
CITY OF DANA POINT
OCEAN WATER QUALITY SUBCOMMITTEE
REGULAR MEETING AGENDA

Tuesday, May 22, 2018
3:00 – 5:00 p.m.

City Hall Offices
Public Works Conference Room
33282 Golden Lantern Ste. 212
Dana Point, CA 92629

CALL TO ORDER

ROLL CALL/INTRODUCTIONS Paul Wyatt, Dick Dietmeier, Bill Lane, Wayne Rayfield,
Nyle Schafhauser

A. PUBLIC COMMENTS

Any person wishing to address the Subcommittee during the Public Comments section or on an Agenda item is asked to complete a "Request to Speak" form. The completed form is to be submitted to City staff prior to the Agenda item being called and discussed.

In order to conduct a timely meeting, there will be a three-minute limit per person for the Public Comments portion of the Agenda. State law prohibits the Subcommittee from taking action on a specific item unless it appears on the posted Agenda.

If anyone has handouts to distribute to the Subcommittee, please follow proper procedure and hand them to the City staff. The City staff will see that they are distributed.

B. CONSENT CALENDAR

ITEM 1: Approval of Action Minutes of April 24, 2018.

C. UNFINISHED BUSINESS

There is no unfinished business.

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D. NEW BUSINESS

ITEM 2: AB 1884: Plastic Straws Upon Request

RECOMMENDED ACTION: That the City of Dana Point Ocean Water Quality Subcommittee send a letter of support of Assembly Bill 1884, Food Facilities: Single Use Plastic Straws.

ALTERNATIVE ACTIONS:

Other Subcommittee-directed action.

ACTION DOCUMENT:

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A. [Draft Letter of Support](#) 4

SUPPORTING DOCUMENT:

B. [Assembly Bill 1884](#) 5

E. STAFF REPORTS

ITEM 3: Water Quality Program Updates

- Non-ocean-friendly sunscreens, Bill Lane
- Other Updates, as info available

F. SUBCOMMITTEE COMMENTS

G. ADJOURNMENT

The *next* regular meeting of the Ocean Water Quality Subcommittee will be scheduled at this meeting.

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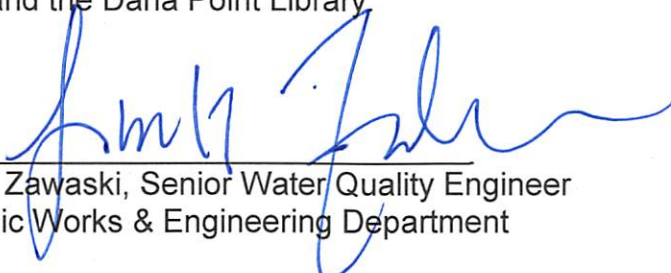
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H. CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF DANA POINT)

AFFIDAVIT OF POSTING

I, Lisa Zawaski, Senior Water Quality Engineer of the City of Dana Point, do hereby certify that on or before Friday, May 18, 2018. I caused the above notice to be posted in four (4) places in the City of Dana Point, to wit: City Hall, Capistrano Beach Post Office, Dana Point Post Office and the Dana Point Library.



Lisa Zawaski, Senior Water Quality Engineer
Public Works & Engineering Department

Agendas are available on the City's website at www.danapoint.org.

PURSUANT TO THE AMERICANS WITH DISABILITIES ACT, PERSONS WITH A DISABILITY WHO REQUIRE A DISABILITY-RELATED MODIFICATION OR ACCOMMODATION IN ORDER TO PARTICIPATE IN A MEETING, INCLUDING AUXILIARY AIDS OR SERVICES, MAY REQUEST SUCH MODIFICATION OR ACCOMMODATION FROM THE PUBLIC WORKS ADMINISTRATIVE SECRETARY AT (949) 248-3597 (TELEPHONE). NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ASSURE ACCESSIBILITY TO THE MEETING.

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ACTION DOCUMENT A Draft Letter of Support

May 22, 2018

The Honorable Ian C. Calderon
California State Assembly
State Capitol, Suite 319
Sacramento, CA 94249

Re: Notice of Support: Assembly Bill 1884 Solid waste: single-use plastic straws

Dear Assembly Member Calderon,

The City of Dana Point's Ocean Water Quality Subcommittee (Subcommittee), a Dana Point City Council appointed body, discussed AB 1884 (Calderon) at their meeting on May 22, 2018, a bill that would prohibit specified food facilities, where food may be consumed on site, from providing single-use plastic straws to consumers unless requested by the consumer.

Some benefits discussed by the Subcommittee of AB 1884 are as follows:

1. Reduces the amount of single-use plastic consumed on a daily basis by consumers which helps reduce waste and also help reduce plastic pollution and its negative impact on the marine environment.
2. Could reduce the amount of microplastics observed in the marine environment off the Coast of California (microplastics have been detected in the fish that we consume and in drinking water)
3. Addresses many City of Dana Point Strategic Plan Initiatives including:
 - Restore and maintain the integrity of our ocean waters and beaches
 - Protect the health, safety and welfare of our residents, businesses and visitors
 - Support to the fullest extent possible efforts to prevent or limit potential adverse impacts caused by outside circumstances that may negatively impact the community's quality of life

The City's Ocean Water Quality Subcommittee unanimously supported your bill on May 22, 2018, and asked that I as the chair of the Subcommittee submit this letter of support. Please accept it on our behalf and keep us posted as the Bill moves through the approval process.

Respectfully,

Paul Wyatt
City of Dana Point Council Member
Ocean Water Quality Subcommittee Chairman

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SUPPORTING DOCUMENT B Assembly Bill 1884

AMENDED IN ASSEMBLY APRIL 30, 2018
AMENDED IN ASSEMBLY APRIL 16, 2018
AMENDED IN ASSEMBLY FEBRUARY 5, 2018
CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

ASSEMBLY BILL

No. 1884

Introduced by Assembly Members Calderon and Bloom

January 17, 2018

An act to add Section 114082 to the Health and Safety Code, relating to food facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1884, as amended, Calderon. Food facilities: single-use plastic straws.

Existing law, the California Retail Food Code, establishes uniform health and sanitation standards for, and provides for regulation by the State Department of Public Health of, retail food facilities, as defined, and requires local health agencies to enforce these provisions. Existing law requires, except as otherwise provided, a person who violates any provision of the code to be guilty of a misdemeanor, punishable as specified.

This bill would prohibit a food facility, as specified, where food may be consumed on the premises, from providing single-use plastic straws to consumers unless requested by the consumer. The bill would specify that the first and 2nd violations of these provisions would result in a warning and any subsequent violation would be an infraction punishable by a fine of \$25 for each day the food facility is in ~~violation~~ violation, but not to exceed an annual total of \$300. By creating a new crime and

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imposing additional enforcement duties on local health agencies, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 114082 is added to the Health and Safety
2 Code, to read:

3 114082. (a) A food facility where food may be consumed on
4 the premises shall not provide single-use plastic straws to
5 consumers unless requested by the consumer. For purposes of this
6 section, a food facility shall not include a facility listed in
7 paragraphs (1) through (11), inclusive, of subdivision (b) of
8 Section 113789, nor a food facility with a self-service beverage
9 station.

10 (b) Notwithstanding Section 114395, the first and second
11 violations of subdivision (a) shall result in a warning, and any
12 subsequent violation shall constitute an infraction punishable by
13 a fine of twenty-five dollars (\$25) for each day the food facility is
14 ~~in violation~~ violation, but not to exceed three hundred dollars
15 (\$300) annually.

16 SEC. 2. No reimbursement is required by this act pursuant to
17 Section 6 of Article XIII B of the California Constitution for certain
18 costs that may be incurred by a local agency or school district
19 because, in that regard, this act creates a new crime or infraction,
20 eliminates a crime or infraction, or changes the penalty for a crime
21 or infraction, within the meaning of Section 17556 of the
22 Government Code, or changes the definition of a crime within the
23 meaning of Section 6 of Article XIII B of the California
24 Constitution.

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1 However, if the Commission on State Mandates determines that
2 this act contains other costs mandated by the state, reimbursement
3 to local agencies and school districts for those costs shall be made
4 pursuant to Part 7 (commencing with Section 17500) of Division
5 4 of Title 2 of the Government Code.

O