

CALIFORNIA OCEAN PROTECTION COUNCIL

Staff Recommendation

October 17, 2016

Ocean Protection Council Ocean Litter Strategy Update and Expansion

Holly Wyer, Program Manager

RECOMMENDED ACTION: Authorization to disburse up to \$20,000 to the Regents of the University of California, San Diego (California Sea Grant) to update and expand the Ocean Protection Council's Strategy to Reduce and Prevent Ocean Litter.

LOCATION: Statewide

STRATEGIC PLAN OBJECTIVE(S):

Objective 10.1: Support collaborative efforts and effective partnerships that measurably reduce existing and new marine debris.

Objective 10.2: Provide information to support implementation of policy initiatives and other efforts to reduce marine debris and its impacts.

EXHIBITS

Exhibit A: Support Letters

Exhibit B: 2007 Resolution of the California Ocean Protection Council on Reducing and Preventing Marine Debris

Exhibit C: 2008 Implementation Strategy for the California Ocean Protection Council Resolution to Reduce and Prevent Ocean Litter

FINDINGS AND RESOLUTION:

Staff recommends that the Ocean Protection Council (OPC) adopt the following findings:
"Based on the accompanying staff report and attached exhibit(s), the Ocean Protection Council hereby finds that:

- 1) The proposed project is consistent with the purposes of Division 26.5 of the Public Resources Code, the Ocean Protection Act.
- 2) The proposed project is consistent with the Ocean Protection Council's grant program funding guidelines (Interim Standards and Protocols, August 2013).

- 3) The proposed project is not a ‘legal project’ that triggers the California Environmental Quality Act pursuant to Public Resources Code section 21068 and Title 14 of the California Code of Regulations, section 15378.”

Staff further recommends that the OPC adopt the following resolution pursuant to Sections 35500 *et seq.* of the Public Resources Code:

“The California Ocean Protection Council hereby approves the disbursement of up to \$20,000 to the Regents of the University of California, San Diego (California Sea Grant) to update and expand the Ocean Protection Council’s Strategy to Reduce and Prevent Ocean Litter.

This authorization is subject to the condition that prior to disbursement of funds, California Sea Grant shall submit for the review and approval of the Executive Director of the OPC detailed work plans, schedules, staff requirements, budgets, and the names of any contractors intended to be used to complete the projects, as well as discrete deliverables that can be produced in intervals to ensure the projects are on target for successful completion. All projects will be developed under a shared understanding of process, management and delivery.”

PROJECT SUMMARY:

In 2007, the OPC passed a resolution on Reducing and Preventing Marine Debris, which is attached as Exhibit B. The resolution identified a number of top priority solutions to address the multifaceted issue of marine debris. To coordinate among agencies and effectively implement the resolution, an Implementation Strategy for the California Ocean Protection Council Resolution to Reduce and Prevent Ocean Litter (Strategy) was finalized in 2008.

The Strategy outlined objectives and actions to reduce ocean litter. Since the Strategy was written, many of the actions described in it have either been accomplished, like ensuring that municipalities prevent trash from entering storm drains, or are in progress, like extended producer responsibility measures for convenience food packaging. In addition, new areas of interest have emerged since the Strategy was finalized, such as microbeads or microfibers, which were not considered in the document. In essence, the Strategy is ripe for an update, and setting new priorities to reduce and prevent ocean litter will allow the OPC and California stakeholders to develop cutting-edge solutions and projects to emerging ocean litter problems.

This project involves developing new priorities to manage ocean litter, preparing the draft and final updated Strategy and facilitating agency and stakeholder input as the Strategy is updated. The process to update and expand the Strategy is intended to be driven by stakeholder input and inclusive of a broad range of viewpoints and potential solutions to ocean litter. The process is intended to include stakeholders from industry, conservation organizations, researchers, and local, state, and federal government. The updated Strategy will include projects of different

scales and scopes, so that stakeholders from state agencies to small nonprofit organizations can make meaningful contributions to implementing the Strategy and addressing ocean litter.

Specific project objectives include:

- Objective 1: Coordinate the core planning team and respond to their input as a discussion draft of the Strategy is prepared.
- Objective 2: Prepare a discussion draft of the Strategy for stakeholder input and a subsequent draft for finalization.
- Objective 3: Facilitate two workshops, one to receive input on the discussion draft, and one to finalize the draft and identify stakeholders to implement the Strategy (second workshop funded by partner funds).
- Objective 4: Finalize the updated strategy (funded by partner funds).

The overarching goal of this project is to update the Strategy and develop future projects, research, and priority actions to reduce and prevent marine litter for the State of California. The updated strategy will include measurable actions with implementation timeframes and the organization responsible for implementation.

Project Timeline: 1 year

PROJECT FINANCING:

Staff recommends that the OPC authorize disbursement of up to \$20,000 to California Sea Grant to update and expand the Strategy.

Ocean Protection Council	\$20,000
NOAA Marine Debris Program	\$20,000
TOTAL	\$40,000

The anticipated source of funds will be from the Ocean Protection Council's appropriation of the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84). Proposition 84 authorizes the use of funds for purposes consistent with Section 35650 of the Public Resources Code, establishing the California Ocean Protection Trust Fund (Pub. Res. Code § 75060(g)). Under Section 35650(b), Ocean Protection Trust Fund monies may be expended for projects authorized by the OPC that are identified as appropriate Trust Fund purposes, as specified. The project is consistent with the Trust Fund purposes as discussed in the following section. Proposition 84 also allows up to 10 percent of funds allocated for each program to finance planning and monitoring necessary for the

successful design, selection, and implementation of the projects authorized under that program (Pub. Res. Code §75072).

Leverage of OPC funds

The Ocean Protection Council and NOAA Marine Debris Program are partnering on this project. The NOAA Marine Debris Program will also be providing \$20,000 of funding for this project. Ocean Protection Council funds will be used for the first half of the project, which includes facilitation and update drafting through the first workshop, and NOAA Marine Debris Program funds will be used for the second half of the project, which would include all drafting and facilitation following the first workshop.

CONSISTENCY WITH CALIFORNIA OCEAN PROTECTION ACT:

The proposed project is consistent with the Ocean Protection Act, Division 26.5 of the Public Resources Code, because it is consistent with trust-fund allowable projects, defined in Public Resources Code Section 35650(b)(2) as projects which: Eliminate or reduce threats to coastal and ocean ecosystems, habitats, and species, improve coastal water quality. This project will also promote coordination of state programs and activities that protect and conserve ocean resources to avoid redundancy and conflicts to ensure that the state's programs and activities are complementary.

CONSISTENCY WITH THE OPC'S STRATEGIC PLAN:

This project implements Focal Area D: Coastal and Ocean Impacts from Land. Specifically, by developing new priorities to reduce and prevent ocean litter and supporting collaborative efforts and effective partnerships to develop cutting-edge solutions to emerging ocean litter problems

CONSISTENCY WITH PROPOSITION 84 (The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006; Public Resources Code §75060(g) and §75072)

This project is consistent with Proposition 84, Purpose 3: Development and implementation of projects to conserve marine wildlife. Most ocean litter comes from land-based sources; litter frequently makes its way to the ocean through storm drains, creeks, rivers, and other local waterways. In the ocean, various types of litter such as bags, bottle caps and utensils can be mistaken for food by marine life, including seabirds and sea turtles, and are known to be ingested. Ingesting litter can negatively impact the health of marine wildlife through physical blockage of their digestive system. In addition, plastic litter may impact marine wildlife through exposures to plasticizers and other chemicals associated with plastic, such as BPA, which can

disrupt the hormonal system of marine life. This project will enable the state to develop strategic research priorities, projects, and priority actions to move forward on reducing marine litter and prioritizing areas of research.

This project is also consistent with Proposition 84, Chapter 10, Section 75072 because this project includes the planning necessary to successfully develop and implement projects to reduce ocean litter in a strategic and effective way.

CONSISTENCY WITH THE OPC'S GRANT PROGRAM FUNDING GUIDELINES:

The proposed project is consistent with the OPC's Grant Program Funding Guidelines for Proposition 84 funds, in the following respects:

Required Criteria

1. Directly relate to the ocean, coast, associated estuaries, or coastal-draining watersheds: This project will develop priorities and measurable actions to reduce ocean litter.
2. Support of the public: This project is supported by other state agencies, Federal agencies and the conservation community. Please see exhibit A for support letters.
3. Greater-than-local interest: Priorities and actions developed as part of this project may be taken up by other states. The NOAA Marine Debris Program is working with many regions of the United States to develop priorities and actions to prevent and reduce ocean litter, and some of the actions that come out of the Strategy update may be taken up by other regions of the country.

Additional Criteria

4. Improvements to management approaches or techniques: The Strategy update will outline improvements to management approaches for preventing and reducing ocean litter and will build on lessons learned from implementation of the current Strategy.
5. Resolution of more than one issue: The Strategy update will seek to include priorities and actions for the many issues that are encompassed in ocean litter from lost fishing gear to poor disposal of plastic packaging to microplastics.
6. Leverage: This project will leverage funds from the NOAA Marine Debris Program.
7. Timeliness or Urgency: California Sea Grant will be able to implement this project within a year.
8. Coordination: This project involves coordination between the Ocean Protection Council, NOAA Marine Debris Program, and other state and federal agencies and conservation organizations.

COMPLIANCE WITH CEQA:

The proposed project is not a 'legal project' that triggers the California Environmental Quality Act pursuant to Public Resources Code section 21068 and Title 14 of the California Code of Regulations, section 15378.