

02/07/12

Item #: 12

SUPPORTING DOCUMENT E: Correspondence from the Community

Surfrider Foundation, South Orange County
Chapter
34145 Pacific Coast Highway, #619
Dana Point, CA 92629
Phone/VM: (949) 206-2523
Email: flam.lac@gmail.com
www.surfrider.org/southorangecounty



December 2, 2011

City of Dana Point Mayor and City Council
33282 Golden Lantern
Dana Point, CA 92629
Via email to Brad Fowler and Lisa Zawaski(bfowler@danapoint.org,
lzawaski@danapoint.org)

RE: Support of Single-use Bag Ban Ordinance

Dear Mayor Schoeffel and City Council Members:

This letter, on behalf of Surfrider Foundation South Orange County Chapter, is sent in addition to our September 26, 2011 letter stating that the organization stands in strong support of a Single-use Bag Ban Ordinance. We understand that the City is prepared to follow the Manhattan Beach bag ban model. While that ordinance was recently upheld as a valid act of a municipality, in compliance with the California Environmental Quality Act through the use of a Negative Declaration and Initial Study review, by the California Supreme Court in the *Save the Plastic Bag Coalition v. Manhattan Beach* case, we urge the City to go beyond the Manhattan Beach model and include regulation on single-use paper bags as well. In the statewide trend of single-use bag regulation and corresponding transition to reusable bags, most cities in the past two years have included a fee on paper bags in addition to a ban on single-use plastic bags. In response to the lawsuits brought against Oakland, Manhattan Beach, and Palo Alto, starting in 2010 localities engaged in the "second generation of bag bans" have adopted regulations on bags in the form of plastic bag bans plus fees on paper bags. The fees range between five and fifteen cents per bag. The hope is that these fees will encourage customers to bring their own bags, prevent an increase in the use of paper bags.

In 2010, Los Angeles County enacted a plastic bag ban which also incorporated a ten-cent fee on paper bags. (See attached LA County Ordinance for specific language). Long Beach, Calabasas, and Santa Monica quickly followed suit and enacted their own similar bag ban ordinances with ten-cent fees on paper bags. Also in 2010, the City of San Jose passed a plastic bag ban that imposes a ten-cent fee that increases to twenty-five cents in two years. In January 2011, Marin County enacted a ban that also imposes a five-cent charge on paper bags. Santa Clara County passed a single use plastic ban with a minimum fifteen-cent charge on paper bags.

The charge on paper bags is important because it rebuts anticipated arguments from the Save the Plastic Bag Coalition and industry groups that 'a ban on plastic bags will lead to increased paper bag usage and therefore will be more harmful to the environment.' By

banning and dis-incentivizing the consumption of all single-use bags, the City will not fall prey to the “plastic versus paper” arguments that the plastics industry are likely to bring forward. By regulating all single-use bags, the City can truly make this issue a “single-use versus reusable” debate, in which the clear answer that is better for the environment and efficient consumption of our natural resources is the reusable bag.

In drafting a future ordinance, Surfrider Foundation encourages the City of Dana Point to include the following to make for a strong single-use bag regulation:

- A requirement that stores to charge a 5-10 cent fee on paper bags in addition to the single-use plastic bag ban so that use of all single-use bags will be deterred by the ordinance. Not only will a ban on plastic bags with a fee on paper bags encourage Dana Point consumers to bring their own reusable bag to the store, this type of ordinance would also be more congruent with the statewide proposals, like AB 1998 (Brownley) which very narrowly missed passage through the state legislature in 2010. (A similar statewide proposal is likely to appear in the future);
- Strong language to cover food providers and farmers markets in addition to other stores;
- Requirement for 100% recycled paper bags, when offered for sale in stores; and
- Ban on all types of plastic bags, including “biodegradable” bags, which pose the same risk to the marine environment and do not readily break down in the ocean.

Dana Point can lead the County in setting strong laws to regulate marine trash and protect our valuable coastal resources. Surfrider Foundation strongly supports the passage of the single-use plastic bag ban with a fee on paper bags to protect the oceans, waves and beaches that Dana Point citizens and visitors love.

Sincerely,

Frances Lam, Chairman, Rise Above Plastics Campaign
Surfrider Foundation, South Orange County Chapter

BRAD FOWLER

From: CHRISTY TEAGUE
Sent: Monday, December 05, 2011 10:33 AM
To: DOUG CHOTKEVYS; BRAD FOWLER; MIKE KILLEBREW; Farrell, Jennifer; KYLE BUTTERWICK
Subject: FW: Upcoming Plastic ban issue
Attachments: Copy of BAG COMP.xlsx; CP Difference(carbon footprint).pdf
FYI

From: Jim Miller [mailto:mokaman1@cox.net]
Sent: Monday, December 05, 2011 10:05 AM
To: SCOTT SCHOEFFEL; LARA ANDERSON
Cc: CHRISTY TEAGUE
Subject: Upcoming Plastic ban issue

Mayor Schoeffel and Mayor Pro Tem Anderson,

I thought it interesting that this editorial(see below) appeared in the OC Register yesterday, as I am receiving comments from my merchants that seem to have a similar reaction to the cities ban on plastic bags. I know that a voluntary program to stop the use of Styrofoam started by Brad Gross and of the OC Dana Point Harbor last year has been very successful, and the merchants do support a ban on Styrofoam and would support the city's efforts as well.

I am also sending you some attachments that make me wonder that paper bags may not be the right choice to replace plastic bags..

I am hoping a better solution would have a broader context and develop a campaign much like "Lock it or Lose it" to educate our visitors and residents about the harmful effects of Plastic bags, Plastic bottles and trash in general that hurts our environment and our ocean.

I would like our city to take the lead to develop a better environmental solution to these issues and not just copy policies of other cities that may well prove to be ineffective in solving the problem of plastic bags in our oceans.

Editorial: Bag ban should be sacked in Dana Point | bags, plastic, council - Opinion - The Orange County Register

Source: ocregister.com

Opinion: Editorial: Bag ban should be sacked in Dana Point |

In support of clean oceans and a better environment.

Sincerely,

Jim Miller

BAG COMP

increased

LARGE PLASTIC		
QNTY	\$	TOTAL
5000	\$ 0.22	\$ 1,090.00
SMALL PLASTIC		
QNTY	\$	TOTAL
5000	\$ 0.15	\$ 770.00
		\$ 1,860.00

100% RECYCLED
AMERICAN MADE

Cost	% Increase
\$ 2,865.00	154%

LARGE PAPER		
QNTY	\$	TOTAL
5000	\$ 0.53	\$ 2,665.00
SMALL PAPER		
QNTY	\$	TOTAL
5000	\$ 0.41	\$ 2,060.00
		\$ 4,725.00

100% RECYCLED
AMERICAN MADE

BRAD FOWLER

From: KATHY WARD
Sent: Monday, December 05, 2011 4:13 PM
To: BRAD FOWLER
Cc: GAIL ALVIAR
Subject: FW: Plastic Bag Ban

For your agenda item....thanks!

Kathy

-----Original Message-----

From: R Kichline [mailto:kichline@earthlink.net]
Sent: Monday, December 05, 2011 4:08 PM
To: KATHY WARD
Subject: Plastic Bag Ban

Dear Dana Point City Council,
I urge you to drop the idea of banning plastic bags.

Banning plastic bags is invasive and unwise and will encourage shoppers, like myself, to shop outside Dana Point city limits to have the freedom of choice of how I want my purchases bagged.

I believe Dana Point has more pressing issues that require your time and attention and forget about further intrusion into our personal lives.

Thanks for your consideration.

Richard Kichline
33721 Crossjack Dr.
Dana Point

Pam Tappan
27265 Calle Anejo
Capistrano Beach, CA 92624-1829
949-240-8061 949-493-7181 Fax
prtappan@cox.net

December 5, 2011

Mayor Scott Schoeffel
CITY OF DANA POINT
33282 Golden Lantern
Dana Point, CA 92629

Dear Mayor,

I am 1000 percent behind the banning of plastic bags in the City of Dana Point. However, first we need to ban cigarettes. Then we need to ban glass bottles. Then we need to ban plastic candy wrappers. You can ban as many products as you want and you still **won't** solve the problem.

Do you really want to replace one problem with another? On October 21, 2011 and article by Richelle Gonzalez at the Washington Times states that -

"Reusable grocery bags may be good for the environment, but they could be making you sick.

With Montgomery County set to impose a tax on disposable grocery bags that's designed to discourage their use, a new study has found that intestinal bacteria like E. coli flourish in unwashed reusable bags.

The study, published in the latest issue of the International Association for Food Protection's Food Protection Trends magazine, tested 87 reusable bags obtained at random from shoppers in California and Arizona.

Charles Gerba, a professor at the University of Arizona who conducted the study, found that 8 percent contained E. coli, among other harmful food-borne pathogens.

Putting a reusable bag through the wash can eliminate almost 100 percent of the bacteria. But the study found that only 3 percent of shoppers surveyed had washed their reusable bags between uses."

The implementation of a ban on plastic bags is only going to further hurt local business. They do not need any more regulations.

Plus, how are you going to prevent people from bringing plastic bags into Dana Point and littering? Are you going to fine them? Just think of all the money the city could make off the

tourists at the Festival of the Whales? The summer concerts? The Turkey Trot? And especially 4th of July?

Don't get me wrong, I want a CLEAN planet. Maybe the time would be better spent if the cities, the retailers, Surfrider Foundation and all the other wonderful environmental groups get together and work with the various manufacturers to come up with biodegradable plastic bags. If I am not mistaken, the technology is already available, such as the EPI dog bags that the city gives out.

Sincerely,



Pam Tappan

BRAD FOWLER

From: CHRISTY TEAGUE
Sent: Monday, December 05, 2011 11:02 AM
To: KATHY WARD
Cc: BRAD FOWLER; KYLE BUTTERWICK; DOUG CHOTKEVYS; MIKE KILLEBREW; LYNN KELLY; Farrell, Jennifer
Subject: Comment Received on Plastic Bag Ban

We just received a phone call from a gentleman identifying himself as Harry Rockey of Laguna Woods regarding consideration of a plastic ban ban.

He suggested that a complete ban would not be effective unless there was encouragement to recycle the bags. He suggested that a 5-cent, 10-cent or 25-cent per bag charge to customers who want to purchase bags would be an effective method to encourage recycling of bags. He suggested this "sensible solution" would reduce the demand for the bags and "put Dana Point on the map" as a leader on this issue.

Christy Teague, AICP
Economic Development Manager
City of Dana Point
33282 Golden Lantern, #203
Dana Point, CA 92629
Direct Phone (949) 248-3519
FAX (949) 248-7372
cteague@danapoint.org

BRAD FOWLER

From: SCOTT SCHOEFFEL
Sent: Wednesday, December 07, 2011 3:28 PM
To: DOUG CHOTKEVYS; BRAD FOWLER
Subject: FW: No bag ban for Dana Point

Sincerely,

J. Scott Schoeffel
Mayor
City of Dana Point
sschoeffel@danapoint.org

From: wjwhitener@aol.com [wjwhitener@aol.com]
Sent: Wednesday, December 07, 2011 2:34 PM
To: SCOTT SCHOEFFEL
Cc: wjwhitener@aol.com
Subject: No bag ban for Dana Point

Dear Mayor Schoeffel,

I've recently learned that the city of Dana Point is considering an ordinance that would limit consumer choice by banning plastic grocery bags.

No one likes litter and litterers should be punished. But with all the issues facing our community and our state, doesn't the city council have more important things to focus on than banning a convenient, 100% recyclable product?

In addition, plastic bag recycling is a growing green industry that employs Californians. With state unemployment over 12%, why would our city pass a law that hurts California jobs?

I urge you and your colleagues to oppose this proposal, which limits the freedom of all Dana Point shoppers and hurts jobs across California. If you really want to address litter in Dana Point, let's try cracking down on litterers and encouraging people to recycle.

Sincerely,

William Whitener
3186 Airway Ave #F2
Costa Mesa, CA 92626

BRAD FOWLER

From: SCOTT SCHOEFFEL
Sent: Wednesday, December 07, 2011 3:27 PM
To: DOUG CHOTKEVYS; BRAD FOWLER
Subject: FW: No bag ban for Dana Point

Sincerely,

J. Scott Schoeffel
Mayor
City of Dana Point
sschoeffel@danapoint.org

From: gmagmpak@sbcglobal.net [gmagmpak@sbcglobal.net]
Sent: Wednesday, December 07, 2011 1:34 PM
To: SCOTT SCHOEFFEL
Cc: gmagmpak@sbcglobal.net
Subject: No bag ban for Dana Point

Dear Mayor Schoeffel,

I've recently learned that the city of Dana Point is considering an ordinance that would limit consumer choice by banning plastic grocery bags.

No one likes litter and litterers should be punished. But with all the issues facing our community and our state, doesn't the city council have more important things to focus on than banning a convenient, 100% recyclable product?

In addition, plastic bag recycling is a growing green industry that employs Californians. With state unemployment over 12%, why would our city pass a law that hurts California jobs?

I urge you and your colleagues to oppose this proposal, which limits the freedom of all Dana Point shoppers and hurts jobs across California. If you really want to address litter in Dana Point, let's try cracking down on litterers and encouraging people to recycle.

Sincerely,

Judith Krause
355 s Poinsettia Ave
Brea, CA 92821

BRAD FOWLER

From: SCOTT SCHOEFFEL
Sent: Wednesday, December 07, 2011 3:26 PM
To: DOUG CHOTKEVYS; BRAD FOWLER
Subject: FW: No bag ban for Dana Point

Sincerely,

J. Scott Schoeffel
Mayor
City of Dana Point
sschoeffel@danapoint.org

From: sgtpepperdave@yahoo.com [sgtpepperdave@yahoo.com]
Sent: Wednesday, December 07, 2011 12:56 PM
To: SCOTT SCHOEFFEL
Cc: sgtpepperdave@yahoo.com
Subject: No bag ban for Dana Point

Dear Mayor Schoeffel,

I've recently learned that the city of Dana Point is considering an ordinance that would limit consumer choice by banning plastic grocery bags.

No one likes litter and litterers should be punished. But with all the issues facing our community and our state, doesn't the city council have more important things to focus on than banning a convenient, 100% recyclable product?

In addition, plastic bag recycling is a growing green industry that employs Californians. With state unemployment over 12%, why would our city pass a law that hurts California jobs?

I urge you and your colleagues to oppose this proposal, which limits the freedom of all Dana Point shoppers and hurts jobs across California. If you really want to address litter in Dana Point, let's try cracking down on litterers and encouraging people to recycle.

Sincerely,

Dave Davis
5762 Lincoln Ave - #892
Cypress, CA 90630

GAIL ALVIAR

From: BRAD FOWLER
Sent: Thursday, December 08, 2011 5:17 AM
To: GAIL ALVIAR
Subject: Fw: No bag ban for Dana Point

Another letter.

Brad Fowler-----

Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: SCOTT SCHOEFFEL
Sent: Wednesday, December 07, 2011 10:38 PM
To: DOUG CHOTKEVYS; BRAD FOWLER
Subject: FW: No bag ban for Dana Point

Sincerely,

J. Scott Schoeffel
Mayor
City of Dana Point
sschoeffel@danapoint.org

From: shofar.ink@gmail.com [shofar.ink@gmail.com]
Sent: Wednesday, December 07, 2011 4:59 PM
To: SCOTT SCHOEFFEL
Cc: shofar.ink@gmail.com
Subject: No bag ban for Dana Point

Dear Mayor Schoeffel,

I've recently learned that the city of Dana Point is considering an ordinance that would limit consumer choice by banning plastic grocery bags.

No one likes litter and litterers should be punished. But with all the issues facing our Orange County communities and our state, doesn't the city council have more important things to focus on than banning a convenient, 100% recyclable product?

In addition, plastic bag recycling is a growing green industry that employs Californians. With state unemployment over 12%, why would the city pass a law that hurts California jobs?

Even more so, many people are changing their shopping habits by NOT doing business in communities that ban plastic bags. This not only costs jobs, it costs cities much-needed revenue!

I urge you and your colleagues to oppose this proposal, which limits the freedom of all Dana Point shoppers and hurts jobs across California. If you really want to address litter in Dana Point, let's try cracking down on litterers and encouraging people to recycle.

Sincerely,

Shoshona Perelman
17150 San Mateo St Apt D8
Fountain Valley, CA 92708

GAIL ALVIAR

From: BRAD FOWLER
Sent: Saturday, December 10, 2011 5:04 PM
To: GAIL ALVIAR
Subject: FW: Dana Point Council Agenda to discuss Bag/Styrofoam Ban Postponedg
Attachments: Salt Creek bluff 12-10-11.jpg; ATT00001.txt

Please print email and attachment for me.
Thanks.

From: BRAD FOWLER
Sent: Saturday, December 10, 2011 11:18 AM
To: BRAD FOWLER
Subject: Fw: Dana Point Council Agenda to discuss Bag/Styrofoam Ban Postponedg

Brad Fowler-----
Sent from my BlackBerry Wireless Handheld

----- Original Message -----

From: Denise Erkeneff [<mailto:denisedd@cox.net>]
Sent: Saturday, December 10, 2011 10:23 AM
To: BRAD FOWLER
Cc: Dick Dietmeier (dietmeier@cox.net) <dietmeier@cox.net>; carl@scgeo.com <carl@scgeo.com>; CHRISTY TEAGUE; JENNIFER ANDERSON; Angela Howe <ahowe@surfrider.org>; Diane Harkey <djharkey@cox.net>
Subject: Re: Dana Point Council Agenda to discuss Bag/Styrofoam Ban Postponedg

Thank you Brad for the update.

Attached please see a picture taken just this morning with trash, most prominent several plastic bags from the lookout at the Ritz Carlton.

It sure is sad to have some of our greatest tourism assets be represented on a daily basis so poorly and so trashy.

When people talk about the cost of plastic bags, which are passed along to each and every one of us not only at the checkout, but as taxpayers burdened with the clean up costs, (est. 17c. per plastic bag in clean up alone), it would take a person risking their life for fear of falling off the cliff, or a properly equipped rescue team to retrieve the bags from this morning. Multiply that by our miles of coastline, inland watersheds, streets and communities where plastic bags and styrofoam blows freely in Dana Point on a daily basis.

We will be having our teams of students taking pictures around Dana Point on a daily basis of all the problem areas to demonstrate this is an issue that needs immediate attention. Because when the bags actually get into the marine environment it is too late for retrieval. The people-based, land-based issues are what we will be focusing on.

Denise Erkeneff
Surfrider Foundation
South OC Chapter



Sally's Cabins

DANA POINT, CALIF.

21

BRAD FOWLER

From: SCOTT SCHOEFFEL
Sent: Wednesday, December 07, 2011 3:30 PM
To: DOUG CHOTKEYYS; BRAD FOWLER
Subject: FW: No bag ban for Dana Point

Sincerely,

J. Scott Schoeffel
Mayor
City of Dana Point
sschoeffel@danapoint.org

From: j.cowell@sbcglobal.net [j.cowell@sbcglobal.net]
Sent: Wednesday, December 07, 2011 3:15 PM
To: SCOTT SCHOEFFEL
Cc: j.cowell@sbcglobal.net
Subject: No bag ban for Dana Point

Dear Mayor Schoeffel,

I've recently learned that the city of Dana Point is considering an ordinance that would limit consumer choice by banning plastic grocery bags.

No one likes litter and litterers should be punished. But with all the issues facing our community and our state, doesn't the city council have more important things to focus on than banning a convenient, 100% recyclable product?

In addition, plastic bag recycling is a growing green industry that employs Californians. With state unemployment over 12%, why would our city pass a law that hurts California jobs?

I urge you and your colleagues to oppose this proposal, which limits the freedom of all Dana Point shoppers and hurts jobs across California. If you really want to address litter in Dana Point, let's try cracking down on litterers and encouraging people to recycle.

Sincerely,

James Cowell
904 Peace Place
Costa Mesa, CA 92626

BRAD FOWLER

From: SCOTT SCHOEFFEL
Sent: Wednesday, December 07, 2011 3:29 PM
To: DOUG CHOTKEVYS; BRAD FOWLER
Subject: FW: No bag ban for Dana Point

Sincerely,

J. Scott Schoeffel
Mayor
City of Dana Point
sschoeffel@danapoint.org

From: artfonseca@cs.com [artfonseca@cs.com]
Sent: Wednesday, December 07, 2011 3:13 PM
To: SCOTT SCHOEFFEL
Cc: artfonseca@cs.com
Subject: No bag ban for Dana Point

Dear Mayor Schoeffel,

I've recently learned that the city of Dana Point is considering an ordinance that would limit consumer choice by banning plastic grocery bags.

No one likes litter and litterers should be punished. But with all the issues facing our community and our state, doesn't the city council have more important things to focus on than banning a convenient, 100% recyclable product?

In addition, plastic bag recycling is a growing green industry that employs Californians. With state unemployment over 12%, why would our city pass a law that hurts California jobs?

I urge you and your colleagues to oppose this proposal, which limits the freedom of all Dana Point shoppers and hurts jobs across California. If you really want to address litter in Dana Point, let's try cracking down on litterers and encouraging people to recycle.

Sincerely,

Art Fonseca
17140 Los Robles Circle
Fountain Valley, CA 92708

BRAD FOWLER

From: Sarah Sheehy [ssheehy@CAGrocers.com]

Sent: Friday, December 09, 2011 12:47 PM

To: BRAD FOWLER

Subject: Plastic Bag Ban Ordinance

Hi Brad,

First off, I'd like to introduce myself via email. I am the new Director of Local Government Relations for CGA. I tried to call you, but they mentioned you were not in today. I wanted to talk to you about the plastic bag ordinance scheduled for a vote on Monday night.

Our industry is very comfortable with a plastic bag ban, but we feel like it is unfair to just regulate one entity. Thus, we encourage the City of Dana Point to enact not just a ban on plastic, but a mandated charge for paper bags across all retailers.

In 2007, San Francisco passed a similar ordinance that just banned plastic, no charge on paper and we found that people just switched from plastic to paper. This is economically very problematic for our retailers, as a plastic bag costs \$.01/bag, while a paper bag costs \$.05-\$.15/bag – a huge cost increase for retailers. **Stores were losing \$60K-\$80K a year, per store because customers wanted paper bags.** Obviously, this is a huge burden for retailers who already run at very tight margins.

However, with dozens of jurisdictions following similar models of a ban on plastic, charge for paper, we found that that charge really incentivized customers to bring in reusable bags. Anecdotally, we've found that before an ordinance like this has passed, about 25% of customers brought in reusable bags. After the ordinance passed (and after the implementation period timeline) within 30 days, over 80% of customers used reusable bags. The charge on paper is a very strong incentive for customers to bring in reusable bags. We recommend a charge on paper anywhere from \$.05-\$.15, with \$.10 being the norm.

Again, we are comfortable with the plastic bag ban, we like that you've included all retailers, we like an implementation time period, but we must oppose if a charge on paper is not included.

Thank you for your time. Please feel free to call me with any questions or concerns.

Best,
Sarah

Sarah Sheehy
California Grocers Association
1020 N. Lake Street
Burbank, CA 91502
818.841.8640 (phone)
310.779.6860 (cell)
916.448.2793 (fax)
ssheehy@cagrocers.com (email)

12/13/2011

PLEASE READ THIS LETTER INTO THE MINUTES OF THE COUNCIL MEETING. THANK YOU.

RECEIVED

2011 DEC 12 P 4:01

CITY OF DANA POINT

DECEMBER 12, 2011

CITY COUNCIL MEMBERS
CITY OF DANA POINT
33282 GOLDEN LANTERN
DANA POINT, CA 92629

RE: BAN OF SINGLE USE PLASTIC BAGS

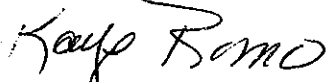
DEAR CITY COUNCIL MEMBERS

I AM OPPOSED TO THE BAN OF THE SINGLE USE PLASTIC BAG THAT IS BEING CONSIDERED BY THE COUNCIL.

I STRONGLY SUPPORT EDUCATION, WHICH WILL LEAD TO PEER PRESSURE, AS THE MOST EFFECTIVE WAY TO APPROACH THIS MATTER.

I ASK YOU NOT TO BAN THE USE OF THE PLASTIC BAGS AS THEY ARE USED FOR MANY OTHER PURPOSES THAN CARRYING HOME FOOD OR MERCHANDISE.

SINCERELY



KAYE ROMO
24351 LA CRESTA DR
DANA POINT, CA 92629

Agenda Item No. 15

12/12/11

December 8, 2011

To: Christy Teague

From: David Poggi Jr
24311 Santa Clara Ave #5
Dana Point, CA 92629

RECEIVED

DEC 12 2011

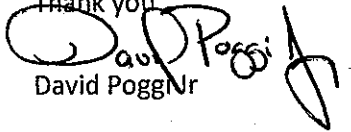
CITY OF DANA POINT
COMMUNITY DEVELOPMENT
DEPARTMENT

Hi Christy,

I oppose the ban on plastic bags.
This is a very important tool in order to conduct shopping.

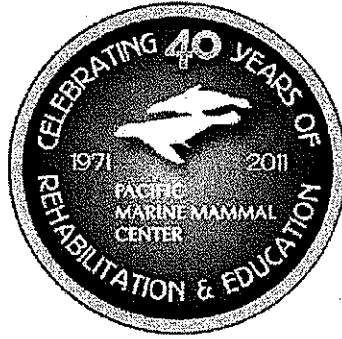
Thank you

David Poggi Jr



Agenda Item No. 15

12/12/11



BOARD OF DIRECTORS

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Director of Operations/Animal Care

Melissa Sciacca
Director of Development/Marketing

Kelli Lewis
Director of Education

Dear Dana Point City Council Members,

The Pacific Marine Mammal Center has functioned as the sole marine mammal rehabilitation facility in Orange County for 40 years with a mission to:

- ❖ Rescue, medically treat, and rehabilitate Pinnipeds (seals and sea lions) and cetaceans (dolphins and whales) that strand along the Orange County coastline due to illness or injury;
- ❖ Release healthy marine mammals to their natural habitat, while preserving species diversity;
- ❖ Increase public awareness of the marine environment through education and research.

The Pacific Marine Mammal Center is greatly concerned with the environmental issues that impact marine life. We at the center see, on a regular basis, the negative and life threatening results of trash and other materials that have been allowed to invade marine environments.

In a large jar in our display case floats the stomach contents of a young sea lion pup, " Ping" who came to our center malnourished and died despite our best efforts to save him. The jar contains one plastic grocery bag, two sandwich bags, multiple pieces of Styrofoam and four colorful balloons. Ping's plight is one of the devastating results of marine pollution that is impacting the world's oceans at an increasing level. Plastic marine debris affects at least 267 species worldwide, including 86 percent of all sea turtle species, 44 percent of all sea bird species, and 43 percent of marine mammal species. (Marine Debris – Sources, Impacts and Solutions, Coe, J. M. and D. B. Rogers)

"As much as 80 % of all marine debris comes from land-based sources, blown there by the winds or carried there by storm drains and rivers. People, wherever they are, need to learn to dispose of, or recycle waste better. It's a behavioral issue," says Seba Sheavly, an authority on marine debris and consultant for Ocean Conservancy International Coastal Clean up. While Pollution prevention and storm drain education are incorporated into all of the Pacific Marine Mammal Center's education programs, the students who are educated about reducing plastic marine will not be your city's primary consumers until 2025. Policies to protect our ocean and coast from further pollution are needed now as the amount of degradation from plastic we have seen in the last ten years has been considerable.

We strongly support and encourage the City of Dana Point in its efforts to reduce and/or control waste materials that harm marine and other physical environments.

Regards,

Jock Stalker

Carole Zavala

Board Chair

Executive Director

20612 LAGUNA CANYON ROAD · LAGUNA BEACH CA 92651 · 949.494.3050 · 949.494.2802 Fax

MARINE MAMMAL RECOVERY · OCEAN DISCOVERY
FRIENDS OF THE SEA LION since 1971
www.pacificmmc.org
TAX ID: 95-3680896

Agenda Item No. 15

12/12/11

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KATHY WARD

From: CHRISTY TEAGUE
Sent: Friday, December 09, 2011 9:12 AM
To: KATHY WARD
Subject: FW: Sensible Litter Solutions, Not a Bag Ban!

Good Morning Kathy -

Please forward this message to the City Council for Agenda Item #15.

Thank you.

- Christy

-----Original Message-----

From: Mary Litwinski [<mailto:litwinski@sbcglobal.net>]
Sent: Friday, December 09, 2011 8:12 AM
To: CHRISTY TEAGUE
Subject: Sensible Litter Solutions, Not a Bag Ban!

Dear Ms. Teague,

My family firmly opposes the Dana Point code amendment that would prohibit distribution of plastic bags at Dana Point retail stores! I think that this ban will lead to:

1. Fewer people shopping at Dana Point grocery stores (they will simply go to Laguna Niguel or San Clemente); hence lower revenue for the city
2. Negligible reduction in plastic bag litter for the following reasons:

Plastic bags for myriad other things will still be around and available; as will the grocery bags, for a fee

1 Most of the ocean litter washes down the river upstream from Dana Point

3. Greater expense and greater inconvenience for Dana Point residents with little to no actual impact

We use those bags for a variety of purposes that plastic bags are uniquely suited for--trash can liners, picking up dog poop, cleaning the cat litter box, bringing home wet towels/swimsuits from the beach and garbage collection in the car, to name a few. While I understand there is a litter and ocean pollution problem, I don't see how penalizing the responsible residents of Dana Point by charging for bags will solve that. Surely other ways are available to address the pollution issue without increasing consumer costs at the grocery stores during the worst economic times since the Great Depression. We need sensible, effective solutions, not "feel-good" pseudo-solutions, in my opinion.

The facts about plastic bags are:

- * They are 100% recyclable
- * Paper takes up the lion's share of landfill space--not plastic bags
- * It takes more natural resources to make a paper bag than a plastic one.
- * It takes 91% less energy to recycle a pound of plastic than it takes to recycle a pound of paper

Agenda Item No. 15
12/12/11

I urge the City Council to vote NO on this ban and consider more effective solutions for bag litter reduction! In addition, I wanted to point out that the majority of signatures collected on the "No More Single Use Plastic Bags in Dana Point, CA" petition are from people outside Dana Point. Do we really want people from Tunisia and the Netherlands to be swaying the actions of our local City Council? I did not see one person on the list who signed their city as Dana Point!

Sincerely,

Mary Litwinski

25962 Vista Drive East
Capistrano Beach, Ca 92624-1226

8 December 2011

City Council Members
City of Dana Point, CA 92629

Dear Council Members:

The purpose of this letter is to encourage you to scrap a plan to ban plastic bags:

- Plastic bags cost less to produce than paper and are inexpensive to recycle.
- Canvas bags have proven to be a health risk when meat, dairy, or produce leakage and residue remain in the bag undetected.
- Plastic shopping bags later serve me as trash bags, a laundry bag on trips and containment for miscellaneous articles I store. Plastic bags are better than paper ones in some ways. They compress into a small wad. I carry one in a pocket most times and keep one in the car because they are so handy.
- Banning plastic shopping bags won't reduce my need for them. Rather I will have to purchase ones in the store that cost more and require more petroleum to produce.

If the motivation for this citywide ban is the environment, I applaud the intent but question the effectiveness and ramifications and fear unintended consequences. How about the decision to make cheap gasoline out of corn? Seen the price of food lately?

Although speaking as a resident I am also on staff at the Ocean Institute. We teach school children and the public to be good stewards of the ocean. Much trash ends up in our ocean via runoff. I occasionally see a plastic bag on the beach or in the water. But the number that end up there is miniscule compared to the number of bags in circulation. Why prevent me from having the use of plastic bags because of a few that go astray? If you think government rather than the marketplace needs to do something then I encourage you to find a way to catch those responsible for plastic bag litter, but don't deprive the citizenry from this useful product.

By the way, if you really want to protect our ocean environment and friends that live in it your next target must be party balloons. Ban them from car dealerships, parades, and private celebrations. I see a lot more balloons at sea than plastic bags.

In conclusion we need to protect our environment. We also need to protect our rights. Pursue those who litter. But please protect my freedom to choose plastic or paper, or to bring my own canvas bag if that suits me. And protect our businesses so we can all shop in Dana Point without having to go a neighboring town where merchants are free to provide plastic or paper.

Sincerely,

Peter Heistand

Phone: 949-493-5305

Agenda Item No. 15

12/12/11

CAPITOL OFFICE
STATE CAPITOL
ROOM 3082
SACRAMENTO CA 95814
TEL (916) 651-4033
FAX (916) 445-9754

DISTRICT OFFICE
24031 EL TORO ROAD
SUITE 210
LAGUNA HILLS, CA 92653
TEL (949) 457-7333
FAX (949) 457-7305

California State Senate

SENATOR
MIMI WALTERS
THIRTY-THIRD SENATE DISTRICT



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MEMBER
BUSINESS, PROFESSIONS
& ECONOMIC DEVELOPMENT
MEMBER

December 5, 2011

The Honorable Scott Schoeffel, Mayor
City Council members
City of Dana Point
33282 Golden Lantern
Dana Point, CA 92865

Dear Mayor Schoeffel,

I am writing to you regarding the proposed ordinance to ban single-use plastic bags in Dana Point, an issue due to come before your City Council on December 12. I strongly urge you to oppose this ordinance.

All of us share a desire to preserve and maintain a clean environment. At the same time, as elected officials, our primary duty is to preserve the liberty of the citizens we serve. Good intentions aside, a plastic bag ban will have little to no impact on reducing the presence of plastic bags in Dana Point Harbor or on the beaches – but will have a very real impact on Dana Point businesses and residents.

Dana Point attracts hundreds of thousands of visitors annually to its harbor and beaches from all over the county, and indeed, the world. However, this ban does not prevent visitors from stopping in the cities where they live, or even in cities bordering Dana Point, to purchase food, refreshments or other items and then bringing those goods, and the plastic bags they come in, into Dana Point.

The proposed ban would not prevent plastic bags originating along other points up the coast from entering the harbor or effecting beaches adjacent to Dana Point.

Furthermore, retail stores at Dana Point Harbor and the food concession at Doheny State Beach are on county and state property, and are likely not to be subject to this proposed ordinance.

Agenda Item No. 15

12/12/11

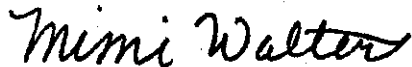
At the same time, this ban will impose a very real burden on Dana Point retail businesses. Paper and reusable bags are significantly more expensive than plastic bags, and forcing businesses to use paper and reusable bags only amounts to a costly mandate on businesses with no demonstrable environmental benefit.

Just as importantly, banning local businesses from being able to use plastic bags is the same intrusive, anti-free enterprise regulatory approach that is driving businesses and jobs away from California. California businesses need less regulation, not more – whether from federal, state or local governments.

If local business owners want to use only reusable and paper bags, that should be their free choice and not imposed upon them by the city council.

As a former city councilmember myself, I understand the desire to do what you think is best for your city. It is my belief that freedom and voluntary action are the best approaches to this issue, and implore you to vote against any ordinance prohibiting businesses from using plastic bags.

Sincerely,

A handwritten signature in cursive script that reads "Mimi Walters".

MIMI WALTERS
Senator, 33rd District

STATE CAPITOL
P.O. BOX 942849
SACRAMENTO, CA 94249-0073
(916) 319-2073
FAX (916) 319-2173

WEBSITE
WWW.ASSEMBLY.CA.GOV/HAF:KEY

Assembly California Legislature



DIANE L. HARKEY
ASSEMBLYWOMAN, SEVENTY-THIRD DISTRICT

COMMITTEES
VICE CHAIR: APPROPRIATIONS
BANKING AND FINANCE
BUDGET
PUBLIC EMPLOYEES, RETIREMENT
AND SOCIAL SECURITY
REVENUE AND TAXATION

December 7, 2011

City of Dana Point
33282 Golden Lantern
Dana Point, Ca 92629

Dear Mayor Schoeffel and Council Members:

While I try not to weigh in on city issues, I was asked by the Mayor, to offer testimony for the December 12th City Council Meeting regarding the plastic bag and Styrofoam ban. As such, I strongly urge the Dana Point City Council to oppose a plastic bag ban ordinance at their December 12 meeting. While I understand the sentiment and desire to taking action on an issue that deserves attention, a similar ban on plastic bags and Styrofoam failed to pass the State Legislature in Sacramento.

Even the most liberal members of our Legislature understood, after many hearings and shared information, the additional costs of these bans are passed directly to the consumer at a time when many are struggling financially. More to the point, new ordinances, regulations, fees, and taxes send the wrong message to our citizens and businesses community during this continuing recession.

There is no doubt we need to find ways to stop people from littering our beaches and parks. But to eliminate plastic bags from one source, such that people may still bring them into town and/or buy them from another source, will render the ordinance ineffective. I also dispute that plastic shopping bags are described as single-use. Many of us reuse the bags as trash can liners, and to store products many times over. Is the city going to ban baggies for food storage or store purchased plastic trash and lawn and leaf bags?

I recall that years ago we determined to switch from paper bags to plastic bags to "save the trees and the planet" and reduce landfill waste, as paper bags are more cumbersome to store and throw away. While they degrade faster than plastic they also take up more landfill space.

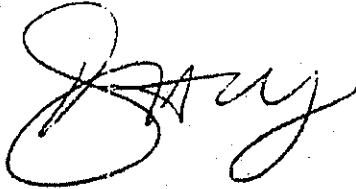
ORANGE COUNTY OFFICE • 29122 RANCHO VIEJO RD., SUITE 111 • SAN JUAN CAPISTRANO, CA 92675 • (949) 347-7301 • FAX (949) 347-7302
SAN DIEGO COUNTY OFFICE • 300 N. COAST HWY • OCEANSIDE, CA 92054 • (760) 757-8084 • FAX (760) 757-8087

Printed on Recycled Paper

Agenda Item No. 15
12/12/11

More personal awareness and responsibility are needed, and we can promote clean beach and park policies at home, through our schools, the Ocean Institute, Boys and Girls Club and other places where children convene and enjoy the outdoors. Children often serve as the best reminder of proper behavior for their parents. Plastic bags have nothing to do with our water quality issues at Doheny or in the harbor. It would be very disappointing if my home city were more hostile to local businesses than Sacramento.

Sincerely,

A handwritten signature in cursive script, appearing to read "Diane L. Harkey". The signature is fluid and somewhat stylized, with the first letter 'D' being particularly large and looping.

DIANE L. HARKEY
Assemblywoman, 73rd District

GAIL ALVIAR

From: BRAD FOWLER
Sent: Monday, January 02, 2012 5:57 AM
To: GAIL ALVIAR; BOBBI OGAN; KATHY WARD; JENNIFER ANDERSON
Subject: FW: Plastic bag ban

Pls print for me.

Brad Fowler
Sent from my Verizon Wireless 4G LTE Phone

-----Original message-----

From: DOUG CHOTKEVYS <DChotkevys@DanaPoint.org>
To: CHRISTY TEAGUE <cteague@DanaPoint.org>, MIKE KILLEBREW <MKILLEBREW@DanaPoint.org>, BRAD FOWLER <bfowler@DanaPoint.org>
Sent: Sun, Jan 1, 2012 19:15:47 PST
Subject: FW: Plastic bag ban

fyi

From: papageo13@aol.com [papageo13@aol.com]
Sent: Sunday, January 01, 2012 6:10 PM
To: LARA ANDERSON; SCOTT SCHOEFFEL; LISA BARTLETT; bbrough@damapoint.org; STEVEN WEINBERG; DOUG CHOTKEVYS
Subject: Plastic bag ban

Councilmembers,

I am weighing in with my opinion on the plastic bag ban. I am sure that you have heard all the opinions from both sides and I probably not add anything new. I am opposed to the plastic bag ban. I do not believe that the ban will be effective in cleaning up the environment. There has been no proof that this type of coercion on the citizens is effective. The ban would add additional costs to the merchants upon who it is imposed at a time when the economy cannot stand additional requirements on businesses. There are additional reasons for my opposition but one of the most compelling was stated by Councilman Brough that we have had enough of government imposing their will on the citizens as how to conduct our lives.

Please do not pass this item.

Very truly yours,

George Miller
(949) 487-9996

BRAD FOWLER

From: SCOTT SCHOEFFEL
Sent: Sunday, January 08, 2012 8:25 PM
To: DOUG CHOTKEVYS; BRAD FOWLER
Subject: FW: Plastic Bags

FYI.

Sincerely,

J. Scott Schoeffel
Council Member
City of Dana Point
sschoeffel@danapoint.org

From: Terry Walsh [walshtew@hotmail.com]
Sent: Sunday, January 08, 2012 9:09 AM
To: LARA ANDERSON; SCOTT SCHOEFFEL; lbartlett@danapoint.com; bbrough@danapoint.com; STEVEN WEINBERG
Subject: Plastic Bags

I am totally against any GOVERNMENT ban on plastic bags in Dana Point. I'm sure you have heard all the arguments against a ban so I will not repeat them here. Likewise, GOVERNMENT should not tell retailers how much they should charge for a paper bag.

If you feel compelled to do something, let's work toward a compromise. You can call it Voluntary Plus. The plus could be an effort by those in groups that are in favor of a government ban along with members of the city staff to visit with the big users of bags (eg. Grocery stores) and convince them to change voluntary. Likewise, they could visit with restaurants and whomever that use Styrofoam cups. A good communication plan may work well.

Terry Walsh
Phone 949-493-7118
Cell 949-547-2991

BRAD FOWLER

From: CHRISTY TEAGUE
Sent: Monday, January 09, 2012 11:22 AM
To: KATHY WARD
Cc: BRAD FOWLER
Subject: FW: plastic bag ordinance

Kathy –

Please add this to the public comments on the plastic bag ordinance.

-Christy

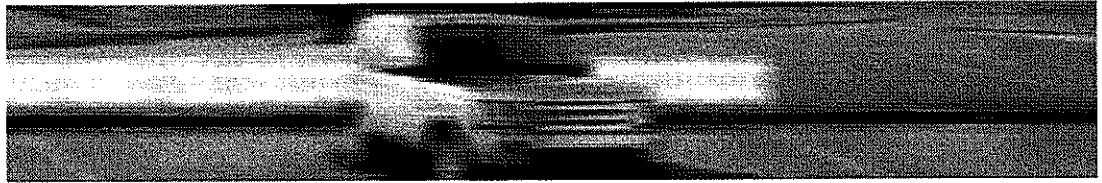
From: Janine McCusker [mailto:janinemccusker@gmail.com]
Sent: Saturday, January 07, 2012 7:23 PM
To: CHRISTY TEAGUE
Subject: plastic bag ordinance

Dear Christy

I would like to know when this issue will go before the city council and at what stage is it at this time. I was glad to see your name associated with this issue. If anyone has seen the exhibit at dana point ocean institute about the horrible impact our invironment has sustained because of the plastic bag, they would have no choice but to vote for the ordinance. I have visited many areas around the USA and the World who have done away with plastic bags, including The Island of Maui and in a few cities in Northern Calif, where there was very little grumbling when no bags were available at the local walmart, etc. Also when questioning the clerks about how the public has reacted, there was no problems reported.

Could you please let me know where this issue stands at this time? I would very much like to be involved. PS, have you seen the Documentary called "Bag it"? It won many awards, and is very fun and informative to watch.

Thanks, Janine McCusker, 47 year Capo Beach Resident



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Published: Dec. 20, 2011 Updated: 1:28 p.m.

Poll: 52% back proposed plastics bans

Dana Point's proposals to prohibit plastic shopping bags and polystyrene (plastic foam) containers have support from a small majority of respondents in a Register poll, but 42% don't want either one banned.

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83
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Cn

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THE ORANGE COUNTY REGISTER

A little more than half the respondents to an online poll at ocregister.com/danapoint support Dana Point's proposed bans on both plastic bags and polystyrene (plastic foam) containers. But more than 40 percent don't want either material to be banned.

Here are the results of the poll:



Should Dana Point ban plastic bags and/or polystyrene containers?

- Ban plastic bags but not polystyrene: 1%
- Ban polystyrene but not plastic bags: 5%
- Ban both: 52%
- Don't ban either: 42%
- Not sure: 1%

Total votes: 186. Percentages are rounded. Poll was posted Dec. 13-20.

A poll in March 2009 about a possible plastic-bag ban in Dana Point resulted in 46 percent supporting the idea and 42 percent opposed.

The city of Dana Point proposes to ban plastic shopping bags at local retailers.

GOOGLE IMAGES

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FAX

TO: MAYOR ANDERSON, COUNCIL MEMBERS, COMPANY: DANA POINT CITY COUNCIL
AND CITY CLERK
 TELEPHONE: _____ FAX NUMBER: 949 248 9920
 FROM: CRA TELEPHONE: 916 447 6182
 NO. OF PAGES INCLUDING COVER: 3

MESSAGE: THANK YOU FOR YOUR CONSIDERATION.

PREPARE TO BE INSPIRED.

621 Capitol Mall, Suite 2000 Sacramento, CA 95814 T: 800.765.4842 F: 916.447.6182 www.calrest.org



January 24, 2012

The Honorable Lara Anderson
Mayor, City of Dana Point
33282 Golden Lantern
Dana Point, CA 92629

Subject: Polystyrene Food Service Ban- OPPOSE

Dear Mayor Anderson,

The California Restaurant Association (CRA) respectfully opposes the proposed ordinance to ban polystyrene food service packaging.

The restaurant community shares the on-going concern over litter, particularly marine debris, and participates in many local communities throughout the state on litter abatement efforts. Marine debris is an issue that the industry takes very seriously. However, we believe that discriminatory selection and elimination of a given type of food service packaging is a shortsighted way to address the problem of litter. When litter reduction occurs on city streets, the amount of material that flows through drains, rivers and ultimately to the ocean is also reduced. Efforts should be aimed at reducing all composition of litter, not a single product, so that the overall volume of material reaching the marine environment is reduced.

As for the specific products targeted in this bill, polystyrene foam food packaging containers are among the most efficient for keeping foods fresh and hot or cold. That is why it is standard practice for ice cream, frozen yogurt and smoothie shops, amongst others, to use foam packaging.

For an industry characterized by razor thin profit margins of 5-6% on the dollar in a good economy, cost always has to be a consideration in addition to the functional value of a product. Schools, hospitals, nursing homes, non-profit food programs, delis, and family-owned restaurants are among the many institutions that rely upon polystyrene foam for its excellent insulation at an economical price. Alternative packaging materials are as high as 2-3 times more expensive, according to the nation's leading distributors.

Cost differences are felt differently by different sizes, types, and locations of restaurants and therefore have differing impact on the industry. The cumulative effect of additional cost pressures only serves to harm the industry.

PREPARE TO BE INSPIRED.

621 Capitol Mall, Suite 2000 Sacramento, CA 95814 T: 800.765.4842 F: 916.447.6182 www.calrest.org

In addition to the higher cost of alternative materials, the functionality of the products targeted under the proposed ban is outstanding. While some restaurants choose not to use foam products and others are under local ordinance bans on the product- many restaurants still choose to use the product because of its functional value being the best match for the type of food offered and it costs significantly less. Many operators are struggling with alternative products and the structural integrity of them. What works for a sandwich may not necessarily work as well for enchiladas, lasagna, soups, smoothies or frozen yogurt for instance. The type of food or drink being served matters very, as operators that are having their packaging options dictated to them by government entities, often have to use other materials within the alternative packaging to avoid leakage or "double cup" to properly preserve the temperature of certain items. This creates even more waste.

Foam is being recycled today in various regions and we support that effort and want to continue to help expand that effort, but we can't support discriminatorily banning certain types of food packaging and imposing higher costs on restaurant operators in Dana Point.

For these and other reasons, we respectfully must oppose the proposed ordinance and appreciate your time and consideration of our views.

Sincerely,



Matt Sutton
Senior Legislative Director

cc: Members, Dana Point City Council
City Clerk

PLEASE READ THIS LETTER INTO THE MINUTES OF THE COUNCIL MEETING. THANK YOU.

RECEIVED

2011 DEC 12 P 4: 01

CITY OF DANA POINT

DECEMBER 12, 2011

CITY COUNCIL MEMBERS
CITY OF DANA POINT
33282 GOLDEN LANTERN
DANA POINT, CA 92629

RE: BAN OF SINGLE USE PLASTIC BAGS

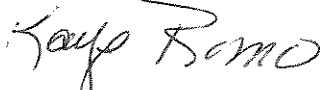
DEAR CITY COUNCIL MEMBERS

I AM **OPPOSED TO THE BAN** OF THE SINGLE USE PLASTIC BAG THAT IS BEING CONSIDERED BY THE COUNCIL.

I STRONGLY SUPPORT EDUCATION, WHICH WILL LEAD TO PEER PRESSURE, AS THE MOST EFFECTIVE WAY TO APPROACH THIS MATTER.

I ASK YOU **NOT** TO BAN THE USE OF THE PLASTIC BAGS AS THEY ARE USED FOR MANY OTHER PURPOSES THAN CARRYING HOME FOOD OR MERCHANDISE.

SINCERELY



KAYE ROMO
24351 LA CRESTA DR
DANA POINT, CA 92629

Agenda Item No. 15

12/12/11

December 8, 2011

To: Christy Teague

From: David Poggi Jr
24311 Santa Clara Ave #5
Dana Point, CA 92629

RECEIVED

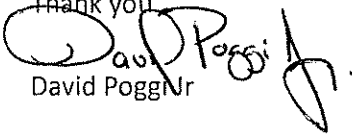
DEC 12 2011

CITY OF DANA POINT
**COMMUNITY DEVELOPMENT
DEPARTMENT**

Hi Christy,

I oppose the ban on plastic bags.
This is a very important tool in order to conduct shopping.

Thank you


David Poggi Jr

Agenda Item No. 15

12/12/11

KATHY WARD

From: CHRISTY TEAGUE
Sent: Monday, January 09, 2012 11:22 AM
To: KATHY WARD
Cc: BRAD FOWLER
Subject: FW: plastic bag ordinance

Kathy –

Please add this to the public comments on the plastic bag ordinance.

-Christy

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Sent: Saturday, January 07, 2012 7:23 PM
To: CHRISTY TEAGUE
Subject: plastic bag ordinance

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KATHY WARD

From: BRAD FOWLER
Sent: Monday, January 02, 2012 5:57 AM
To: GAIL ALVIAR; BOBBI OGAN; KATHY WARD; JENNIFER ANDERSON
Subject: FW: Plastic bag ban

Pls print for me.

Brad Fowler
Sent from my Verizon Wireless 4G LTE Phone

-----Original message-----

From: DOUG CHOTKEVYS <DChotkevys@DanaPoint.org>
To: CHRISTY TEAGUE <cteague@DanaPoint.org>, MIKE KILLEBREW <MKILLEBREW@DanaPoint.org>, BRAD FOWLER <bfowler@DanaPoint.org>
Sent: Sun, Jan 1, 2012 19:15:47 PST
Subject: FW: Plastic bag ban

fyi

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Sent: Sunday, January 01, 2012 6:10 PM
To: LARA ANDERSON; SCOTT SCHOEFFEL; LISA BARTLETT; bbrough@damapoint.org; STEVEN WEINBERG; DOUG CHOTKEVYS
Subject: Plastic bag ban

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Please do not pass this item.

Very truly yours,

George Miller
(949) 487-9996



Feb. 1, 2012

Mayor Lara Anderson
City of Dana Point
33282 Golden Lantern
Dana Point, California 92629

RE: Pending Feb 7, 2012 City Council agenda item on the "Municipal Code Amendment to Prohibit the Distribution of Single-Use Plastic Carry-Out Bags at the Point of Sale at Local Retail Establishments"

Dear Mayor Anderson,

At the last board meeting of the Dana Point Chamber of Commerce on Jan 21, 2012 it was discussed that the February 7, 2012 City Council agenda may include the 1st reading of an ordinance on the "*Municipal Code Amendment to Prohibit the Distribution of Single-Use Plastic Carry-Out Bags at the Point of Sale at Local Retail Establishments*".

Many of our members have raised concern about this ordinance and what fiscal & red tape impact this may have on their retail businesses. Since the ordinance has not yet been made public, no one really knows what fiscal or red tape impact this may have.

In the interest of producing the best solution, we are requesting that the Council delay the 1st reading of the plastic bag ordinance and instead add the proposed plastic bag ordinance with a special 30-day public comment period to the next agenda that could include public workshops with merchants and consumers. We feel this will provide ample time for all to review and make their comments known.

Thank you for your consideration of our special request.

Cordially,

The Dana Point Chamber of Commerce Board of Directors

Cc: City Manager, Doug Chotkevys; City Clerk, Kathy Ward; Dana Point Chamber of Commerce Chair, Russell Kerr

Dana Point Chamber of Commerce - 24681 La Plaza Suite 115 Dana Point, CA 92629

BRAD FOWLER

From: KATHY WARD
Sent: Wednesday, February 01, 2012 11:12 AM
To: BRAD FOWLER
Subject: FW: Plastic Bag Ban ordinance

Attachments: image002.jpg



image002.jpg (4
KB)

FYI....

-----Original Message-----

From: lara@laraanderson.org [mailto:lara@laraanderson.org]
Sent: Wednesday, February 01, 2012 10:33 AM
To: DOUG CHOTKEVYS
Cc: KATHY WARD
Subject: Fwd: Plastic Bag Ban ordinance

----- Forwarded message from mokaman1@cox.net -----

Date: Wed, 1 Feb 2012 17:25:23 +0000
From: Jim Miller <mokaman1@cox.net>
Reply-To: Jim Miller <mokaman1@cox.net>
Subject: Plastic Bag Ban ordinance
To: LARA ANDERSON <landerson@DanaPoint.org>

Mayor Lara Anderson,

Regarding the 1st reading of the Ban on plastic bags ordinance February 7, 2012

February 1, 2012

Dear Mayor Anderson,

The membership of the United Harbor Merchants Dana Point Harbor (UHM) and I as their president feel the proposed ban is a hardship to the local merchants of Dana Point in a time when businesses are struggling to just stay in business.

This proposed ordinance appears to us as just another Tax on Business. The ordinance states that 240 businesses will be affected by this ban. Based on information from my merchants is estimated that this ban will cost each business on the average an additional \$1,000.00 per year which is a \$240,000.00 annual tax on our local merchants. If the proposed ordinance is to charge the customer, then it's still a tax, it's being paid by residents and visitors alike.

We also question the dire situation that is being portrayed of the ill effects of plastic bags. I have been asking a lot of boaters since this has begun and not one of them have ever seen a fish die from a plastic bag. We believe the City of Dana Point and the OC Dana Point Harbor have been working to create a clean ocean and its policy and practice are having a positive impact. We are not convinced that Plastic bags are the issue, more likely it's Litter that is our problem and there are ordinances currently on the books to fine people that LITTER.

It would be our hope that before the City Council proceeds with the first reading that the city holds community workshops with businesses and residents to direct our city in an effective policy that the community can support.

I have always found that if you include people in the decision making process you will have a lot more support.

Forcing an ordinance will only create saboteurs.

Please lets slow this process and make the best decision for our city and not just copy what's being done elsewhere.

Sincerely,

JIM Miller

Jim Miller
President UHM

[coffee importers2]

----- End forwarded message -----