



# bay restoration commission

STEWARDS OF SANTA MONICA BAY

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## Santa Monica Bay Restoration Commission Meeting: April 17, 2008

Agenda Item #8

To: SMBRC Governing Board

From: Shelley Luce, Executive Director

Subject: Support for state-wide policies and legislations for reducing the sources of plastic marine debris

### Recommended Action

Adopt a resolution supporting state-wide policies and legislation for reducing the sources of plastic marine debris

### Background

At its February 18, 2010 meeting, following presentation and discussion on the marine debris TMDL, the Governing Board directed staff to work with the Executive Committee to develop recommendations for the Governing Board to support state policies and legislation aimed at reducing and eventually eliminating the sources of marine debris, with special emphasis on banning and replacement of plastic packaging.

At its meeting on March 18, 2010, the Executive Committee reviewed information compiled by staff on related policy recommendations adopted by the state Ocean Protection Council (OPC) and the status of pending state legislation, including most notably Assembly Bill 1998 (Brownley). Because the pending state bills are still evolving and their status in the state legislature may change, the Executive Committee recommended that the Governing Board first develop and adopt a resolution in support of a set of state-wide priority actions consistent with the OPC Implementation Strategy. The resolution would also direct staff to track the status of relative state legislation and submit support/comment letters on specific legislation that is deemed to be consistent with the OPC-recommended Implementation Strategy. Attached is a brief summary of the existing and pending state legislation pertinent to this issue.





Name/Title	In a Nutshell...	Status
<p>California Ocean Protection Council (OPC) Resolution to Reduce and Prevent Ocean Litter (<a href="http://www.opc.ca.gov/2007/02/resolution-of-the-california-ocean-protection-council-on-reducing-and-preventing-marine-debris">http://www.opc.ca.gov/2007/02/resolution-of-the-california-ocean-protection-council-on-reducing-and-preventing-marine-debris</a>)</p>	<p>Top priority solutions identified and endorsed by the resolution include</p> <ul style="list-style-type: none"> <li>-Reduce the sources of plastic marine debris by extending the CRV or similar Extended Producer Responsibility programs</li> <li>-Seek innovative methods to reduce plastic waste and support packaging alternatives</li> <li>-Promote fundamental state policy changes to prioritize the issue of marine debris reduction (e.g. amendment of Ocean Plan)</li> <li>-Address handling requirements and related enforcement regulations for pre- production plastic resin pellets.</li> <li>-Reduce single-use plastic packaging, achieve a targeted reduction amount by 2015</li> <li>-Ban toxic plastic packaging by 2015</li> </ul>	<p>Adopted on February 8, 2007</p>
<p>Implementation Strategy for OPC Resolution to Reduce and Prevent Ocean Litter (<a href="http://www.opc.ca.gov/webmaster/ftp/pdf/opc_ocean_litter_final_strategy.pdf">http://www.opc.ca.gov/webmaster/ftp/pdf/opc_ocean_litter_final_strategy.pdf</a>)</p>	<p>One of the key objectives of the Implementation Strategy is to reduce single-use packaging and promote sustainable alternatives. Three priority actions laid out in the strategy are</p> <ul style="list-style-type: none"> <li>#1 – Implement a producer take-back (EPR) program for convenience food packaging</li> <li>#2 – Prohibit single-use products that pose significant ocean litter impacts where a feasible less damaging alternative is available</li> <li>#3 – Assess fees on commonly littered items</li> </ul>	<p>Adopted on November 20, 2009</p>
<p>AB 1998 (Brownley)</p>	<p>This bill would, on and after July 1, 2012, prohibit stores from providing a single-use carryout bag to a customer.</p> <p>The bill would require a store, on and after July 1, 2011, provide carryout bags to a customer at the point of sale, to either make reusable bags available for purchase by the customer or provide a paper carryout bag that is subject to the green bag fee.</p> <p>The bill would require a store to charge a green bag fee of not less than \$0.25 for each paper carryout bag.</p> <p>The bill would establish the Paper Bag Pollution Cleanup Fund with the remitted fees. The moneys in the fund would be required to be expended, upon appropriation by the Legislature, in a specified order of priority, by the department for grants to cities and counties for programs related to paper</p>	<p>Introduced on February 17, 2010. Pending (active, in Assembly Natural Resources Committee)</p>



	carryout bags and reusable bag giveaway programs.	
AB 2138 (Chesbro)	<ul style="list-style-type: none"> <li>- Prohibit a food provider from distributing a disposable food service packaging or a single-use carryout bag after July 1, 2013, unless the packaging or bag meet the criteria for either compostable packaging or recyclable packaging.</li> <li>- Prohibit a food provider from distributing a disposable food service packaging or a single-use carryout bag to a consumer on and after July 1, 2013, unless the packaging or bag meet a specified composting or recycling rate.</li> </ul>	Pending (active, in Assembly Natural Resources Committee)
AB 1358 (Hill, Nava)	Prohibits food vendors from distributing polystyrene food packaging	Pending (two-year bill, currently inactive)



SANTA MONICA BAY RESTORATION COMMISSION GOVERNING BOARD

DRAFT RESOLUTION re: MARINE PLASTIC DEBRIS  
(For Purposes of Governing Board Discussion)

WHEREAS marine debris, comprised of mostly plastic materials from land-based sources, is known to be harmful to marine life and to severely impair the health of the marine ecosystem in Santa Monica Bay and the world oceans; and

WHEREAS the most effective measure that can ultimately prevent disposal of plastics into the ocean is to phase out and eventually stop using these plastic products; and

WHEREAS the Bay Restoration Plan updated in 2008 incorporated a new objective restricting the use of disposable plastic product; and

WHEREAS on November 20, 2009, the State Ocean Protection Council adopted an Implementation Strategy to reduce and prevent ocean litter; and

WHEREAS one of the key objectives of the OPC Implementation Strategy is to reduce single-use packaging and promote sustainable alternatives, and

WHEREAS, three priority actions established in the strategy are to 1) implement a producer take-back (EPR) program for convenience food packaging, 2) prohibit single-use products that pose significant ocean litter impacts where a feasible, less-damaging alternative is available, and 3) assess fees on commonly littered items;

THEREFORE BE IT RESOLVED that the Governing Board of the Santa Monica Bay Restoration Commission support the objectives and priority actions of the Ocean Protection Council's Implementation Strategy to reduce and prevent ocean litter; and

BE IT FURTHER RESOLVED that the Governing Board directs staff to track relative, pending state legislation and submit support/comment letters on specific legislation consistent with the OPC Implementation Strategy.