

Denver Waste No More Implementation Task Force

Meeting #2

April 6, 2023 – Virtual Meeting (Zoom)

Prepared by the Consensus Building Institute (CBI)

For all meeting materials, including meeting schedule, agenda, and presentation, please go to: <https://www.denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directories/Climate-Action-Sustainability-Resiliency/Zero-Waste/Waste-No-More>

Meeting in Brief

The 26-member Task Force met for the second time to identify market, infrastructure, and other constraints so that the WNM ordinance can account for, adjust to, and even influence those constraints. Several Task Force members and Blake Adams, Denver's Zero Waste And Circular Economy Manager, shared relevant policies and best practices from other jurisdictions, as well as market and infrastructure realities in Denver for the various sectors. Breakout groups provided input on the optimal balance for a phased roll-out of the ordinance, with Task Force members generally agreeing the roll-out needs to be more nuanced than originally drafted to ensure success, while still ensuring 100% participation in a substantially similar timeframe. Members also discussed and signed up for work groups. The May 5th meeting will focus on advancing equitable implementation of WNM, including supports and incentives.

Introductions + Context Setting

The Task Force was welcomed by Grace Rink, Director of Denver's Office of Climate Action, Sustainability and Resiliency (CASR) and CBI facilitator Ryan Golten. Grace framed the meeting discussion and contextualized it within the overall Task Force charge and remaining meeting topics. Grace also reviewed results from the survey sent to Task Force members and a few follow-up logistics from the last meeting. The full presentation is available to members in the Google Drive and to the public on the CASR website.

Current Market + Infrastructure Realities in Denver

Before discussing the optimal phasing for the WNM roll-out, the Task Force heard several short presentations by staff and Task Force Members to share 1) examples of similar ordinance roll-outs from other jurisdictions, and 2) relevant market and infrastructure challenges and potential opportunities for WNM implementation in the relevant sectors:

- Blake Adams, CASR's Zero Waste and Circular Economy Manager, discussed his learnings and research on **best practices** from other domestic policies that mirror WNM. His

presentation can be found on slides 17-21. A fact sheet on 'Diversion Policies in Other Cities' can be found in the WNM Resources shared drive or by emailing sustainability@denvergov.org.

- Peggy Panzer, Stephen Shepard, Chris Chiari, and Jessy Aghababian shared about the key challenges and potential opportunities for WNM implementation when it comes to **distributed infrastructure**. A recap of their presentation can be found on slides 23-26.
- Erwin Galván and Christopher Berry shared the key supply chain, workforce, and infrastructure challenges, as well as opportunities for WNM implementation, for the **large-scale haulers and processors** in Denver A recap of their presentation can be found on slides 27-30.
- Clinton Sanders and Vann Fussell shared the key challenges, potential opportunities, and other ideas for WNM implementation as it relates to **Organics and Composting**. A recap of their presentation can be found on slides 31-35.
- Anna Perks and JW Houser shared the key challenges and potential opportunities as they relate to **construction and deconstruction (C&D)**. A recap of their presentation can be found on slides 36-35.

What Should the WNM Roll-Out Look Like?

After hearing from Task Force members, the group discussed the optimal roll-out of WNM in light of the opportunities and challenges presented and the Task Force's guiding principles for implementation.

Task Force Guiding Principles for WNM Implementation

Ryan grounded the ensuing small group discussions with a reminder of the Task Force's guiding principles that were memorialized in the Task Force Charter and can be summarized as follows:

- Recognizing will of the voters – i.e., universal access to compost/recycling in a discrete timeline
- Equitable (equity work group will help flesh this out, considering Denver's OSEI equity principles)
- Feasible - for buildings, the City, consumers/waste producers
- Sustainable and leading to long-term success
- Cost effective (including for taxpayers and operators)
- Resilience and adaptive over time

Erica Rogers, Denver's Excise and Licensing Policy Director, reminded the group of the ordinance timeline and proposed three types of roll-out options for small group discussion as delineated in the figure below.

Types of Roll-Out Options to Consider (Big Picture)

All options still require 100% participation within a certain number of years. Potential roll-out options are:

Option A: Update Deadlines Only

- **Categories, requirements, and measures** would remain the same
- Only **Deadlines** would be updated
- Workgroups would discuss **options** for the appropriate deadlines

- Task Force would provide **new recommended deadlines** in report

Option B: Tweak Groups and/or Measures

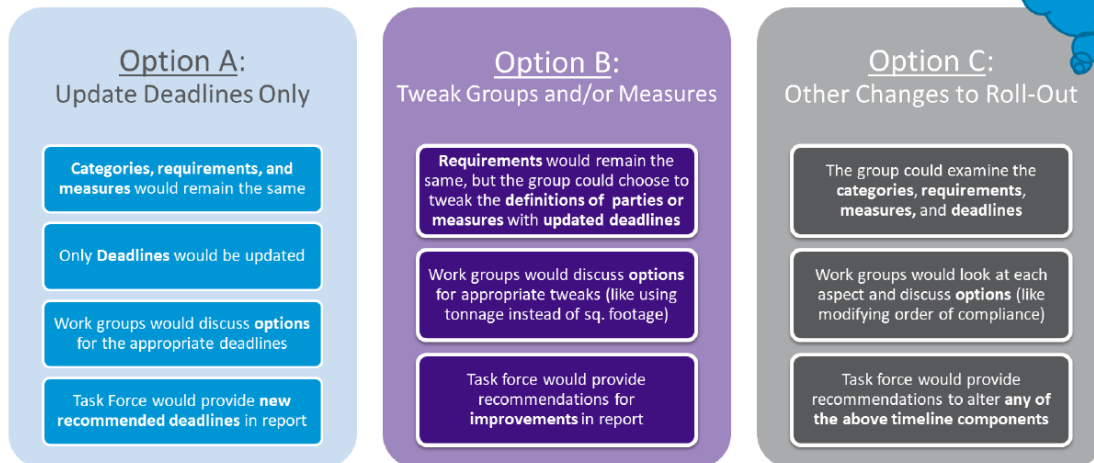
- **Requirements** would remain the same, but the group could choose to tweak the **definitions of parties or measures** with **updated deadlines**
- Work groups would discuss **options** for appropriate tweaks (like using tonnage instead of sq. footage)
- Task Force would provide recommendations for **improvements** in report

Option C: Other Changes to Roll-Out

- The group could examine the **categories, requirements, measures, and deadlines**
- Work groups would look at each aspect and discuss **options** (like modifying order of compliance)
- Task Force would provide recommendations to alter **any of the above timeline components**

Potential Roll-Out Options

All options would still require 100% participation within a certain number of years!



Small Group Discussions

The small groups provided input on options for a phased WNM roll-out in light of current realities, opportunities, and guiding principles. *Task Force members generally felt that, rather than just being pushed out by at least a year (as in Option A above), the WNM phasing and definitions should be modified to be as strategic and equitable as possible (Options B or C), while ensuring 100% participation within a discrete number of years, i.e., not substantially more than the current 4-year timeline.*

The various ideas for **restructuring the roll-out** included the following:

- Phase-in the **low-hanging fruit** first (e.g., C&D, recycling)
- Be aggressive without going so fast as to elicit significant pushback or repeal

- **Organics** need more time to effectively process the waste; the focus should be end markets (including the 'closed loop'/circular economy) and what's easiest to educate and implement first
- **End markets** for materials must be considered when determining the roll-out
- Consider modifying categories in current roll-out (e.g., tonnage instead of square footage)
- **C&D** and **special events** may need to be in their own categories (e.g., phasing even within C&D)
- May make sense to 'rip off the bandaid' with both recycling and compost, while also ensuring compost can actually be diverted
- Consider minimizing what goes into the 3-bin system to ensure success (**Seattle** example)
- Allows for **soft roll-out** with strong messaging and education about the 'why' from the outset (starting with education basics and moving to advanced messaging)
- Participation and **rapid adoption** with **incentives**, then slowly phase in enforcement (ideally after facilities have submitted their plans)
- For food waste, consider focusing on restaurants (educating staff in kitchens) **before** stadiums
- Some facilities may be easier to phase in than others due to space/**zoning**/bin requirements
- Allow Denver to **learn** from successful models throughout the country (including Lakewood)

Additional opportunities for WNM / Task Force recommendations included:

- **Pilots** can show how it can be done and what's needed, without delaying the roll-out. These can showcase those who are already providing services and highlight different models/best practices (e.g., multifamily buildings), including financial impacts of adding recycling/compost as trash decreases. It was noted that pilots may be particularly helpful for events, and that they should focus on materials with commodities markets.
- Closing current **loopholes** in the ordinance
- Defining **terms** in the ordinance (e.g., 'readily recyclable')
- Defining who is **responsible** under the ordinance and what compliance looks like
- Recommendations to Council should include **funds** for education, incentives and other financial/ technical supports, as well as City **FTEs** to implement it
- **Alley** access and **lockable** bins are an opportunity to solve contamination issues
- Understanding **funding** sources may help determine phasing feasibility - e.g., FRWD (Front Range Waste Diversion), RREO, EPA grants
- Opportunity to **share** enforcement/outreach resources because of having both PAYT and WNM
- Opportunity to coordinate messaging with DOTI's green cart rollout

Small groups also cited ongoing **challenges and questions**, including:

- Infrastructure and capacity
- Ensuring the WNM roll-out achieves the intent/goals passed by the voters
- Importance of maintaining a 'drumbeat' of consistent messaging throughout
- Cannot start and stop enforcement; this breaks public confidence
- Need supports for low-income MFUs to ensure costs are not passed along to renters
- Large city construction contracts present big opportunities but may require more time to roll out
- In addition to the challenges presented, workers' capacity and impacts on housing affordability must be considered in the roll-out

- Concern from restaurants and grocery stores about ability to comply based hauling/processing/ storage challenges
- Need clarification from CPD on how the recycling plan is related to the demo permit.

Full Group Debrief/Discussion

The Task Force heard from the small groups and emphasized the following additional points:

- We need to focus on a **consistent, unified marketing/education campaign**, then move into rapid adoption, focusing on performance before enforcement. (E.g., Seattle model – start tagging bins but don't fine for 5 years.) This includes broadcasting across multiple media what is being **done** and what **success** looks like.
- We need strong **buy-in** of residents. In cities where they have rushed the C&D portion in particular, and the policy failed, they lacked a strong grassroots support. Because Denver does not have a widespread grassroots movement insisting on success, developing awareness (i.e., among contractors, homeowners) through a phased roll-out will help avoid a public backlash.
- It may make sense to apply requirements to all **haulers**, regardless of size, to spread out costs and enable them to integrate WNM signage and education requirements into their contracts. This could help take pressure off the generators as well.
- Recommendations to Council should highlight useful **examples** of how other cities are doing this.
- The Task Force should **survey** each sector we represent to understand what's going well, who is providing these services, how it was achieved, and what the costs implications have been (and then showcase examples)
- In a **future meeting**, it would be useful to see examples from other universal waste ordinances regarding **operations** (including, e.g., implementation costs, information relevant to haulers)
- Funding options may include:
 - <https://www.coloradofrwd.org/>
 - <https://cdphe.colorado.gov/sustainability-programs/recycling-grants-support/recycling-resources-economic-opportunity>

Work Groups

Based on input from the group, Ryan proposed several initial work groups that will:

- Address specific topics that need to be clarified and/or fleshed out in the ordinance
- Discuss nuanced issues and vet options for Task Force consideration
- Maximize relevant expertise while preserving limited Task Force time
- Provide a nimble, manageable discussion forum (ideally <8 people)
- Have no decision-making authority; all options will be reviewed by the full Task Force
- Meet as needed – some may meet once; others multiple times
- Invite outside experts as useful to fill key gaps in expertise

Task Force members signed up for work groups after Ryan and Erica summarized the proposed groups and the overall purpose of each. See slides 49-57. It was noted that, because haulers provide services to specific facilities/events, they should join the other relevant work groups.

Task Force sign-ups

Licensees/ Events	Apartment/O ffice Buildings	C&D	Equity	Signage	Agenda Design Team (previousl y signed up)
Holly Adinoff Christi Turner Renee Ortiz Sonia Riggs Andrea Furness Allyson Gutierrez	Laurie Johnson Peggy Panzer Jessy Aghababian Stephen Shepard Christi Turner Luis Ponce Allyson Gutierrez Vann Fussell	Chris Chiari Anna Perks Laurie Johnson Christi Turner Clinton Sander	Marguerite Harden Renee Ortiz Vann Fussell Ryan Call	Ryan Call Chris Chiari Holly Adinoff Stephen Shepard Christi Turner Renee Ortiz Vann Fussell Andrea Furness Christopher Berry Clinton Sander Chris Woodburn	Luis Ponce Ean Tafoya Marguerite Harden

City staff

Rose Watts (lead); Erica Rogers; Jessica Lally	Erica Rogers; CPD staff	Jessica Lally; Grace Rink; Blake Adams	Grace Rink; Erica Rogers; Rose Watts	Nina Waysdorf; CASR Communications staff	Ryan Golten (CBI)
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Wrap Up & Next Steps

The May 5th Task Force meeting will be held in person (with the option for remote participation *if needed*) at the Regional Air Quality Council, 1445 Market Street. The focus will be Equity and Supports and Incentives. Before then, Task Force members were asked to watch for and respond to the following:

- Sign up for work groups by 3pm on Friday 4/7, then watch for workgroup meeting invitations
- Watch for landfill tour invitations

Meeting Attendees

The meeting was attended by the following Task Force members and City staff:

City of Denver

Grace Rink - CASR

Blake Adams - CASR

Taylor Moellers - CASR

Tom Gleason - Buildings and Homes, CASR

Anna Erickson - CASR

Erica Rogers - EXL

Rose Watts - CCD OSE

Meghan Sullivan - OSE

Mary Gearheart – DOTI

Nina Waysdorf - DOTI

Jessica Lally - DOTI

Jill Jennings Golich - CPD

Alexa Rosenstein - DEN

Gregg Thomas – DPHE

Task Force Members

Present	Last name	First name	Affiliation
X	Aghababian	Jessy	Unico Properties
X	Panzer	Peggy	Laramar Group/AAMD
X	Shepard	Stephen	Denver Metro BOMA
X	Adinoff	Holly	Sullivan Scrap Kitchen
X	Gutierrez	Allyson	Colorado Rockies Baseball Club
X	Riggs	Sonia	Colorado Restaurant Association
X	Woodburn	Chris	Denver Public Schools
X	Furness	Andrea	Classic Events Co
X	Ortiz	Renee	Eventful Productions Inc
X	Berry	Christopher	GFL Environmental
X	Galvan	Erwin	Waste Management Recycle America
X	Sander	Clinton	A1 Organics
X	Turner	Christi	Scraps Ltd
X	Chiari	Chris	Patterson Inn
X	Houser	JW	Taylor Morrison/Homebuilders Association

X	Nichols	Maggie	Iron Woman Construction
X	Perks	Anna	Perks Deconstruction
X	Clark	Jolon	District 7
	Hinds	Chris	District 10
X	Fussell	Vann	Compost Colorado
X	Tafoya	Ean Thomas	Green Latinos & Waste No More Petitioners
X	Call	Ryan J	Eco-Cycle
X	Ponce	Luis	SEIU
X	Harden	Marguerite	Resident & HOA Board Member
X	Jackson	Joshua	NAACP
X	Johnson	Laurie	Circular Colorado