



City of Encinitas
City Manager's Office

March 23, 2009

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Attn: Doug George

Delivered via electronic mail

Mr. Sam Schuchat, Ocean Protection Council Secretary
Coastal Conservancy Executive Officer
Ocean Protection Council
California Coastal Conservancy
1330 Broadway, Suite 1300
Oakland, CA 94612

Re: Support for the Completion of a Master Environmental Assessment (MEA) on single-use (plastic and paper) and reusable bags

Dear Secretary Schuchat and Members of the California Ocean Protection Council:

The City of Encinitas commends the California Ocean Protection Council for its leadership in addressing critical issues facing California's coast and ocean including marine debris. Please accept our support for the recommended action to complete a Master Environmental Assessment (MEA) on single-use (plastic and paper) and reusable bags. This MEA will provide the necessary background information for California municipalities to quickly complete Environmental Impact Reports (EIR) necessary for the development of new ordinances placing restrictions on usage of the single-use bags.

As you know, the Ocean Protection Council has clearly identified that single-use plastic bags significantly contribute to the serious litter and marine debris problem facing the state. For that reason, OPC's Ocean Litter Implementation Strategy includes as Priority Action #2 a call for a prohibition on single-use products such as plastic bags.

Many California cities have heeded this call for action and are developing ordinances intended to minimize or eliminate single-use bags through the adoption of bans on plastic bags and, in some cases, fees on paper bags. However, a ruling issued February 20, 2009, in Los Angeles County on a challenge under CEQA to a municipal plastic bag ban now requires that municipality to complete an EIR before it can implement its ban.

The Encinitas City Council approved moving forward with the development of a plastic bag reduction ordinance; however, the reality of the costs associated with an EIR and/or potential lawsuit is something that does pose a fiscal challenge. Completion of an MEA on single-use bags will greatly simplify the EIR process for many cities, allowing them to incorporate the MEA into their individual EIRs, saving time and money, and facilitating the implementation of single-use bag regulations throughout the state. Thank you for considering our input.

Sincerely,

Phil Cotton
City Manager