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SAN JOSE TO VOTE ON LANDMARK LEGISLATION TO BAN PLASTIC BAGS

City Council, Local Organizations and Residents Support Policy to Clean Up San Jose Waterways and San Francisco Bay

SAN JOSE, CA - December 14 , 2010 - San Jose - the largest city in the Bay Area and the third largest city in California - is poised to pass landmark legislation to ban plastic bags that will reduce the amount of plastic pollution that is clogging our creeks and San Francisco Bay. As the policy with the most coverage proposed anywhere in California, this ordinance would ban plastic bags and require a small charge on recycled-content paper bags at most retailers.

“After nearly three years of advocating for a comprehensive ordinance, Save The Bay is pleased with the City of San Jose’s efforts to significantly reduce the amount of plastic in our community, Bay and local waterways,” said David Lewis, Executive Director of Save The Bay. “This strong policy should be replicated in cities across the region, state and country.

San Jose takes lead with model ordinance

San Jose's ordinance has the widest reach and the most coverage of any policy proposed anywhere in California. The ordinance will ban plastic bags and place a small charge on recycled-content paper bags at all retailers, exempting restaurants, non-profits and social service organizations. Bulk or off the shelf purchases of plastic or paper bags are also exempt, as are bags used to protect meat, produce, or bulk goods. San Jose’s environmental impact report (EIR) has been certified by the Planning Commission and provides ample support that this policy is the best option for the community and waterways. As a result of San Jose’s due diligence, other cities can use the language in both the ordinance and EIR to draft their own policies and supporting documents to fend off lawsuits from the plastics industry.

“San José is taking a long-awaited step toward environmental sustainability, improving the water quality of our creeks and waterways, and reducing litter. This proposal saves money for consumers who won’t have to pay the hidden costs of ‘free’ bags, for residents who save on the sewer service fees used for trash reduction, and for businesses who recover fees for single-use paper bags. The only losers are Dow Chemical Company, Union Carbide, and the rest of the plastic bag industry, which has imposing hidden costs on our consumers, at a great price to our environment. Our expectation is that other cities around the region will follow suit,” said San Jose City Councilmember Sam Liccardo.

In the wake of Assembly Bill 1998, the statewide bill to ban plastic bags that died in the state legislature this summer, local efforts are now more important than ever, placing San Jose in the spotlight as cities across the state and the country wait for guidance. Dozens of cities in the Bay Area and statewide are considering or are in the process of moving forward with plastic bag bans and are waiting for San Jose to lead the way.

San Jose waterways threatened by trash and plastic pollution

In 2007, the San Francisco Regional Water Quality Control Board declared three waterways in San Jose - Guadalupe River, Coyote Creek and Silver Creek - so polluted with trash that they violate the federal Clean Water Act. As part of Coastal Cleanup Day, volunteers reported removing over 1,000 plastic bags from Coyote Creek in 2008. Just this past summer, per new regulations outlined in the Water Board's municipal stormwater permit, the City of San Jose identified 43 "trash hot spots" that the City will now be required to clean up. The City anticipates it will cost them \$4 million over five years to comply with stricter trash discharge requirements in the new regulations. Further, both Coyote Creek and Guadalupe River repeatedly make Save The Bay's annual list of Bay Trash Hot Spots.

Plastic trash solutions

Tough policies and regulations are needed to reduce plastic trash flowing to the Bay and ocean. Smartly crafted ban or charge policies, such as the one proposed in San Jose, are proven ways to create a mass switch to reusable bags to clean up our communities and San Francisco Bay, and save cities money. Washington D.C.'s five cent charge on bags has resulted in an estimated 80 percent decrease in plastic and paper bag distribution, and 66 percent fewer plastic bags found in the Anacostia River.

San Jose city staff estimates that it costs the City at least \$3 million annually to collect plastic bags that litter creeks and clog storm drains. The City's recycling contractors also support this policy, as plastic bags jam machinery, causing work flow stoppages and threatening worker safety.

Wide network of support for plastic bag ban

In September of 2009, the Council directed staff to draft an ordinance to ban single-use plastic bags and voted to commit resources to complete a thorough environmental review. In the last month, more than 800 Save The Bay supporters have e-mailed Mayor Chuck Reed urging them to adopt this policy. In addition, a coalition of local businesses, recyclers, city residents, environmental organizations, faith-based groups and several cities in the region have indicated their support of this ban. Californians Against Waste, Clean Water Action, Environment California, the California Resource Recovery Association, and the Jewish Federation of Silicon Valley are among those that have come together to advocate for this plastic bag ban.

Plastic bag ban vote details

Date: Tuesday, December 14, 2010

Time: 2:00 p.m.

Location: City Council Chambers - 200 E. Santa Clara Street, San Jose, CA 95113

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Supplemental Information for Press

The problems with disposable plastic bags

- Save The Bay estimates that one million plastic bags end up in the Bay each year.
- Bay Area residents use an estimated 3.8 billion plastic bags per year and discard over one hundred plastic bags per second. The average use time of a plastic bag is only 12 minutes.
- Plastic bags are a major component of urban litter. Even when placed in trash cans, these lightweight bags are often picked up by wind and blown into the gutters - where they flow into creeks and storm drains and then into the Bay and the ocean.
- Plastic bags are among the most harmful, ubiquitous and *preventable* types of pollution.
 - Plastic bags litter our streets, neighborhoods and parks; and smother wetland habitat and degrade water quality and recreational areas.

- Plastic trash entangles, suffocates, and poisons at least 267 animal species worldwide, including sea turtles, birds, and marine mammals
- According to the California Coastal Commission, up to 80 percent of all marine debris, and 90 percent of floating debris is plastic, which remain in our waterways forever.
- Recycling isn't a viable solution. California has pushed a statewide effort to recycle plastic bags for fifteen years. Despite this, the CalRecycle estimates that less than 5% of all single use plastic bags in the state are actually recycled. Recycling firms have reported extensive costs associated with attempts to recycle even this small portion of plastic bags.
 - In San Jose, less than four percent of plastic bags are recycled and the City spends approximately \$1 million per year on work stoppages caused by plastic bags jamming equipment at recycling centers.
 - There is very little market for the recycled plastic film. In fact, San Jose once had to pay more than \$100 a ton to dispose of plastic bags because no recyclers would buy them.
- California taxpayers spend approximately \$25 million every year to collect and landfill plastic bags. Local agencies spend millions more cleaning up plastic bag litter from streets, storm drains, and waterways. Volunteers spend countless hours plucking dirty bags from neighborhood creeks.

Plastic Bag Industry

The American Chemistry Council continues to lobby and intimidate cities that attempt to ban or place a charge on single-use bags, including lobbying aggressively to defeat AB 1998 - California's statewide bill to ban plastic bags.

- Similar to the tobacco industry, which launched expensive campaigns to stop cities from enacting smoking bans, the plastics industry is dispatching lobbyists and public relations professionals to pressure cities against considering bag bans and fees.
- The ACC and their corporate members are using legal threats and offering to pay for city programs to coerce decision makers away from enacting strong policies to protect our environment and livability.
- Under various guises (i.e., SaveThePlasticBag.com, Coalition to Support Plastic Bag Recycling), plastic bag manufacturers and their lawyers have sued or threatened to sue Oakland, San Diego, Manhattan Beach, Santa Monica, Palo Alto and numerous other cities.
- Like any product, single-use bags are not free. The out-of-pocket cost is passed on from the retailer to the consumer through increased prices. *Fortune* Magazine estimated the plastic bag industry collects \$4 billion per year in profits from retailers (May 12, 2008 issue).