

March 25, 2009

Delivered via electronic mail to:
COPCpublic@resources.ca.gov
dgeorge@scc.ca.gov
Attn: Doug George

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:

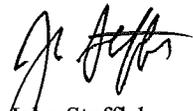
The Environmental Services Department of the City of San José commends the California Ocean Protection Council for its leadership in addressing critical issues facing California's coast and ocean including marine debris from land-based sources. Our department supports the recommended action to complete a Master Environmental Assessment (MEA) on single-use (plastic and paper) and reusable bags. This MEA will provide the necessary background information for many 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.

The Ocean Protection Council has identified single-use plastic bags as a major component of 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 responded to this call for action 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.

Other cities considering similar ordinances will likely be required to do the same in order to avoid the same result. The City of San José is considering several alternatives, including a fee on all single-use carryout bags, paper and plastic, as well as a plastic bag ban, with or without a fee on paper. We have begun an Initial Study, but do not yet know whether an EIR will be necessary or how difficult it would be to prepare. Completion of an MEA on single-use bags will greatly simplify the EIR process for all 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,


John Stufflebean
Director