

**Resolution of the California Ocean Protection Council
On Reducing and Preventing Marine Debris**

February 8, 2007

WHEREAS, since the 1970's, marine debris has been widely recognized as a threat to the marine environment; and

WHEREAS, despite global treaties to prevent dumping at sea and minimize land-based sources, and increasing efforts worldwide to protect water quality, the quantity of marine debris in the world's oceans is increasing; and

WHEREAS, the problem of plastic marine debris is increasing in California and the North Pacific Gyre, where densities of micro-plastics have tripled during the last decade; and

WHEREAS, on September 18, 2006, the West Coast Governor's Agreement (Washington, Oregon and California) on Ocean Health was created to address challenges to the declining health of the shared coastal ocean; and

WHEREAS, 60 to 80 percent of all marine debris and 90 percent of floating debris is plastic; and

WHEREAS, the U.S. Department of Commerce estimates that 80 percent of marine debris comes from land-based sources; and

WHEREAS, plastic lasts hundreds of years or longer in the environment without biodegrading; and

WHEREAS, by ingestion, entrapment and entanglement, plastic harms hundreds of wildlife species, some of which are threatened or endangered species under California or federal law; and

WHEREAS, plastic attracts other organisms that can float to distant habitats and become harmful invasive species; and

WHEREAS, plastic and other debris litters our beaches, and represents a threat to California's \$46 billion ocean-dependent, tourism-oriented economy and in certain circumstances may pose a public health threat; and

WHEREAS, California state and local agencies spend millions of dollars per year in litter collection; and

WHEREAS, plastics can contain potentially harmful constituents such as phthalates, bisphenol A, styrene, vinyl chloride and flame retardants. Research is being conducted to determine whether water leaches these constituents out of plastic products, presenting a threat to the health of humans and wildlife; and

WHEREAS, small plastic items, such as bottle caps, food wrappers and polystyrene pieces, are some of the most abundant items polluting our beaches. In 2005, 61,117 bottle caps were collected during California's Coastal Cleanup Day; and

WHEREAS, thermoplastic resin pellets (commonly called “nurdles”), plastic powders, and production scrap, all of which are mistaken as food by marine life, are a significant source of beach pollution. One survey conducted in the summer of 1998 estimated that over 100 million nurdles were polluting Orange County beaches alone – this represented over 98 percent of all of the pollution collected in terms of abundance and 17 percent in terms of weight; and

WHEREAS, the U.S. Department of Commerce estimates that ocean-based sources constitute 20 percent of plastic marine debris, including lost and abandoned fishing gear that can be dangerous to wildlife, boaters and divers. Since May 2006, the California Derelict Fishing Gear Removal Project has removed nearly 10 tons of gear from waters around the California Channel Islands.

NOW, THEREFORE, the California Ocean Protection Council (OPC) hereby:

RESOLVES to call attention to this problem by widely distributing this resolution; and

FURTHER RESOLVES to identify the following top priority solutions from the June 2006 Plan of Action prepared by the Plastic Debris Project:

1. *Reduce the sources of plastic marine debris* – The California Redemption Value Program (CRV) has proven to be enormously successful at diverting over 60 percent of aluminum, glass and certain plastic containers to recycling centers. Placing a value on these items has assured that the majority get collected. The state should look closely at extending the CRV or similar Extended Producer Responsibility programs to include other plastics commonly found in marine debris. The state should also make changes to the recycling “processing fee” to encourage greater recycling of all forms of plastic containers. The Marine Debris Steering Committee (“Committee”) established by this Resolution shall, by December 1, 2007, propose a plan for implementing this CRV expansion and increase of processing fees, the goals to be achieved by not later than 2015.
2. *Increase enforcement of anti-litter laws generally, and enforcement of laws to eliminate pollution by plastic resin pellets (nurdles)* – Litter enters the marine environment when waste materials are deliberately or negligently discarded. Increased enforcement will not only reduce littering directly, it will send a strong message to the public that littering is not an acceptable social behavior. With respect to plastic resin pellets, best management practices should be encouraged to eliminate the discharge of pellets into the marine environment. By not later than December 1, 2007, the Committee shall prepare a plan to set targets for the reduction of nurdles, including handling and transport regulation and related enforcement provisions, with such targets to be achieved by not later than 2009.
3. *Seek innovative methods to reduce plastic waste* – In cooperation with the Department of Conservation (DOC), the Department of Toxic Substances Control (DTSC) and the California Integrated Waste Management Board (CIWMB), OPC will investigate and support plastic packaging alternatives that biodegrade in the marine environment, that contain no potentially toxic materials and that reduce the amount of plastic debris commonly found in the marine environment. Staff is directed to report back to OPC on progress at the June 2007 meeting.

4. *Continue and expand watershed-based cleanups* – Regular cleanups in trash-prone coastal areas reduce marine debris impacts and promote environmental stewardship. In 2006, volunteers at California's Coastal Cleanup Day collected nearly a million pounds of trash and recyclables. OPC supports the continuation and expansion of the watershed and beach cleanups currently run by the state, local governments and non-profit organizations.
5. *Increase the availability of trash, recycling and cigarette butt receptacles at public places, schools, and commercial establishments statewide* – Litter associated with convenience food and beverage items and discarded cigarette butts is a widely recognized problem in California. Adequate trash and recycling receptacles at both public places and commercial establishments would help mitigate this problem. Entities charged with trash maintenance should assess the adequacy of their trash and recycling collection services. Where necessary, these entities should increase the availability of these services, including recycling services at schools. Cigarette butt receptacles should also be available in public locations, including beaches, parks and marinas, and outside bars and clubs. All waste receptacles should be covered to prevent overflow spillage, windblown debris and removal by birds and other wildlife.
6. *Promote environmental education and outreach on the impacts of plastic debris and litter prevention* – The California Department of Transportation (Caltrans) operates an innovative statewide trash reduction campaign called "Don't Trash California." OPC will work to coordinate with Caltrans, DOC and other state and local entities to promote a consistent "Don't Trash California" message. OPC will also work with the California Environmental Protection Agency (CalEPA) Education and the Environment Initiative to promote marine debris reeducation education in schools. Staff is directed to report back to OPC on progress at the June 2007 meeting. OPC staff shall also support actions by other state agencies to enforce existing anti-litter laws (e.g., highway anti-litter laws, Clean Water Act total maximum daily loads for trash), and to promote fundamental state policy changes to prioritize the issue of marine debris reduction (e.g., the State Water Board's inclusion of prioritization of plastic debris as an amendment to the Ocean Plan.)
7. *Coordinate a Marine Debris Steering Committee* – OPC staff shall chair a Marine Debris Steering Committee to implement the recommendations of this Resolution. The Steering Committee shall include the California Integrated Waste Management Board, Department of Conservation, Department of Toxic Substances Control, Coastal Commission, and State Water Resources Control Board. The Steering Committee shall report at every OPC meeting.
8. *Coordinate a Regional Effort* – The OPC shall expeditiously work with parties to the West Coast Governors' Agreement on Ocean Health, and invite the participation of British Columbia, Hawaii and Baja California, to create, by January 1, 2008, coast-wide goals for marine debris reduction, with such goals to be achieved by not later than 2018. The OPC shall propose to this coalition to:
 - a. Set joint litter target reductions of plastic single-use fast-food and convenience market packaging and containers;
 - b. Set joint derelict fishing gear litter target reductions and site cleanup targets;

- c. Consider relevant European Union chemical legislation restricting the marketing and use of harmful plastic materials and additives, including phthalates, bisphenol-A, styrene, perfluorooctanoic acid, vinyl chloride, nonylphenols, and alkylphenols; and
- d. Jointly address handling requirements and related enforcement regulations for pre-production plastic resin pellets.

The OPC shall report to the public on progress of the formation of this coalition at its next OPC meeting.

- 9. *Reduce Single-Use Plastic Packaging* – The Marine Debris Steering Committee, working with other appropriate agencies shall, by June 1, 2008, propose a statewide plan to reduce to a targeted amount the use of plastic single-use fast-food and convenience market packaging and containers, with such plan to be achieved by not later than 2015.
- 10. *Remove Derelict Fishing Gear* – The Marine Debris Steering Committee (Committee) shall by December 1, 2007 propose a plan for achieving target reductions of derelict fishing gear, with such targets to be achieved by not later than 2015.
- 11. *Ban Toxic Plastic Packaging* – The Committee shall by December 1, 2007, prepare a plan for the phased ban of the most toxic types of plastic packaging. The plan shall address materials including styrene, bisphenol-A, perfluorooctanoic acid, vinyl chloride, nonylphenols, and alkylphenols, with such plan to be achieved by not later than 2015. OPC staff shall also identify and publicly report on OPC or Resources Agency funds, if any, that will be directed to DTSC for marine debris toxicity data and research.
- 12. *Advance Environmental Education* – OPC staff shall include on the next OPC meeting agenda a state presentation about the Environmental Education Initiative.
- 13. *Prepare an Education Plan* – By December 1, 2007 OPC staff shall prepare a report that incorporates:
 - a. Recommendations for how the OPC could work with CalEPA, the Office of Education and the Environment, the Ocean Communicators Alliance (“Thank You Ocean” campaign), and other state partners to assist with an inventory of “environmental education” requirements in any ocean-related state permit requirements, enforcement actions or administrative decisions; and
 - b. Recommendations for how the OPC could work with CalEPA and the Office of Education and the Environment, and other state partners, to assist in the development of an inventory of K-12 ocean-related environmental education programs, including funding sources.