



April 1, 2021

**TO:** LOCSD Board of Directors

**FROM:** Ron Munds, General Manager

**SUBJECT: Agenda Item 3A- 04/01/2021 Board Meeting**

Consideration of letter to the San Luis Obispo County Integrated Waste Management Authority (IWMA) supporting a prohibition of the sale and use of expanded polystyrene (polystyrene) in San Luis Obispo County.

**President**

Christine M. Womack

**Vice President**

Matthew D. Fourcroy

**Directors**

Charles L. Cesena

Troy C. Gatchell

Marshall E. Ochylski

**General Manager**

Ron Munds

**District Accountant**

Robert Stilts, CPA

**Unit Chief**

Eddy Moore

**Battalion Chief**

Paul Provence

**Mailing Address:**

P.O. Box 6064  
Los Osos, CA 93412

**Offices:**

2122 9<sup>th</sup> Street, Suite 110  
Los Osos, CA 93402

**Phone:** 805/528-9370

**FAX:** 805/528-9377

www.losososcsl.org

**DESCRIPTION**

In 2019, the IWMA Board of Directors adopted an ordinance prohibiting the sales and use of expanded polystyrene foam (polystyrene) products within the County of San Luis Obispo. The prohibition was scheduled to take effect six months after the adoption date of September 11, 2019. Due to the COVID-19 pandemic, the implementation of the ordinance was postponed to April 9, 2021. The IWMA Board is now considering rescinding the ordinance.

**STAFF RECOMMENDATION**

Staff recommends:

- 1. Provide direction on a letter (attached) to IWMA as deemed appropriate and authorize the President to sign and send a letter to the IWMA Board.***
- 2. Direct staff to provide the letter directly to Robert Enns, the Special District representative on the IWMA Board.***

**DISCUSSION**

**Background**

In 2019, the IWMA Board of Directors adopted an ordinance prohibiting the sales and use of polystyrene products within County of San Luis Obispo. The ban was scheduled to take effect six months after the adoption date of September 11, 2019. Due to the COVID-19 pandemic, the implementation of the ordinance was postponed to April 9, 2021. The IWMA Board is now considering rescinding the ordinance on April 14, 2021.

In February 2021, the Board received a correspondence from an Oceano CSD Board member requesting that the District's Board support for the IWMA's ordinance prohibiting the use and sale of polystyrene in the county. At the March 4, 2021 Board meeting, after hearing public comment regarding the rescinding of the polystyrene ordinance, the Board expressed interest in sending a letter of support for the prohibition to the IWMA Board and Mr. Robert Enns, the Special District representative on the IWMA Board. The Board directed staff to prepare a draft letter and agendize the item for discussion at the next Board meeting. Per the direction, attached to this report is a draft letter for your consideration.

## **Dangers of Polystyrene**

Polystyrene contains the toxic substances Styrene and Benzene, which are suspected carcinogens and neurotoxins that are hazardous to humans. Polystyrene food containers leach the toxin Styrene when coming in contact with warm food or drink, alcohol, oils and acidic foods causing human contamination and posing a health risk to people. Polystyrene is harmful to the environment because it is a durable material that is not biodegradable, taking several decades to hundreds of years to deteriorate in the environment or landfill. Its foam structure allows it to break down easily into smaller pieces, making it more difficult and expensive to remove from the environment. Due to the lightweight nature, floatability and prevalence of the material to be blown around even when properly disposed of, it travels easily through gutters and storm drains, eventually reaching the ocean. The material absorbs pollutants like sponges, picking up and concentrating contaminants in the environment. As polystyrene litter moves through the environment, fish and wildlife mistake it as food and ingest the plastic. Several studies approximate plastic products, including polystyrene, make up 80-90% of floating marine debris.

In February 2021, the Board received a correspondence from an Oceano CSD Board member requesting that the District's Board support for the IWMA's ordinance prohibiting the use and sale of polystyrene in the county. At the March 4, 2021 Board meeting, after hearing public comment regarding the rescinding of the polystyrene ordinance, the Board expressed interest in sending a letter of support for the prohibition to the IWMA Board and Mr. Robert Enns, the Special District representative on the IWMA Board, and directed staff to prepare a draft letter and agenda item for discussion at the next Board meeting. Per the direction, attached to this report is a draft letter for your consideration.

## **FINANCIAL IMPACT**

There is no direct financial impact to the District associated with the recommended action.



April 2, 2021

Board of Directors  
San Luis Obispo County Integrated Waste Management Authority  
870 Osos Street  
San Luis Obispo, CA 93401

**RE: IWMA Ordinance 2021-3-1, Repealing Ordinance 2019-1**

Dear IWMA Board Members,

**President**

Christine M. Womack

**Vice President**

Matthew D. Fourcroy

**Directors**

Charles L. Cesena  
Troy C. Gatchell  
Marshall E. Ochylski

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At the April 1, 2021 Los Osos CSD Board of Directors meeting, the Board discussed the above referenced IWMA ordinance at length. Los Osos, being a coastal community, whose ocean waters are impacted by litter and more importantly plastic products including expanded polystyrene (EPS) products, the Board voted unanimously to voice their support for the prohibition of the use of this highly toxic product.

The Board noted that with the strong leadership of five of the seven cities in the county that have already enacted prohibitions, the business community is well on its way in transitioning away from EPS to more sustainable products. The findings in the preamble of Ordinance 2019-1 still hold true today, those being:

- Items made from EPS are not biodegradable and in many cases, not recyclable. Polystyrene and EPS break into small pieces and because they are lightweight, may be picked up by the wind even when they have been disposed of properly.
- EPS as litter are highly durable. EPS litter is present in parks and public places, streets and roads, waterways and storm drains and may ultimately float, or be blown, into the Pacific Ocean.
- Take-out food and beverage packaging that is reusable, biodegradable, and recyclable is the most responsible and sustainable choice for San Luis Obispo County's tourist economy, its citizenry, and its environment. When products are reusable or recyclable, natural resources are spared, and less energy and resources are used to produce new products.
- Regulating the use of EPS will help maximize the operating life of landfills and help protect the natural environment from contamination and degradation

Ordinance 2019-1 addresses all these issues. We urge the Special Districts representative, Mr. Enns, and the entire IWMA Board to vote against repealing this very important ordinance.

Sincerely,

Christine Womack  
President of the Board  
Los Osos Community Services District

**Mailing Address:**

P.O. Box 6064  
Los Osos, CA 93412

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**Phone:** 805/528-9370

**FAX:** 805/528-9377

[www.losososcscsd.org](http://www.losososcscsd.org)

**San Luis Obispo County**  
**Integrated Waste Management Authority**  
**ORDINANCE NO. 2019-1**

**AN ORDINANCE REGULATING POLYSTYRENE AND EXPANDED POLYSTYRENE (EPS)  
FOOD CONTAINERS AND PRODUCTS**

**WHEREAS**, the San Luis Obispo County Integrated Waste Management Authority (“IWMA”) is a joint powers agency established pursuant to California Government Code Section 6500 and empowered by its member jurisdictions to exercise the members’ common powers to achieve the mandates imposed by the Integrated Waste Management Act of 1989 (AB 939) on a regional basis; and

**WHEREAS**, items made from Polystyrene and Expanded Polystyrene (“EPS”) are not Biodegradable and in many cases, not Recyclable. Polystyrene and EPS break into small pieces and because they are lightweight, may be picked up by the wind even when they have been disposed of properly; and

**WHEREAS**, Polystyrene and EPS as litter are highly durable. Both Polystyrene and EPS litter are present in parks and public places, streets and roads, waterways and storm drains and may ultimately float, or be blown, into the Pacific Ocean; and

**WHEREAS**, take-out food and beverage packaging that is Reusable, Biodegradable, and Recyclable is the most responsible and sustainable choice for San Luis Obispo County’s tourist economy, its citizenry, and its environment. When products are reusable or recyclable, natural resources are spared, and less energy and resources are used to produce new products; and

**WHEREAS**, regulating the use of Polystyrene and EPS will help maximize the operating life of landfills and help protect the natural environment from contamination and degradation; and

**WHEREAS**, the IWMA Board of Directors considered taking action on Polystyrene and EPS at prior IWMA Board Meetings and has directed staff to develop an ordinance to prohibit the use of Polystyrene and EPS containers, trays, cartons, and non-encapsulated products.

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Directors of the San Luis Obispo County Integrated Waste Management Authority as follows:

**SECTION 1. Recitals.**

The above recitals are true and correct and incorporated herein by this reference as the findings of the IWMA Board of Directors.

## **SECTION 2. Environmental Determination.**

The proposed ordinance is exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Further, the proposed Ordinance is exempt from CEQA on the separate and independent ground that it is an action of a regulatory agency for the protection of the environment because, among other things, it will regulate the use and sale of Polystyrene and EPS and reduce the amount of Polystyrene and EPS that enter local landfills and waterways. Thus, this Ordinance is categorically exempt from the requirements of CEQA under Section 15308 of Title 14 of the California Code of Regulations as an action by a regulatory agency for the protection of the environment.

## **SECTION 3. Definitions.**

- A. “Affordable” means that a Biodegradable or Recyclable product may cost up to fifteen percent more than the purchase cost of comparable Polystyrene and EPS alternatives.
- B. “Biodegradable” means all the materials in the product or package that will break down, or otherwise become part of usable soil-conditioning material such as but not limited to uncoated paper, sugar cane, wood, or bamboo. This ordinance specifically prohibits Bioplastics and other compostable Plastics as replacements, because Bioplastics contaminate recycling systems and compostable Plastics contaminate the IWMA Regional composting system.
- C. “Bioplastic” is a type of biodegradable plastic derived from biological substances rather than from petroleum.
- D. “Disposable Food and Beverage Containers” is interchangeable with “to-go” packaging, “dine-in” packaging, “food and/or beverage packaging material”, and means all containers that are used to hold Prepared Food or Beverages. Disposable Food and Beverage Containers include but are not limited to clamshells, bowls, plates, utensils, trays, wrappers or wrapping, platters, condiment containers, cartons, cups, and drink ware that are made of Polystyrene or EPS.
- E. “Egg Carton” means a carton for eggs sold to consumers from a refrigerator case or similar appliance.
- F. “Events Promoter” means an applicant for any event permit issued by an IWMA Member Jurisdiction or any IWMA Member Jurisdiction employee(s) responsible for any IWMA Member Jurisdiction organized event.
- G. “Expanded Polystyrene” or “EPS” means blown, expanded, and extruded Polystyrene or other EPS plastic foams which are processed by any number of techniques including, but not limited to, fusion of monomer spheres (expanded bead plastic), injection molding, foam molding,

and extrusion-blown molding (extruded plastic foams). Expanded Polystyrene and other plastic foams are generally used to make cups, drink ware, bowls, plates, trays, clamshell containers, meat trays, ice chests, shipping boxes, and packing peanuts. The Resin Code for polystyrene is '6' or 'PS,' either alone or in combination with other letters. This definition applies to all Polystyrene or EPS food service ware, packing or shipping material, or non-encapsulated marine devices regardless of whether it exhibits a Resin Code.

H. "Expanded Polystyrene Products" or "EPS Products" means any product made from Polystyrene or EPS, but is not limited to clamshells, bowls, plates, utensils, trays, wrappers or wrapping, platters, condiment containers, cartons, cups, drink ware, as well as non-encapsulated coolers, containers, ice chests, marine buoys, shipping boxes, packing peanuts, or other packaging materials. The Resin Code for polystyrene is '6' or 'PS,' either alone or in combination with other letters. This definition applies to all polystyrene food and beverage service ware and non-encapsulated products regardless of whether it exhibits a Resin Code.

I. "Food and Beverage Provider" means any establishment or organization located within an IWMA Member Jurisdiction that is a provider of Prepared Food and Beverages for public consumption including, but not limited to, any store, supermarket, delicatessen, restaurant, shop, caterer, farmers market, non-profit entity, vending machine, or mobile food Vendor.

J. "IWMA Member Jurisdiction" includes the County of San Luis Obispo, the Authorized District members of the IWMA, and the Cities of Arroyo Grande, Atascadero, Grover Beach, Morro Bay, Paso Robles, Pismo Beach, and San Luis Obispo.

K. "IWMA Region" means the geographic area that includes the unincorporated area of San Luis Obispo County, California, and the seven incorporated cities within San Luis Obispo County.

L. "Non-encapsulated Marine Devices" means any device non-encapsulated used as a floatation aid. Examples include but are not limited to marine buoys and dock floats.

M. "Prepared Food and Beverage" means food or beverages that are (1) ready to consume without any further food preparation, alteration, or repackaging; and (2) prepared, provided, sold, or served by a Food and Beverage Provider using any cooking, packaging, food preparation or beverage preparation technique (e.g., cooked, chopped, sliced, mixed, brewed, frozen, squeezed, or otherwise prepared within an IWMA Member Jurisdiction). Prepared Food and Beverages may be eaten either "dine-in" or "take-out" from the Food and Beverage Provider's premises.

N. "Polystyrene" means a thermoplastic petrochemical material utilizing the styrene monomer, including but not limited to, rigid polystyrene or Expanded Polystyrene, processed by any number of techniques, including but not limited to fusion of polymer spheres (expandable bead polystyrene), injection molding, Expanded Polystyrene molding, or extrusion-blown molding (extruded polystyrene), and clear or solid polystyrene (oriented polystyrene). The Resin

Code for polystyrene is '6' or 'PS,' either alone or in combination with other letters. This definition applies to all polystyrene food service ware, regardless of whether it exhibits a Resin Code.

O. "Polystyrene Packing Material" means Polystyrene or EPS material used to hold, cushion, or protect items packed in a container for shipping, transport, or storage, including shipping boxes and packing peanuts.

P. "Recyclable" means any material that is specified as recyclable in a franchise agreement within the boundaries of San Luis Obispo County including, but not limited to, aluminum, tin and bi-metal cans, clear and colored glass containers, high density polyethylene (HDPE), polyethylene terephthalate (PET), corrugated cardboard, and paper.

Q. "Resin Code" means a resin identification code placed on plastics to identify the material composition for separation of different types of plastics for recycling or disposal.

R. "Reusable Food Service Ware" means any product designed to be used over and over for serving, consuming, or transporting prepared food and raw food, including but not limited to reusable plates, bowls, trays, utensils, wrappers or wrapping, platters, cartons, condiment containers, cups or drink ware, or any container in or on which prepared foods and raw foods are placed or packaged for consumption.

S. "Supplier" means anyone selling, distributing, or otherwise supplying food and beverage service ware, packaging, and Non-encapsulated Marine Devices to any business, store, supermarket, delicatessen, restaurant, shop, caterer, farmers market, vending machine, or mobile food Vendor doing business in the IWMA Region.

T. "Tray" means any packaging used to contain, support, or encase meat, seafoods, vegetables, and other products.

U. "Vendor" means any store or business which sells or offers goods, services, or merchandise, located or operating within an IWMA Member Jurisdiction, including those referenced in the definition of "Food Provider."

#### **SECTION 4. Polystyrene and EPS Disposable Food Containers are Prohibited.**

A. Food and Beverage Providers within the IWMA Region may not provide Prepared Food and Beverages in or provide separately any Disposable Food and Beverage Container made from Polystyrene or EPS except as exempted in Section 7.

B. Disposable Food Containers made from Polystyrene or EPS are prohibited from use in all IWMA Member Jurisdiction stores or businesses which sell or offer goods, services, or merchandise.

C. IWMA Member Jurisdiction contractors in the performance of IWMA Member Jurisdiction contracts and event promoters may not provide Prepared Food and Beverages in Disposable Food and Beverage Containers made from Polystyrene or EPS.

D. Food and Beverage providers are prohibited from using, providing, distributing, or selling Polystyrene or EPS.

**SECTION 5. Required Reusable, Biodegradable, or Recyclable Disposable Food Containers.**

A. All Food and Beverage Providers within IWMA Member Jurisdictions utilizing “to-go” or “dine-in” Food and Beverage Containers shall use Reusable, Biodegradable, or Recyclable products.

B. All IWMA Member Jurisdiction stores or businesses which sell or offer goods, services, or merchandise utilizing “to-go” or “dine-in” Food and Beverage Containers shall use Reusable, Biodegradable, or Recyclable products.

C. IWMA Member Jurisdiction contractors and event promoters utilizing “to-go” or “dine-in” Food Containers shall use Reusable, Biodegradable, or Recyclable products while performing under IWMA Member Jurisdiction contract or permit.

**SECTION 6. Prohibited Sales.**

No Vendor, Supplier, or Events Promoter in the IWMA Member Jurisdiction may sell or otherwise provide any Polystyrene or EPS product which is not wholly encapsulated or encased within a more durable material, except as exempted in Section 7. This specifically includes, but is not limited to clamshells, bowls, plates, utensils, trays, wrappers or wrapping, platters, condiment containers, cartons, cups, and drink ware as well as non-encapsulated coolers, containers, ice chests, marine buoys and dock floats, shipping boxes, packing peanuts, or other packaging materials. The Resin Code for polystyrene is ‘6’ or ‘PS,’ either alone or in combination with other letters. This applies to all Polystyrene and EPS Food and Beverage service ware and non-encapsulated products regardless of whether it exhibits a Resin Code.

**SECTION 7. Exemptions.**

A. The IWMA Board or designee may exempt a Food Provider from the requirements set forth in Section 4.A. of this Ordinance for a one-year period upon the Food and Beverage Provider showing, in writing, that this ordinance would create an undue hardship or practical difficulty as evidenced by no alternatives being available or if such alternatives are not Affordable. The IWMA Board or Executive Director shall put the decision to grant or deny a one-year exemption in writing, and the decision shall be final.



B. Exemption to allow for the sale or provision of Polystyrene or EPS products may be granted by the IWMA Board or Executive Director if the Vendor can demonstrate in writing a public health and safety requirement or medical necessity to use the product. The IWMA Board or Executive Director shall put the decision to grant or deny the exemption in writing, and the decision shall be final.

C. An exemption application shall include all information necessary for the IWMA Board or Executive Director to make a decision, including but not limited to documentation showing factual support for the claimed exemption. The IWMA Board or Executive Director may require the applicant to provide additional information.

D. The IWMA Board or Executive Director may approve the exemption application in whole or in part, with or without conditions.

E. Products made from Polystyrene or EPS which are wholly encapsulated or encased by a more durable material are exempt from the provisions of this ordinance. Examples include, but are not limited to surfboards, life preservers, coolers, and craft supplies which are wholly encapsulated or encased by a more durable material.

F. Construction products made from Polystyrene or EPS are exempted from this ordinance if the products are used in compliance with an IWMA Member Jurisdiction's applicable municipal code for buildings and construction and used in a manner preventing the Polystyrene or EPS from being released into the environment.

G. In a situation deemed by the IWMA Executive Director or designee to be an emergency for the immediate preservation of the public peace, health, or safety. IWMA Member Jurisdiction facilities, Food and Beverage Providers, IWMA Member Jurisdiction contractors, and Vendors doing business with the IWMA Member Jurisdictions shall be exempt from the provisions of this section.

H. Polystyrene or EPS packaged products, which have been received from sources outside the IWMA Region and are home, business, or job-site delivered (e.g. residents or businesses ordering products online or in-store and having them delivered to their home or job-site) shall be exempt from the provisions of this section.

#### **SECTION 8. Violations and Enforcement.**

A. The IWMA may enforce the provisions of this Ordinance through a civil action for civil penalties in the amounts established herein, and any other civil remedy, including prohibitory and mandatory injunction relief, filed in the Superior Court of the County of San Luis Obispo to compel and enforce the provisions herein against any Food and Beverage provider or Vendor within San Luis Obispo County in violation of this Ordinance. In addition to any relief available

to IWMA to enforce this Ordinance, the IWMA shall also be entitled to recover reasonable attorneys' fees and costs incurred in enforcing this Ordinance.

B. For any violation of this Ordinance, the IWMA may sue to recover civil penalties in the amount of \$1,000.00 per day for every day on which a violation exists. For purposes of calculating the civil penalties to be established hereunder, each day on which the Food and Beverage provider or Vendor fails to comply with the requirements of this Ordinance, after having received a written notice of violation issued by the IWMA, shall constitute a separate offense.

C. In lieu of the civil penalties identified in Section 8 (B), the Executive Director may, in his/her discretion, take the following actions with regard to a Food and Beverage Provider or Vendor not in compliance:

1. Issue a written warning in which the violating party has ninety (90) days to comply.
2. Issue fines as follows:
  - i. A fine of one hundred dollars (\$100.00) for the first violation after a written ninety (90) day warning notice is given.
  - ii. A fine of two hundred dollars (\$200.00) for the second violation.
  - iii. A fine not exceeding five hundred dollars (\$500.00) for the third and any future violations.
3. For the first violation, the IWMA or designee may allow the violating Food and Beverage Provider or Vendor, in lieu of payment of the administrative fine, to submit receipts demonstrating the purchase after the citation date of Reusable, Biodegradable, or Recyclable products in an amount equal to the amount of the citation.

D. In addition to the civil relief available to the IWMA set forth above, any violation of this Ordinance shall also constitute a misdemeanor punishable under the laws of the State of California. The District Attorney, the County Counsel, or any City Attorney shall be authorized to enforce the provisions of this Ordinance within their respective jurisdictions. In the event of such criminal enforcement, the following criminal penalties apply to violations of this Ordinance:

1. Violation of Misdemeanor. Violations of the provisions of this Ordinance or failure to comply with any of its requirements shall constitute a misdemeanor.
2. The San Luis Obispo County Sheriff's Department and/or any other police department or law enforcement agencies located within the IWMA's jurisdiction may

issue a Notice to Appear Citation for any misdemeanor pursuant to California Penal Code Section 853.6 for any violation of this Ordinance.

3. Penalty for Misdemeanor. Any Food and Beverage provider or Vendor found to be in violation of any provision of this Ordinance, or who fails to comply with any of its requirements shall upon conviction thereof be punished by imprisonment in the county jail for not more than six months, or be fined not more than one thousand dollars (\$1,000.00), or both. Each day such violation continues shall be considered a separate offense.

E. To the extent any Member Jurisdictions have adopted code enforcement Ordinances applicable to their jurisdictions, this Ordinance may be enforceable by said governmental entities under said Ordinances as land-use or code-enforcement violations consistent with said Ordinances.

F. The remedies provided by this section are cumulative and in addition to any other remedies available at law or in equity.

#### **SECTION 9. Severability.**

If any subdivision, paragraph, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforcement of the remaining portions of this ordinance. It is the IWMA's express intent that each remaining portion would have been adopted irrespective of the fact that any one or more subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid or unenforceable.

#### **SECTION 10. Effective Date.**

This Ordinance was introduced, and the title thereof read, at the regular meeting of the IWMA Board of Directors on September 11, 2019, and further reading was waived by a majority vote of those Directors present.

This Ordinance shall take effect and be in full force on and after six (6) months from the date of its passage and before the expiration of fifteen (15) days from the date of its passage, it shall be published once with the names of the members of the Board of Directors voting for and against the same, said publication to be made in a newspaper of general circulation published in the County of San Luis Obispo.

On a motion by Director Adam Hill, seconded by Director Bruce Gibson, the foregoing Ordinance was passed and adopted by the Board of Directors of the San Luis Obispo County Integrated Waste Management Authority, this 9<sup>th</sup> day of October 2019, by the following vote:


AYES: Directors Sheila Blake, Charles Bourbeau, Bruce Gibson, Steve W. Martin, Adam Hill, Jeff Lee, Keith Storton, President Aaron Gomez

NOES: Directors Debbie Arnold, John Peschong

ABSENT: Directors Lynn Compton, Jeff Heller, Robert Enns

ABSTAIN: None

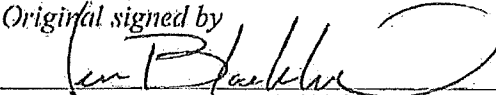
*Original signed by*



\_\_\_\_\_  
Aaron Gomez, President  
San Luis Obispo County  
Integrated Waste Management Authority

ATTEST:

*Original signed by*



( \_\_\_\_\_  
IWMA Interim Board Secretary

3/25/2021

You are all probably aware that recently the IWMA board voted to repeal the county wide ban on polystyrene that was due to go into effect April 9. I don't need to remind you of the environmental and health problems with polystyrene, and that five of seven cities in SLO county have banned it. The polystyrene ban enjoys popular support of the citizens of this county.

You are likely also aware that the proponents of the ban claim that is in not about polystyrene, but about government overreach, and that the IWMA should only be enforcing state and federal mandates. They also claim that this mandate should be retroactive, and hence the attempt at repealing the polystyrene ban. No, I think this is just typical conservative mantra...if it is for the environment, they are against it, and instead of showing leadership, lets move backwards.

You are also aware that Robert Enns is the CSD representative and the chairman of the board. He has evidently been in that position too long—twenty years—because he is failing to represent the Los Osos CSD and the citizens of Los Osos. He should be replaced immediately.

Full disclosure: I was born and raised in San Luis Obispo, and currently live in Los Osos.

—Tim Rich

“The person that loses their conscience has nothing left worth keeping.” —Issac Walton

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03/11/2021

Dear Los Osos Board:

I'm writing again to inform you about yesterday's IWMA meeting and to request your support.

The IWMA Board voted 7-6 to approve Ord. 2021-3-1 which will repeal the countywide polystyrene ordinance. Special districts representative Robert Enns, who represents the nine SLO County Authorized Districts that provide solid waste services, voted in favor of repeal. At a hearing on April 14, the final vote will be taken, so your Board still has time to weigh in.

Based on my inquiries, it appears that for many years Mr. Enns has been acting on his own without keeping the Districts informed or seeking feedback on important matters before the IWMA.

See the MOU here, particularly section 2:

<https://www.iwma.com/wp-content/uploads/2019/07/MOU-Between-Member-Jurisdictions.pdf>

Mr. Enns has served as the Districts' IWMA representative for 20 years and there is no alternate. It is clear that due to his lack of consultation with the Districts and recent unrepresentative vote, Mr. Enns is not adequately fulfilling his duties.

I respectfully request that you agendize discussion of removing Mr. Enns and appointing me as the Authorized Districts representative to the IWMA. You have my pledge that I will provide real representation and restore accountability to this role.

Thank you for your consideration.

Best,  
Cynthia Replogle, Director  
[Oceano Community Services District](#)  
805-321-0073

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03/10/2021

I am deeply concerned about the info I just heard of an attempt to ignore or overturn plastic and polystyrene ban in SLO. Linty. The damage such does to the environment is unsustainable

This has bit had opportunity to be addressed and supposedly Enns is pushing this for some unknown reason I am asking the CSD BOARD to voice concerns and please support the original ordinance 2019-1 Which was to have taken effect --

Richard Grise, Cayucos

(805)441-7864

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03/10/2021

IWMA Board of Directors

Robert Enns, President

March 10, 2021

Dear IWMA Board and Mr. Robert Enns,

I had hoped to join the board meeting today by Zoom, but was called in to volunteer at the vaccine clinic so cannot be there.

As a resident of Los Osos I urge your board to vote NO on Ordinance 2021-3-1 on March 10, 2021.

I do request that you Instead endorse IWMA Polystyrene Ordinance 2019-1 per the original intent.

As you know the original Ordinance passed in 2019 by a large majority.

It was held and not enacted because of the COVID Pandemic. That made good sense.

With the vaccine rate increasing every day, now is the time to consider gradually placing

It into action. What has changed to make this board decide to reverse the 2019 vote?

Have the polystyrenes suddenly become safe? Compostable or reusable?

No they have not.

I am concerned about the burgeoning problem of Polystyrene plastic debris polluting the parks, streets and ends up in the landfills, the ocean, and killing sea life. Polystyrenes are a major threat to sea creatures and mammals.

They pollute our beaches and end up as trash in the sea; they may break down into minute particles, but do not ever decompose.

Once ingested they eventually go up the food train to human consumption.

The oceans are already suffering the severe effects of decades of human trash accumulating into the Pacific garbage patch.

<https://www.nationalgeographic.org/encyclopedia/great-pacific-garbage-patch/>

I must also express my concern that Robert Enns, the IWMA board President for twenty years who voted to rescind the original Ordinance and also represents all the districts in the county, has never queried any of the individual CSD Boards for approval of his vote prior to a meeting. How can that be considered a legal vote?

I am asking the CSD Board of Directors to voice their concern regarding this matter to Mr. Enns and the entire IWMA board.

I also request that the LOCSD should agendaize the issue for their April meeting. There is still time to affect the IWMA board at their April meeting.

I also support a consideration to allow each CSD board the authority to enact a Styrofoam ban in their own jurisdiction.

Please support the original Polystyrene Ordinance 2019-1. Remove the jail time threat. Not needed.

Thank you for your consideration of my request.

Regards,

Vita Miller  
1205 Bay Oaks Dr.  
Los Osos, CA 93402  
805-704-3173

Cc: Los Osos Community Services District Board of Directors  
03/10/2021

03/10/21

"As a resident of Cayucos, I urge you to vote NO to Ordinance 2021-3-1 [on March 10](#). Instead I beseech you to endorse IWMA Polystyrene Ordinance 2019-1 per the original intent.

I am concerned about the burgeoning problem of Polystyrene plastic debris polluting the parks, streets and ends up in the landfills, the ocean, and killing sea life. I am a member of the Ocean Conservancy and they have collected several years of data showing strong evidence of the damage polystyrene has inflicted on many species in our oceans, lakes and streams. This MUST be considered and prove once and for all that banning polystyrene is THE ONLY ANSWER!!

I am concerned that Robert Enns, the IWMA board President has never queried any of the individual CSD Boards for approval of his vote prior to a meeting.

I am asking the CSD Board of Directors to also voice their concern to Mr. Enns regarding this practice. Please support the original Polystyrene Ordinance 2019-1.

Respectfully,  
Nancy Albee RN  
For the environment,

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03/09/2021

Mr. Enns and members of the IWMA board:

I live in Los Osos. We have a CSD that Mr. Enns has not consulted about anything, let alone repealing Ordinance 2019-1, the banning of styrofoam. I pay the IWMA a not insubstantial amount of money for trash services. Now, however, if 2019-1 is overturned, there will be even more trash of a particularly noxious type. It never breaks down and poisons everything from the top of the food chain to the bottom. There is a mandate to reduce trash, not make more of it.

As you know, there are fine alternatives to styrofoam -- compostable alternatives. In fact, a few years back us citizens found little plastic buckets in our yards to be used for, wait now, you're going to love it -- compostables!!! Food, yes! Bones, yes! Banana peels, avocado pits, orange peels . . . yes, yes, yes!!! SLO had the first in the nation facility to compost all this and MORE!!!! Yes -- even compostable carry out containers!!!!!! I was proud because I helped pay for it! 😊😊😊 So why in Sam Hill are you even considering going back on this technology? And another thing -- the actual new gray garbage toters, not the ones for recyclables or green waste, are teensy-tiny. How are we supposed to generate itsy bitsy amounts of trash when the unlistening powers that be are bent on creating more of it?

What's up with this? There's got to be a money trail -- always is. It stinks worse than the foulest trash. Do the right thing.

Alice Welchert

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03/08/2021

Dear SLO Integrated Waste Management Authority,

It is good public policy to look out for the health of our county residents, and reduce irreversible environmental pollution that can undermine the health of wildlife habitat.

Please stop the repeal, and implement the Polystyrene Ordinance passed in 2019.

Thank you,

Lisa Denker  
Baywood Park

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03/08/2021

I have been a resident of Los Osos for 45 years and I care deeply about the environment. I demand you vote NO on Ordinance 2021-3-1 and continue to support the original IWMA Polystyrene Ordinance 2019-1.

Products made of polystyrene are extremely difficult to recycle and end up as litter in our open spaces, oceans, creeks, and rivers. It breaks down into small toxic pieces that wildlife and aquatic animals consume perceiving it as food. It can block their digestive tracts resulting in starvation. It can take hundreds of years to degrade. **Nothing we use for a few minutes should be allowed to pollute our oceans and rivers and threaten wildlife for centuries.**

Many businesses have already switched to alternative products that are readily available. I only support businesses that have discontinued their use of polystyrene. Five cities in San Luis Obispo county have banned this product. It only makes sense for the remainder of the county and cities to ban it also.

**Vote NO on Ordinance 2021-3-1**

Marina Michel  
805-674-4322