

CF # 11-531

ER Planning Report Brief: LA EIR Comments

June 5, 2013

The Honorable Herb J. Wesson, Jr.
 President, Los Angeles City Hall
 200 N. Spring Street, Room 430
 Los Angeles, CA 90012

RE: COUNCIL FILE #11-1531

Dear Council President Wesson:

I am Principal of *Environmental Resources Planning, LLC* ("ER Planning"). ER Planning is the only U.S. firm focusing entirely on litter surveys and related research. Among our fields of expertise is the analysis of litter data to determine sources and pathways of litter, particularly in relation to waterways and beaches.

My work on the impact of litter to our communities has been featured in the *New York Times* and *National Geographic Magazine* as well as on *NPR* and *Good Morning America*. I have taught *Environmental Science* and *Ethics in Management* at the university level and was invited, as a subject matter expert on environmental issues and community dynamics, to participate in a study commissioned by the President. ER Planning organized and sponsored the *2011 National Litter Forum*, which focused on the role of litter abatement on restoring our nation's communities. I was lead author of the 2007 report, *Litter - Literature Review*, conducted for *Keep America Beautiful*.

My experience includes leading seven statewide litter surveys (most recently the *2013 Texas Litter Survey*), four citywide litter surveys (including two in California) and a survey of 75 beaches in Santa Monica and Malibu in 2005. In addition, I led the design and management of *Keep America Beautiful's National Litter Survey* in 2008. I have also provided pro bono assistance to *Ocean Conservancy*, including their *National Marine Debris Monitoring Program*.

I have been asked to review and provide comments on the City of Los Angeles EIR on *Single-Use Carryout Bag Ordinance*, which includes misleading statements, which I would like to address:

1. Referring to single-use plastic carryout bags, the first page of the cover memo states that "most end up as litter or in landfills". By placing litter first, this sentence implies that most of these bags end up as litter, when virtually every statistically-based scientific survey concludes precisely the opposite. Their presence in litter is statistically insignificant. It is interesting that no citation is included to support this inaccurate claim.

A study conducted by *APCO* (a third-party research firm) in 2006-07 found that "the reuse of plastic shopping bags is nearly universal, with about two thirds (65%) of respondents using them to contain trash". So most of the bags, in fact, are reused for the sanitary containment of trash. Banning the use of such bags will inevitably lead to the disposal of loose trash, especially in lower-income areas, creating health issues and/or a significant rise in the purchase of plastic garbage bags. Given this dynamic, it is highly unlikely that the City of Los Angeles will realize a reduction of 2 billion plastic carryout bags discarded in garbage each year as is projected in the Solid Waste section of Table S-1.

2. Table S-1, *Summary of Environmental Impacts* (page iii) states that banning single-use plastic carryout bags would reduce emissions contributing to ground level ozone by 54%-59%. Primary causes of ground-level ozone are sources such as motor vehicles and power plants. Industrial facilities also contribute, but given the relative impact of the manufacturers in question, it is hard to imagine how banning their use in Los Angeles would somehow cut ozone-producing emissions in half.
3. The Traffic section of Table S-1 suggests that an additional 5.8 truck trips per day would be "less than significant", but that extrapolates to an additional 2,118 truck trips each year. It's hard to imagine that this would not have an impact on the City of Los Angeles given the problematic traffic congestion the City already experiences.

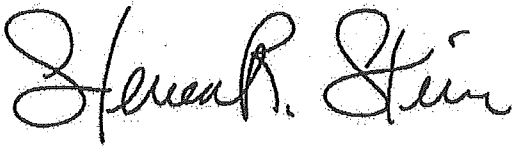
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4. Additional truck trips would be needed for shipping paper and reusable bags, which require significantly more space for shipping than their plastic counterparts. Yet the EIR states that these bags could be shipped along with other items. This flawed logic assumes that transporters do not maximize their loads already. In fact, additional volumes of any freight will eventually require more truck shipments.
5. The EIR then offers several alternative approaches, only to dismiss them without discussion simply because they are not the approach taken by neighboring communities - carefully phrased as "would be inconsistent with ordinances of surrounding jurisdictions".
6. Alternative 5 references Ireland's bag ban and that a similar policy could result in a 95% reduction in the use of plastic bags in the City of Los Angeles. It fails to mention, however, that this ban caused the purchase of plastic bags for garbage to rise significantly to replace the "single-use" plastic bags that had been reused for garbage disposal. So, plastic bag purchases increased and consumers were stuck with the additional cost and a disincentive to contain their loose garbage.
7. The City of Los Angeles can look at San Francisco data to note the effect of banning single-use plastic carryout bags. A careful review of the *2009 San Francisco Litter Re-Audit* shows that single-use carryout plastic bags in litter were not reduced after the ban on their use.
8. Page 34 of the EIR states that single-use plastic bags constitute "up to 25% of litter stream entering via storm drains". However, the *FoLAR Trash Biography*, citing studies of trash entering the L.A. River between 2004 and 2011 showed that bags of these types averaged a much lower amount - 13 weight by weight and 17 percent by volume. Higher numbers only occurred when other items unrelated to this proposed ban such as garbage bags, dry cleaner bags and shrink wrap were also included.

As a science-based professional, I am concerned that policies banning the use of plastic carryout bags, if put into place, will not resolve the littering issues they are meant to address and might, in fact, cause other problems. Narrowly focused material bans create a false sense of security that litter-related problems have been appropriately addressed. In fact, because they have not been, litter-related problems will continue to grow when left improperly resolved. Additionally, such policy shortcuts do not address known sources of litter's lighter components such as improperly-secured trash collection vehicles.

Litter abatement can be achieved by addressing known sources along with a commitment to continuous education and consistent enforcement of anti-litter statutes bearing a clear message: Litter is not acceptable community behavior and the cost to do so will be substantial.



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Cc: Members of the Los Angeles City Council
Antonio Villaraigosa, Mayor

LA EIR Comments

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Fwd: Single Use Bag Ordinance - SUPPORT

UNCLASIFIED

Sharon Dickinson <sharon.dickinson@lacity.org>
To: "Eric (Roderico) Villanueva" <eric.villanueva@lacity.org>

Fri, Jun 7, 2013 at 3:04 PM

Please print the email below for CF 11-1531. I already uploaded to CFMS. Thanks.

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Sharon Dickinson
Council and Public Services Division
City of Los Angeles, Office of the City Clerk
Ph. (213) 978-1073 Fax (213) 978-1040
sharon.dickinson@lacity.org

----- Forwarded message -----

From: **June Lagmay** <june.lagmay@lacity.org>
Date: Wed, Jun 5, 2013 at 4:06 PM
Subject: Fwd: Single Use Bag Ordinance - SUPPORT
To: Sharon Dickinson <sharon.dickinson@lacity.org>

----- Forwarded message -----

From: **JUDITH GRIMES** <far3j@aol.com>
Date: Wed, Jun 5, 2013 at 3:11 PM
Subject: Single Use Bag Ordinance - SUPPORT
To: june.lagmay@lacity.org

Dear President Wesson and Council Members,

Thank you for supporting a plastic bag ban at the May 23, 2012 Council meet adoption of an ordinance in Los Angeles City banning single-use plastic bags. Let's stop plastic bag pollution and refuse to be bullied by the plastic industry without further delay!

11-1531

RUBEN

...single-use paper

Recycling is not the solution. Despite the creation of a statewide infrastructure to collect single-use plastic bags for recycling under AB 2449 (Levine), only 3% of these bags were recycled in 2009 according to CalRecycle.

Meanwhile, LA County's plastic bag ban paired with a 10 cent paper bag charge has already reduced single use bag distribution by 95% in its first year, including a 30% reduction in paper bags. This bag ban model works in changing behavior, while at the same time giving consumers the option to opt out by refusing single-use bags and bringing their own bags.

As a taxpayer, I'm alarmed to find out that City taxpayers spend an estimated \$34 million annually in street and stormwater system cleanups, disposal charges, nuisance management at recycling and landfill facilities, and higher grocery prices to offset distributor costs. The proposed ordinance would help lower cleanup costs in these tough economic times.

In addition to the economic benefits of a plastic bag ban, there are countless environmental benefits. These

include reduced use of natural resources for bag production, reduced wildlife fatalities from strangulation and suffocation, and improved water quality. For all intents and purposes, plastic never biodegrades; instead it slowly photo degrades. As it photo degrades, plastic film breaks into smaller and smaller pieces which attract surrounding toxins. When mistaken as a food source, these plastic particles form a progressively greater health risk of food chain contamination.

It's a win for the environment as well as the economy. Please take a stand and support an ordinance on single-use bags today.

JUDITH GRIMES
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