent version of the Leadership in Energy and Environmental Design (LEED) Rating System, approved by the U.S. Green Building Council, and designed for rating new and existing commercial, institutional, and residential buildings.
- 3.25 "NSF/ANSI" means NSF International follows the American National Standards Institute (ANSI) standards development process. Standards are developed by joint committees (balanced stakeholder groups of public health, industry and user representatives).
- 3.26 "Organic Pest Management" prohibits the use and application of toxic chemical pesticides and strives to prevent pest problems through the application of natural, organic horticultural and maintenance practices. All pest control products shall be in keeping with, but not limited to, those products on the approved list of California Certified Organic Farmers (CCOF).
- 3.27 "Organic Waste" means solid wastes containing material originated from living organisms and their metabolic waste products including, but not limited to, food, yard trimmings, organic textiles and carpets, lumber, wood, Paper Products, Printing And Writing Paper, manure, biosolids, digestate, and sludges, or as otherwise defined in 14 CCR Section 18982(a)(46). Biosolids and digestate are as defined in 14 CCR Section 18982(a)(4) and 14 CCR Section 18982(a)(16.5), respectively.
- 3.28 "Paper Products" include, but are not limited to, paper janitorial supplies, cartons, wrapping, packaging, file folders, hanging files, corrugated boxes, tissue, and toweling;
- 3.29 "Post-consumer Material" means a finished material which would normally be disposed of as a solid waste, having reached its intended end-use and completed its life cycle as a consumer item, and does not include manufacturing or converting wastes.
- 3.30 "Pre-consumer Material" means material or by-products generated after manufacture of a product is completed but before the product reaches the end-use consumer. Pre-consumer material does not include mill and manufacturing trim, scrap, or broke which is

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generated at a manufacturing site and commonly reused on-site in the same or another manufacturing process.

- 3.31 "Printing and Writing Papers" include, but are not limited to, copy, xerographic, watermark, cotton fiber, offset, forms, computer printout paper, white wove envelopes, manila envelopes, book paper, note pads, writing tablets, newsprint, and other uncoated writing papers, posters, index cards, calendars, brochures, reports, magazines, and publications;
- 3.32 "Postconsumer Content" means any product which has served its intended use by a business or a consumer, which has been disposed and subsequently separated from solid waste for use as a constituent in a new product.
- 3.33 "Procurement of Recovered Organic Waste Products" shall mean purchase or acquisition (e.g., free delivery or free distribution from a hauler or other entity via a written agreement or contract), and end use by the Jurisdiction or others. The Jurisdiction's Annual Recovered Organic Waste Product Procurement Target can be fulfilled directly by the Jurisdiction or by Direct Service Providers through written contracts or agreements for Procurement of Recovered Organic Waste Products at the Jurisdiction's behest.
- 3.34 "Post-manufacture Content" means, waste that is created by a manufacturing process, and that is subsequently only used as a constituent in another manufacturing process.
- 3.35 "Recovered Material" means fragments of products or finished products of a manufacturing process, which has converted a resource into a commodity of real economic value, and includes pre-consumer and post-consumer material but does not include excess resources of the manufacturing process.
- 3.36 "Recovered Organic Waste Products" means products made from California, landfill-diverted recovered Organic Waste processed at a permitted or otherwise authorized operation or facility, or as otherwise defined in 14 CCR Section 18982(a)(60). Products that can be used to meet the Annual Recovered Organic Waste Product Procurement Target shall include Compost, SB 1383 Eligible Mulch, Renewable Gas from an in-vessel digestion facility, and Electricity Procured from Biomass Conversion as described herein and provided that such products meet requirements of 14 CCR, Division 7, Chapter 12, Article 12.
- 3.37 "Recordkeeping Designee" means the public employee appointed by the Jurisdiction Manager or their designee to track procurement and maintain records of Recovered Organic Waste Product procurement efforts both by the Jurisdiction and others, if applicable, as required by 14 CCR, Division 7, Chapter 12, Articles 12 and 13. In Sonoma County, Zero Waste Sonoma will be considered the Recordkeeping Designee.
- 3.38 "Recyclability" means that the Paper Products and Printing and Writing Paper offered or sold to the Jurisdiction are eligible to be labeled with an unqualified recyclable label as defined in 16 Code of Federal Regulations Section 260.12 (2013).
- 3.39 "Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper" means such products that consist of at least thirty percent (30%), by fiber weight, postconsumer fiber, consistent with the requirements of Sections 22150 to 22154 and Sections 12200 and 12209 of the Public Contract Code, and as amended.

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- 3.40 "Recycled Content Standard" means the minimum level of recovered material and/or post-consumer material necessary for products to qualify as "recycled products."
- 3.41 "Recycling" means using waste as material to manufacture a new product. Recycling involves altering the physical form of an object or material and making a new object from the altered material.
- 3.42 "Renewable Gas" means gas derived from Organic Waste that has been diverted from a landfill and processed at an in-vessel digestion facility that is permitted or otherwise authorized by 14 CCR to recover Organic Waste.
- 3.43 "Reuse" means using an object or material again, either for its original purpose or for a similar purpose, without significantly altering the physical or chemical form of the object or material.
- 3.44 "Remanufactured Product" means any product diverted from the supply of discarded materials by refurbishing and marketing said product without substantial change to its original form.
- 3.45 "Reused Product" means any product designed to be used many times for the same or other purposes without additional processing except for specific requirements such as cleaning, painting or minor repairs.
- 3.46 "Russian River Friendly Landscaping" means working with the natural ecosystems of the Russian River region to foster soil health, to reduce runoff and pollution, prevent and reuse plant waste, and conserve water and other natural resources. The Russian River-Friendly Landscape Guidelines are a revision of the Bay-Friendly Landscape Guidelines by the Russian River Watershed Association (RRWA), originally published by StopWaste.Org.
- 3.47 "Source Reduction" Section 40196 of the California Public Resources Code defines source reduction as any action which causes a net reduction in the generation of solid waste. "Source Reduction" includes, but is not limited to, reducing the use of nonrecyclable materials, replacing disposable materials and products with reusable materials and products, reducing packaging, reducing the amount of yard wastes generated, establishing garbage rate structures with incentives to reduce the amount of wastes that generators produce, and increasing the efficiency of the use of paper, cardboard, glass, metal, plastic, and other materials.
- 3.48 "SB 1383" means Senate Bill 1383 of 2016 approved by the Governor on September 19, 2016, which added Sections 39730.5, 39730.6, 39730.7, and 39730.8 to the Health and Safety Code, and added Chapter 13.1 (commencing with Section 42652) to Part 3 of Division 30 of the Public Resources Code, establishing methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants, as amended, supplemented, superseded, and replaced from time to time.
- 3.49 "SB 1383 Regulations" or "SB 1383 Regulatory" means or refers to, for the purposes of this policy, the Short-Lived Climate Pollutants (SLCP): Organic Waste Reductions regulations developed by CalRecycle and adopted in 2020 that created Chapter 12 of 14 CCR, Division 7 and amended portions of regulations of 14 CCR and 27 CCR.
- 3.50 "State" means the State of California.
- 3.51 "Water-Saving Products" are those that are in the upper 25% of water conservation for all

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similar products, or at least 10% more water-conserving than the minimum level that meets the Federal standards.

- 3.52 "WaterSense" means a partnership program by the U.S. Environmental Protection Agency. Independent, third-party licensed certifying bodies certify that products meet EPA criteria for water efficiency and performance by following testing and certification protocols specific to each product category. Products that are certified to meet EPA specifications are allowed to bear the WaterSense label.

4 STRATEGIES FOR IMPLEMENTATION

4.1 Source Reduction

- 4.1.1 Institute practices that reduce waste, encourage reuse, and result in the purchase of fewer products.
- 4.1.2 Purchase remanufactured products such as toner cartridges, tires, furniture, equipment and automotive parts.
- 4.1.3 Consider short-term and long-term costs in comparing product alternatives. This includes evaluation of total costs expected during the time a product is owned, including, but not limited to, acquisition, extended warranties, operation, supplies, maintenance and replacement parts, disposal costs and expected lifetime compared to other alternatives.
- 4.1.4 Purchase products that are durable, long lasting, reusable or refillable and avoid purchasing one-time use or disposable products.
- 4.1.5 Request vendors eliminate packaging or use the minimum amount necessary for product protection. Vendors shall be encouraged to take back packaging for reuse. A vendor's willingness to take back packaging will be used as part of the consideration in the procurement process.
- 4.1.6 Specify a preference for packaging that is reusable, recyclable, or compostable, when suitable uses and programs exist.
- 4.1.7 Encourage vendors to take back and reuse pallets and other shipping materials.
- 4.1.8 Encourage suppliers of electronic equipment, including but not limited to computers, monitors, printers, and copiers, to take back equipment for reuse or environmentally sound recycling when discarding or replacing such equipment, whenever possible. Suppliers will be required to state their take-back, reuse or recycling programs during the procurement process.
- 4.1.9 Consider provisions in contracts with suppliers of non-electronic equipment that require suppliers to take back equipment for reuse or environmentally sound recycling when discarding or displacing such equipment, whenever possible.

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Suppliers will be required to state their take back, reuse or recycling programs during the procurement process.

- 4.1.10 Promote electronic distribution of documents rather than printing or copying.
 - 4.1.11 When producing paper documents, print and copy all documents on both sides to reduce the use and purchase of paper. Printers and copiers shall be set to default to duplex.
 - 4.1.12 Ensure all imaging equipment is installed with energy and resource-efficient settings set as default.
 - 4.1.13 Reduce the number and type of equipment needed to perform office functions to save energy and reduce purchasing and maintenance costs. Eliminate desktop printers, redundant network printers and reduce the number of fax machines leased or owned. Consider lease or purchase of multi-function devices.
- 4.2 **Recycled Content Products (SB 1383 Model Language for Jurisdiction Compliance)**
- 4.2.1 Requirements for Agency and Jurisdiction Departments
 - 4.2.1.1 Option 1: Comparable or more favorable pricing: If fitness and quality of Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper are equal to that of non-recycled items, all departments and divisions of Jurisdiction shall purchase Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper that consists of at least thirty percent (30%), by fiber weight, postconsumer fiber, whenever available at the same or a lesser total cost than non-recycled items.
 - 4.2.1.2 Option 2: Price preference: If fitness and quality of Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper are equal to that of non-recycled items, all departments and divisions of Jurisdiction shall purchase Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper that consists of at least thirty percent (30%), by fiber weight, postconsumer fiber, whenever the total cost is the same or a lesser total cost than non-recycled items or whenever the total cost is no more than _ percent (_%) of the total cost for the non-recycled items.
 - 4.2.1.3 Option 3: No price preference: If fitness and quality of Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper are equal to that of non-recycled items, all departments and divisions of Jurisdiction shall purchase Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper (rather than non-recycled items) that consists of at least thirty percent (30%), by fiber weight, postconsumer fiber, consistent with the requirements of the Public Contract Code, Sections 22150 through 22154 and Sections 12200 and 12209, as amended.
 - 4.2.2 All Paper Products and Printing and Writing Paper shall be eligible to be labeled with an unqualified recyclable label as defined. Provide records to Zero Waste Sonoma of all Paper Products and Printing and Writing Paper purchases within thirty (30) days of the purchase (both recycled- content and non-recycled content, if any is purchased) made by a division or department or employee of the Jurisdiction.

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Records shall include a copy of the invoice or other documentation of purchase, written certifications, vendor name, purchaser name, quantity purchased, date purchased, and recycled content (including products that contain none), and if non-Recycled-Content Paper Products and/or non-Recycled-Content Printing and Writing Paper are provided, include a description of why Recycled-Content Paper Products and/or Recycled-Content Printing and Writing Paper were not provided.

4.3 Requirements for Vendors

4.3.1 All vendors that provide Paper Products (including janitorial Paper Products) and Printing and Writing Paper to Jurisdiction shall:

4.3.1.1 Provide Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper that consists of at least thirty percent (30%), by fiber weight, postconsumer fiber, if fitness and quality are equal to that of non-recycled item.

4.3.1.2 Only provide Paper Products and Printing and Writing Papers that meet Federal Trade Commission Recyclability standard as defined in Title 16 Code of Federal Regulations Section 260.12 (2013).

4.3.1.3 Certify in writing, under penalty of perjury, the minimum percentage of postconsumer material in the Paper Products and Printing and Writing Paper offered or sold to the Jurisdiction. This certification requirement may be waived if the percentage of postconsumer material in the Paper Products, Printing and Writing Paper, or both can be verified by a product label, catalog, invoice, or a manufacturer or vendor internet website.

4.3.1.4 Certify in writing, under penalty of perjury, that the Paper Products and Printing and Writing Paper offered or sold to the Jurisdiction is eligible to be labeled with an unqualified recyclable label as defined

4.3.1.5 Provide records to Zero Waste Sonoma of all Paper Products and Printing and Writing Paper purchased from the vendor within thirty (30) days of the purchase (both recycled-content and non-recycled content, if any is purchased) made by a division or department or employee of the Jurisdiction. Records shall include a copy of the invoice or other documentation of purchase, written certifications as required in Section 4.2.A.3-4 for recycled-content purchases, purchaser name, quantity purchased, date purchased, and recycled content (including products that contain none), and if non-Recycled-Content Paper Products and/or non-Recycled-Content Printing and Writing Paper are provided, include a description of why Recycled-Content Paper Products and/or Recycled-Content Printing and Writing Paper were not provided.

4.3.2 All vendors providing printing services to the Jurisdiction via a printing contract or written agreement, shall use Printing and Writing Paper that consists of at least thirty percent (30%), by fiber weight, postconsumer fiber.

4.4 Recovered Organic Waste Product Procurement

4.4.1 Procurement Target

4.4.1.1 City will annually procure for use or giveaway a quantity of Recovered Organic Waste Products that meets or exceeds its Annual Recovered Organic Waste Product Procurement Target.

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4.4.1.2 To be eligible to meet the Annual Recovered Organic Waste Product Procurement Target, products that may be procured include the following SB 1383 eligible Compost, SB 1383 eligible Mulch, Renewable Gas (in the form of transportation fuel, electricity, or heat), and Electricity Procured from Biomass Conversion.

4.4.2 Requirements for City Departments

4.4.2.1 Compost and SB 1383 Eligible Mulch procurement. Divisions and departments responsible for landscaping maintenance, renovation, or construction shall:

4.4.2.1.1 Use Compost and SB 1383 Eligible Mulch produced from recovered Organic Waste, as defined in Section 2.8 and 2.R of this Policy, for landscaping maintenance, renovation, or construction, as practicable, whenever available, and capable of meeting quality standards and criteria specified. SB 1383 Eligible Mulch used for land application must meet or exceed the physical contamination, maximum metal concentration and pathogen density standards specified in 14 CCR Section 17852(a)(24.5)(A)(1) through (3).

4.4.2.1.2 When Jurisdiction uses Compost and SB 1383 Eligible Mulch and the applications are subject to the Jurisdiction's Water Efficient Landscaping Ordinance (WELO), pursuant to Jurisdiction Code Section____, comply with one of the following, whichever is more stringent, (i) the Jurisdiction's WELO, Jurisdiction Code Section_, if more stringent than the State's Model Water Efficient Landscape Ordinance (MWELo), or (ii) Sections 492.6 (a)(3)(B), (C), (D), and (G) of the State's Model Water Efficient Landscape Ordinance, Title 23, Division 2, Chapter 2.7 of the CCR, as amended September 15, 2015, which requires the submittal of a landscape design plan with a "Soil Preparation, Mulch, and Amendments Section" to include the following: Guidance: Jurisdictions may, at their option, choose to establish and enforce water efficient landscaping requirements that are more stringent than required by SB 1383 regulations, including enforcement of updates to the MWELo provided that any updated MWELo requirements are more stringent than the September 15, 2015 MWELo requirements identified in the MWELo sections listed above.

4.4.2.1.3 For landscape installations, Compost at a rate of a minimum of 4 cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six (6) inches into the soil. Soils with greater than six percent (6%) organic matter in the top six (6) inches of soil are exempt from adding Compost and tilling.

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- 4.4.2.1.4 Apply a minimum three- (3-) inch layer of mulch on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated. To provide habitat for beneficial insects and other wildlife, leave up to five percent (5%) of the landscape area without mulch. Designated insect habitat must be included in the landscape design plan as such.
- 4.4.2.1.5 Procure mulch materials made from recycled or post-consumer materials rather than inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available. Organic mulches are not required where prohibited by local Fuel Modification Plan Guidelines or other applicable local ordinances.
- 4.4.2.1.6 For all mulch that is land applied, procure SB 1383 Eligible Mulch that meets or exceeds the physical contamination, maximum metal concentration, and pathogen density standards for land applications. The mulch must also be produced at a permitted composting facility, transfer station, or landfill. The procured mulch cannot be from a chipping and grinding operation, as specified in 12 CCR Section 18993.1 (f)(4).
- 4.4.2.1.7 Keep records, including invoices or proof of Recovered Organic Waste Product procurement (either through purchase or acquisition), and submit records to Zero Waste Sonoma, upon completion of project. Records shall include general procurement records, including:
 - 4.4.2.1.8 General description of how and where the product was used and applied, if applicable;
 - 4.4.2.1.9 Source of product, including name, physical location, and contact information for each entity, operation, or facility from whom the Recovered Organic Waste Products were procured;
 - 4.4.2.1.10 Type of product;
 - 4.4.2.1.11 Quantity of each product; and,
 - 4.4.2.1.12 Invoice or other record demonstrating purchase or procurement.
- 4.4.2.2 For Compost and SB 1383 Eligible Mulch provided to residents through giveaway events or other types of distribution methods, keep records of the Compost and SB 1383 Eligible Mulch provided to residents. Records shall be maintained and submitted to Zero Waste Sonoma in accordance with the requirements specified in Section 3.2.A.3.
- 4.4.2.3 For procurement of SB 1383 Eligible Mulch, maintain an updated copy of the ordinance or enforceable mechanism(s) requiring that the mulch procured by the Jurisdiction or Direct Service Provider meets the land application standards specified, as it may be amended from time to time, as currently reflected in Municipal Code Section 13.16.022.
- 4.4.2.4 When Procurement of Recovered Organic Waste Products occurs through a Direct Service Provider, enter into a written contract or agreement or execute a purchase order with enforceable provisions that includes: (i) definitions and

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specifications for SB 1383 Eligible Mulch, Compost, Renewable Gas, and/or Electricity Procured from Biomass Conversion; and, (ii) an enforcement mechanism (e.g., termination, liquidated damages) in the event the Direct Service Provider is not compliant with the requirements.

4.4.3 Requirements for Direct Service Providers

4.4.3.1 Direct Service Providers of landscaping maintenance, renovation, and construction shall:

4.4.3.1.1 Use Compost and SB 1383 Eligible Mulch, as practicable, produced from recovered Organic Waste, as defined in Section 2.8 and 2.R of this Policy, for all landscaping renovations, construction, or maintenance performed for the Jurisdiction, whenever available, and capable of meeting quality standards and criteria specified. SB 1383 Eligible Mulch used for land application shall comply with 14 CCR, Division 7, Chapter 12, Article 12 and must meet or exceed the physical contamination, maximum metal concentration and pathogen density standards specified in 14 CCR Section 17852(a)(24.5)(A)(1) through (3).

4.4.3.1.2 If Direct Service Provide is subject to the City's WELO, comply with the State's MWELo as required under Municipal Code Section 15.26.010

4.4.3.1.3 For landscape installations, Compost at a rate of a minimum of 4 cubic yards per 1,000 square feet of permeable area shall be incorporated to a depth of six (6) inches into the soil. Soils with greater than six percent (6%) organic matter in the top six (6) inches of soil are exempt from adding Compost and tilling.

4.4.3.1.4 Apply a minimum three- (3-) inch layer of mulch on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers, or direct seeding applications where mulch is contraindicated. To provide habitat for beneficial insects and other wildlife, leave up to five percent (5%) of the landscape area without mulch. Designated insect habitat must be included in the landscape design plan as such.

4.4.3.1.5 Procure organic mulch materials made from recycled or post-consumer materials rather than inorganic materials or virgin forest products unless the recycled post-consumer organic products are not locally available. Organic mulches are not required where prohibited by applicable local ordinances.

4.4.3.1.6 For all mulch that is land applied, procure SB 1383 Eligible Mulch that meets or exceeds the physical contamination, maximum metal concentration, and pathogen density standards for land applications specified.

4.4.3.1.7 Keep and provide records of Procurement of Recovered Organic Waste Products (either through purchase or acquisition) to Recordkeeping Designee, upon completion of projects. Information to be provided shall include general description of how and where the product was used and if applicable, applied; source of product, including name, physical location, and contact information for each entity, operation, or facility from whom the Recovered Organic Waste Products were

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procured, type of product, quantity of each product; and invoice or other record demonstrating purchase or procurement.

4.4.3.2 Direct Service Provider of Organic Waste collection services shall:

4.4.3.2.1 Provide a specified quantity of Compost or SB 1383 Eligible Mulch to City and its customers via periodic "giveaways" as specified in a franchise agreement or other agreement.

4.4.3.2.2 Keep and provide records to the City including the following dates provided, source of product including name, physical location and contact information for each entity, operation or facility from whom the Recovered Organic Waste Products were procured, type of product, quantity provided; and invoice or other record or documentation demonstrating purchase, procurement, or transfer of material to giveaway location.

4.5 Energy Efficient and Water Saving Products

4.5.1 Purchase energy-efficient equipment with the most up-to-date energy efficiency functions. This includes, but is not limited to, high efficiency space heating systems and high efficiency space cooling equipment.

4.5.2 Replace inefficient interior lighting with energy-efficient equipment.

4.5.3 Replace inefficient exterior lighting, street lighting and traffic signal lights with energy-efficient equipment. Minimize exterior lighting where possible to avoid unnecessary lighting of architectural and landscape features while providing adequate illumination for safety and accessibility.

4.5.4 Purchase U.S. EPA Energy Star certified products when available. When Energy Star labels are not available, choose energy-efficient products that are in the upper 25% of energy efficiency as designated by the Federal Energy Management Program.

4.5.5 Purchase U.S. EPA WaterSense labeled water-saving products when available. This includes, but is not limited to, high-performance fixtures like toilets, low-flow faucets and aerators, and upgraded irrigation systems.

4.6 Green Building Products and Practices

4.6.1 Consider Green Building practices for design, construction, and operation as described in the CalGreen, LEED, local requirements and other current Green Building best practices for all building and renovations undertaken.

4.6.2 In accordance with California Public Contract Code, Sec. 10409, purchase re-refined lubricating and industrial oil for use in its vehicles and other equipment, as long as it is certified by the American Petroleum Institute (API) as appropriate for use in such equipment. This section does not preclude the purchase of virgin-oil products for exclusive use in vehicles whose warranties expressly prohibit the use of products containing recycled oil.

4.6.3 When specifying asphalt, concrete, aggregate base or portland cement concrete for

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construction projects, use recycled, reusable or reground materials.

- 4.6.4 Specify and purchase recycled content traffic control products, including signs, cones, parking stops, delineators, channelizers and barricades.

4.7 Landscaping Products and Practices

- 4.7.1 Employ Russian River Friendly Landscaping or sustainable landscape management techniques for all landscape renovations, construction and maintenance, including workers and contractors providing landscaping services, including, but not limited to, integrated pest management, grasscycling, drip irrigation, computerized central irrigation linked with the local weather station, composting, and procurement and use of mulch and compost that give preference to those produced from regionally generated plant debris and/or food scrap programs.
- 4.7.2 Choose a Russian River-Friendly Qualified Landscape Professional for landscape design and maintenance services. Training and qualifications shall include landscaping locally, landscaping for less to the landfill, nurturing the soil, conserving water, conserving energy, protecting water and air quality, and creating wildlife habitat.
- 4.7.3 Select plants to minimize waste by choosing species for purchase that are appropriate to the microclimate, species that can grow to their natural size in the space allotted them, and perennials rather than annuals for color. Native and drought-tolerant plants that require no or minimal watering once established are preferred.
- 4.7.4 Hardscapes and landscape structures constructed of recycled content materials are encouraged. Limit the amount of impervious surfaces in the landscape. Permeable substitutes, such as permeable asphalt or pavers, are encouraged for walkways, patios and driveways.

4.8 Household Hazardous Waste and Pollution Prevention Products and Practices

- 4.8.1 Manage pest problems through prevention and physical, mechanical and biological controls when contractors maintain buildings and landscapes. Either adopt and implement an Organic Pest Management (OPM) policy and practices or adopt and implement an Integrated Pest Management (IPM) policy and practices using the least toxic pest control as a last resort. Anticoagulant rodenticides shall never be used.
- 4.8.2 Use products with the lowest amount of volatile organic compounds (VOCs), highest recycled or reused content, low or no formaldehyde and no halogenated organic flame retardants when purchasing building maintenance materials such as paint, carpeting, adhesives, furniture and casework.
- 4.8.3 Purchase or require janitorial contractors to supply industrial and institutional cleaning products that meet Green Seal, EPA Safer Choice, or UL/Ecologo certification standards for environmental preferability and performance.
- 4.8.4 Purchase, or require janitorial contractors to supply, vacuum cleaners that meet the requirements of the Carpet and Rug Institute Green Label/Seal of Approval Program for soil removal, dust containment and carpet fiber retention for indoor air quality

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protection and performance cleaning standards. Other janitorial cleaning equipment should be capable of capturing fine particulates, removing sufficient moisture so as to dry within 24 hours, operate with a sound level less than 70dBA, and use high-efficiency, low-emissions engines.

- 4.8.5 Purchase paper, paper products, and janitorial paper products that are unbleached or are processed without chlorine or chlorine derivatives.
 - 4.8.6 Prohibit the purchase of products that use polyvinyl chloride (PVC) such as, but not limited to, furniture and flooring.
 - 4.8.7 Prohibit the purchase of food service ware containing per- and polyfluoroalkyl substances (PFAS).
 - 4.8.8 Purchase products and equipment with no lead or mercury whenever possible. For products that contain lead or mercury, preference should be given to those products with lower quantities of these metals and to vendors with established lead and mercury recovery programs. In addition, whenever lead- or mercury-containing products require disposal, products will be disposed in the most environmentally safe manner possible. All fluorescent lamps and batteries will be recycled.
 - 4.8.9 Purchase or specify personal computers, displays, imaging equipment and televisions that meet, at a minimum, all Electronic Product Environmental Assessment Tool (EPEAT) environmental criteria designated as "required" as contained in the IEEE 1680 family of Environmental Assessment Standards.
 - 4.8.10 Purchase or specify office furniture that meets the California Bureau of Household Goods and Services (BHGS) standard Technical Bulletin 117-2013 for testing upholstered furniture flammability without the use of flame retardant chemicals.
 - 4.8.11 Purchase or specify commercial carpeting that meets NSF/ANSI 140 Standard for Sustainable Carpet Assessment and require old carpet that is removed be recycled.
 - 4.8.12 Purchase or specify non-carpet floor coverings that meet NSF/ANSI 332 Standard for Resilient Flooring including vinyl, linoleum and rubber flooring. In conjunction with California State agency requirements, at least 50 percent of the quantity of paint used for architectural projects should contain reused or recycled paint with a recycled content consisting of at least 50 percent post-consumer paint. Reused paint can be acquired from the Sonoma HHW Facility by either visiting the reuse lockers or by pre-arranging remixed paint in 5-gallon containers in off-white, tan, light grey, or light green.
 - 4.8.13 When replacing vehicles, consider less-polluting alternatives to diesel such as compressed natural gas, bio-based fuels, hybrids, electric batteries, and fuel cells, as available.
- 4.9 **Fiber-only Products**
- 4.9.1 Use paper, paper products and construction products made from non-wood, plant-based contents such as agricultural crops and residues.
 - 4.9.2 Priority should be given to reusable food service ware, however, if single-use food service ware is purchased, it is to be fiber only and BPI certified

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4.9.3 Ask vendors to provide proof of compliance with ASTM standards for compostable, biodegradable and degradable plastic products upon request. One acceptable proof of compliance for compostable plastic products will be certification by the Biodegradable Products Institute (BPI).

4.10 Forest Conservation Products

4.10.1 To the greatest extent practicable, do not procure wood products such as lumber and paper that originate from forests harvested in an environmentally unsustainable manner. When possible, give preference to wood products that are certified to be sustainably harvested by a comprehensive, performance-based certification system. The certification system shall include independent third-party audits, with standards equivalent to, or stricter than, those of the Forest Stewardship Council certification.

4.10.2 Encourage the purchase or use of previously used or salvaged wood and wood products whenever practicable

5 RECORDKEEPING RESPONSIBILITIES

5.1 The department will be the responsible department and will select an employee to act as the Recordkeeping Designee that will be responsible for organizing records pertaining to Procurement of Recovered Organic Waste Products and Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper. The Recordkeeping Designee shall communicate frequently with Zero Waste Sonoma to transfer all the required documentation for reporting to CalRecycle.

5.1.1 The Recordkeeping Designee will do the following to track Procurement of Recovered Organic Waste Products, Recycled-Content Paper Products, and Recycled-Content Printing and Writing Paper: Collect and collate copies of invoices or receipts (paper or electronic) or other proof of purchase that describe the procurement of Printing and Writing Paper and Paper Products, including the volume and type of all paper purchases; and, copies of certifications and other required verifications from all departments and/or divisions procuring Paper Products and Printing and Writing Paper (whether or not they contain recycled content) and/or from the vendors providing Printing and Writing Paper and Paper Products. These records must be kept as part of Jurisdiction's documentation.

5.1.2 Collect and collate copies of invoices or receipts or documentation evidencing procurement from all departments and divisions procuring Recovered Organic Waste Products and invoices or similar records from vendors/contractors/others procuring Recovered Organic Waste Products on behalf of the Jurisdiction to develop evidence of Jurisdiction meeting its Annual Recovered Organic Waste Product Procurement Target. These records must be kept as part of the Jurisdiction's documentation.

5.1.3 Collect, collate, and maintain documentation submitted by the Jurisdiction, Direct Service Providers, and/or vendors, including the information reported to the Recordkeeping Designee.

5.1.4 Compile an annual report on the Jurisdiction's direct procurement, and vendor/other procurement on behalf of the Jurisdiction, of Recovered Organic Waste Products, Recycled-Content Paper Products, and Recycled-Content Printing and Writing Paper, consistent with the recordkeeping requirements contained in 14 CCR Section

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18993.2 for the Annual Recovered Organic Waste Product Procurement Target and 14 CCR Section 18993.4 for Recycled-Content Paper Products and Recycled-Content Printing and Writing Paper procurement. This report shall be made available to the Jurisdiction's responsible entity for compiling the annual report to be submitted to CalRecycle (which will include a description of compliance on many other SB 1383 regulatory requirements). The procurement report shall also be shared with Council, JPA or other regulating body annually as evidence of implementing this Policy.

6 RESPONSIBILITIES

- 6.1 The health and safety of workers and citizens is of utmost importance and takes precedence over all other practices. Nevertheless, the duty to act in a fiscally responsible as well as a timely manner is recognized.
- 6.2 Nothing contained in this policy shall be construed as requiring a department, purchaser or contractor to procure products that do not perform adequately for their intended use, exclude adequate competition, risk the health or safety of workers and citizens, or are not available at a reasonable price in a reasonable period of time
- 6.3 Nothing contained in this policy shall be construed as requiring the jurisdiction, department, purchaser, or contractor to take any action that conflicts with local, state or federal requirements.
- 6.4 The jurisdiction has made significant investments in developing a successful recycling system and recognizes that recycled content products are essential to the continuing viability of that recycling system and for the foundation of an environmentally sound production system. Therefore, to the greatest extent practicable, recycled content shall be included in products that also meet other specifications, such as chlorine free or bio- based.

7 IMPLEMENTATION

- 7.1 The Administrative Services Director shall implement this policy in coordination with other appropriate personnel.
- 7.2 Require successful vendors to certify in writing that the environmental attributes claimed in competitive proposals are accurate. In compliance with State law, vendors shall be required to specify the minimum or actual percentage of recovered and post-consumer material in their products, even when such percentages are zero.
- 7.3 Upon request, buyers making the selection from competitive procurement process shall be able to provide justification for product choices that do not meet the environmentally preferable purchasing criteria in this policy.
- 7.4 Include businesses certified by the Bay Area Green Business Program in purchasing requests for products and services.
- 7.5 Encourage vendors, contractors and grantees to comply with applicable sections of this policy for products and services provided.

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8 PROGRAM EVALUATION

- 8.1 The Administrative Services Director shall periodically evaluate the success of this policy's implementation

9 EXCEPTIONS

- 9.1 Every effort will be made to adhere to the Environmentally Preferable Purchasing Policy to the extent possible, recognizing that certain procurement decisions such as for cleaning products, janitorial equipment, and electronics may be outside of the City's authority.

10 EFFECTIVE DATES

- 10.1 This EPP policy shall take effect on July 1, 2022.