



August 18, 2022

Betty Yee, Chair
Eleni Kounalakis, Member
Joe Stephenshaw, Member
California State Lands Commission
100 Howe Ave., Suite 100 South
Sacramento, CA 95825

RE: Item 48- Support for AB 1832, California Seabed Mining Prevention Act

Dear Chair Yee and Members Kounalakis and Stephenshaw,

The Surfrider Foundation and Monterey Bay Aquarium deeply appreciate your support of the *Seabed Mining Prevention Act* (AB 1832 - L. Rivas). This historic legislation will proactively protect California's seabed and marine resources from the harmful and destructive practice of seabed mining. In doing so, the bill will also protect our state's economy, including fisheries and ocean recreation and tourism industries, as well the social and cultural values associated with a healthy marine environment.

Natural resource managers in California are already struggling to balance a wide and growing array of competing demands on the nearshore ocean, ranging from traditional uses like fisheries and tourism to newer uses such as renewable energy and aquaculture. At the same time, the marine ecosystem is increasingly stressed by anthropogenic changes, especially those tied to a warming climate. In this context, AB 1832 provides a critical mechanism to protect and preserve intact seafloor habitat and biodiversity. Maintaining these foundational components of the ecosystem will increase ocean resilience in the face of these unprecedented pressures and changes.

Moreover, there is a growing body of scientific evidence that seabed mining would be an extremely risky proposition, with profound and in many cases irreversible effects including physical disturbance of the seabed, removal of biota, and loss of biodiversity. New research highlights the fact that mining impacts like sediment plumes and noise will be felt far above the seafloor in the midwater ecosystem, and that current scientific knowledge is insufficient to understand and manage those impacts. In recognition of these uncertainties, "do no more harm" is one of the most important strategies we can implement to steward our ocean resources and protect our coastal communities.

Thank you again for your leadership on this important issue.

Sincerely,

Sincerely,

Handwritten signature of Amy Wolfrum in black ink.

Amy Wolfrum
California Ocean Policy Senior Manager
Monterey Bay Aquarium

Handwritten signature of Laura Walsh in black ink.

Laura Walsh
California Policy Manager
Surfrider Foundation



**Monterey Bay
Aquarium®**

OCEANA

The Nature
Conservancy 

**Ocean
Conservancy®** 

August 19, 2022

Betty Yee, Chair
Eleni Kounalakis, Member
Joe Stephenshaw, Member
California State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento CA 95825

RE: Agenda Item 48 (August 23, 2022 meeting) - State Legislation (Senate Bill 54)

Dear Commissioners,

Thank you for your interest in California's new comprehensive single-use packaging and foodware law, Senate Bill 54 (SB 54). Recognizing the threat of single-use plastics to our oceans and our communities, our organizations united in the fight to drastically reduce plastic pollution. With the leadership of Senator Allen's office, and in partnership with local governments, environmental justice advocates, industry, and other environmental advocacy groups, we came together to negotiate a comprehensive approach to addressing the plastic pollution crisis. Our organizations led with the premise that we need to reduce the amount of single-use plastic packaging and foodware in the market in California.

We have reached a crisis point with plastic pollution. The impacts of plastic production, use, disposal, and pollution are disproportionately borne by low income and disadvantaged communities. And, every year, 11 million metric tons of plastics enter our ocean from land-based sources, much of which are single use, designed to be used once and then immediately discarded. And once out in the environment, these plastics pose a threat to wildlife and can break up and enter our food, drinking water, and even our bodies.

In addition to polluting our communities and harming ocean wildlife and ecosystems, plastics are a major contributor to the climate crisis. By 2030, greenhouse gas emissions from plastic production are expected to reach 1.3 billion tons, equivalent to 300 coal-fired power plants. Simply put, we cannot solve our global climate crisis without addressing unnecessary single-use plastics.

Despite years of research and advocacy elevating the problem, plastic production continues to grow, along with its associated threats to people and nature. The plastic production rate is projected to triple by 2050, and national recycling rates for plastics dropping to less than 6%.

As enacted on June 30, SB 54 represents the most ambitious and comprehensive program to address single-use plastic pollution in the nation. This new law establishes a baseline for the amount of single-use plastic sold or distributed into California and mandates a reduction of single-use plastic packaging and foodware by at least 25 percent over the next ten years. As part of this mandate, SB 54 requires producers eliminate unnecessary plastic packaging (without replacing it with alternative materials) and shift packaging to reuse and refill systems; both actions will ensure a meaningful, lasting decrease in plastic pollution and harmful greenhouse gas emissions that contribute to climate change. As the fifth largest economy in the world, California's bold policy solutions to mitigate the growing plastic pollution crisis by reducing unnecessary plastic, investing in the reuse and refill economy, and holding producers financially accountable for their packaging through extended producer responsibility will have ripple effects throughout the world.

SB 54 will also support California's transition to a circular economy by requiring that all single-use plastic packaging and foodware *actually* be recyclable or compostable and requiring high recycling rates for plastic packaging to stay in the market. By shifting the financial responsibility of recycling and composting off the public and onto the producers of single-use packaging and foodware, this policy will incentivize more sustainable product designs, encourage more efficient use of resources, and fund the infrastructure needed to manage single-use packaging and foodware waste. If single-use plastic packaging and foodware use in California continues to increase despite these incentives, SB 54 gives CalRecycle the authority to impose stricter requirements and ensure producers achieve greater reductions.

SB 54 also requires producers to pay \$5 billion into a plastic pollution mitigation fund -- \$500 million a year for ten years, starting in 2027. SB 54 prioritizes these funds requiring 60 percent (\$300 million) annually to go to address current and historical harms caused from plastic production and pollution that primarily and directly benefit disadvantaged, low income, and rural communities. And additional protections are provided to require that CalRecycle ensure any implementing regulations, and associated activities, including proposed infrastructure, avoid disproportionate harm to disadvantaged, low-income, and rural communities in California, as well as vulnerable communities outside the state. The remaining 40 percent (\$200 million) of the mitigation funding will go to recover, restore, and protect the natural environment from the harmful impacts of plastic pollution. Half of this funding (\$100 million), must primarily and directly benefit residents living in a disadvantaged or low-income community.

We thank Senator Ben Allen for his perseverance and continued leadership on this issue over the past several years, Assemblywoman Luz Rivas for strengthening the bill's environmental protections, and Governor Newsom for signing this landmark law.

We welcome the opportunity to engage with members of the State Lands Commission during SB 54 implementation and on other ocean protection efforts.

Thank you.

Sincerely,

Handwritten signature of Amy Wolfrum in black ink.

Amy Wolfrum
California Ocean Policy Senior Manager
Monterey Bay Aquarium

Handwritten signature of Tara Brock in blue ink.

Tara Brock
Pacific Counsel
Oceana

Handwritten signature of Jay Ziegler in black ink.

Jay Ziegler
Director of External Affairs & Policy
The Nature Conservancy, CA Chapter

Handwritten signature of Anja Brandon in black ink.

Anja Brandon, Ph.D.
U.S. Plastics Policy Analyst
Ocean Conservancy