

March 19, 2012

Mr. John Muller, Chair
Attn: Mr. Dale Bowyer - dbowyer@waterboards.ca.gov
San Francisco Bay Regional Water Quality Control Board
1515 Clay Street, Suite 1400
Oakland, CA 94612

Dear Mr. Muller:

I am writing because I just became aware of a new report by Bay Area Stormwater Management Agencies Association (BASMAA) titled *Trash Load Reduction Tracking Method (TLRTM)*. As I understand the issue, this report is intended to provide guidance and suggested public policies to reduce litter and trash in our communities. While this is certainly a laudable goal, I understand that local governments can receive “credit” toward this overall reduction by passing laws that would ban certain types of packaging products.

Such a suggestion raises several questions. Why are only certain types of packaging targeted for prohibition? If a restaurant provides its customers with food “to-go”, that restaurant must provide some type of container to hold the food. Would banning one container type eliminate litter? On the contrary, it seems that this suggested policy would only change the types of litter found along the roadside or in our creeks. If reducing “trash” is the goal, how does this policy help meet that objective?

Has this report factored in the various environmental tradeoffs associated with banning one type of product? Presumably replacement products will have some impact on the environment – greenhouse gas emissions, water use, etc. and therefore it makes no environmental sense to impose a mandate that in the end could cause a greater impact on the environment. Finally, has the report examined the potential economic impacts of these recommendations, specifically the cost to small businesses that would be forced to use higher priced replacement packaging?

I believe these are important questions that need to be fully addressed before this report is finalized. I am troubled by the notion that government would suggest yet another regulatory burden on our community that seems to have little, if any benefit to the environment or the economy. I believe you should reject any policy that proposes to “ban” certain types of packaging. I look forward to engaging in this effort to ensure that the views of my organization, its members, and the community are heard. Thank you for allowing me to express my concerns.

Sincerely,

James Brady
VP Con10u.Inc.

Cc: Members, San Francisco Bay Regional Water Quality Control Board
Ed Lombard