

Gary O. Phillips, Mayor
Councilmember Damon Connolly
Councilmember Barbara Heller
Councilmember Marc Levine
Councilmember Andrew McCullough
City of San Rafael
1400 Fifth Avenue
PO Box 151560
San Rafael, CA 94915-1560



Via email with hard copy to follow

September 6, 2012

Re: Proposed Ordinance Banning Disposable Polystyrene Food Packaging

Dear Mayor Phillips and Councilmembers:

The Marin Conservation League has been actively engaged in protecting and preserving Marin's natural assets for over 75 years. MCL has whole-heartedly supported the "Zero Waste Marin" efforts to reduce the volume of "trash" disposed of in landfills, and the volume of litter that fouls our waterways, roads and public spaces. Each year MCL sponsors coastal cleanup activities throughout the county and, specifically, we sponsor a cleanup in San Rafael. We are well aware of the enormous volume of litter that ends up in our waters and the need to address this problem.

Accordingly, we write in support of San Rafael's proposed ordinance to ban disposable polystyrene food packaging. We believe this is an important step forward in reducing landfill waste and litter. We understand that similar ordinances in Marin, and throughout California, have worked well, without disruption of the affected businesses.

While we support this proposed ordinance, we feel it is important that similar laws be put into effect county wide so that there is one county wide approach to this important issue. We urge San Rafael to work with the county and with its sister cities in Marin to realize this goal. We will play our part in supporting the adoption of such ordinances throughout Marin.

MCL would also like to take this opportunity to urge the City of San Rafael to adopt an ordinance on the related topic of regulating single-use bags. Specifically, we ask the city to ban the use of such bags, and to impose a fee on single-use paper bags at least equal to their cost. Dozens of California cities and counties have now adopted single-use bag laws, many of these in the past year. The failure of Marin cities to act on this important issue has only undercut the County's efforts and is unfair to consumers and merchants.

We have heard that Marin's cities are doing nothing because they are afraid of being sued by the plastic bag industry. Since Manhattan Beach was decided the plastic bag industry has publicly

PHONE: 415.485.6257
FAX: 415.485.6259

EMAIL: mcl@marinconservationleague.org
URL: www.marinconservationleague.org

ADDRESS: 1623-A Fifth Avenue
San Rafael, CA 94901



stated that it will not sue smaller jurisdictions under CEQA. This is confirmed by the fact that many other California cities and counties have adopted such ordinances over the past year, some of which are significantly larger than San Rafael, without being sued. Moreover, if the City has been waiting for action at the State level, we understand that the prospects for such action anytime soon have evaporated.

Thank you for your consideration of our views.

Sincerely,


Susan Stompe
President

cc: Nancy Mackle, San Rafael City Manager
Bob Brown, Interim Community Development Manager, City of Novato