



RESOLUTION #23-08

A RESOLUTION OF THE TREASURE COAST REGIONAL PLANNING COUNCIL SUPPORTING ACTION TO REDUCE THE USE OF SINGLE USE CARRYOUT PACKAGING; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Treasure Coast Regional Planning Council is a multi-purpose regional governmental entity with policy responsibility in the areas of affordable housing, economic development, emergency preparedness, energy, health, natural resources, urban planning, and regional transportation; and

WHEREAS, the Treasure Coast Regional Planning Council's geographical area is comprised of Indian River, Martin, St. Lucie, and Palm Beach counties and the 52 municipalities contained therein and home to over 2.1 million people; and

WHEREAS, the inlets, estuaries, rivers, lakes, wetlands, and aquifers of the Region are identified as Natural Resources of Regional Significance in the Strategic Regional Policy Plan (SRPP); and

WHEREAS, Regional Goal 6.5 of the SRPP calls for the protection of estuarine resources, including Policy 6.5.1.1 to improve the Indian River Lagoon; and

WHEREAS, single use carryout packaging including polystyrene and other plastics are major contributors to the presence of microplastics in our waterways including the Indian River Lagoon with negative effects on the wildlife and ecosystem; and

WHEREAS, recycling is not widely available for polystyrene and other plastic single use carryout packaging and is a major contributor to contamination at typical materials recovery facilities in the State; and

WHEREAS, at Florida beach and waterway clean ups, single use disposable bags have made up the largest category relative to all plastic categories, with a 93% increase by weight from 2013 to 2020; and

WHEREAS, free single use carryout packaging conceal the true cost to taxpayers in the form of clean ups, clogged stormwater infrastructure, contamination of recycling, and excess solid waste to be disposed of, are carried forward in consumer goods costs, and have a negative fiscal impact to tourism and marine industries; and

WHEREAS, in State Statute 403.7033 the Legislature found that prudent regulation of recyclable materials is crucial to the ongoing welfare of Florida's ecology and economy; and

WHEREAS, the Florida Department of Environmental Protection submitted an update to the 2010 Retail Bags Report to the Legislature on December 27, 2021, finding that scientific evidence of the potential harms of plastics in the environment has increased since 2010, as has public awareness of the issue; and

WHEREAS, the Florida Department of Environmental Protection submitted an updated 2010 Retail Bags Report which found that local government, residents, materials recovery facilities, and manufactures surveyed support additional waste reduction, reuse, and recycling of single use carryout packing through packaging fees.

NOW, THEREFORE, BE IT RESOLVED BY THE TREASURE COAST REGIONAL PLANNING COUNCIL THAT:

Section 1. The above recitals are declared to be true and correct and are hereby made a part of this Resolution.

Section 2. The Council expresses its support for action by the Florida Legislature based on the findings of the FDEP Retail Bags Report where the State would initiate policies for single use carryout packaging.

Such regulations should include:

- a. All retail businesses. Restaurants should be exempt but encouraged to use single use carryout packaging that considers long-term marine impacts if not properly disposed of or recycled.
- b. A minimum fee component for single use carryout packaging. The fee may be retained by the retailer or directed to the relevant local solid waste agency.
- c. A mandate to report on implementation by the appropriate agency within three years of adoption on the efficacy of the policies and shall include a stakeholder survey and evaluation metrics. The FDEP should consolidate this information and report to the Legislature.

Section 4. In the event that the Legislature does not implement the regulations above on a statewide basis, the Legislature should revise Section 403.7033 of the Florida Statutes to allow individual counties to implement single use carryout packaging regulations on a countywide basis within the County.

Section 3. In the event that the Legislature does not implement the regulations above on a statewide basis, the Legislature should revise Section 500.90 of the Florida Statutes to allow individual counties to implement regulations on polystyrene products on a countywide basis within the County.

Section 5. A copy of this Resolution shall be transmitted to the President of the Florida Senate, the Speaker of the Florida House of Representatives, the Treasure Coast Legislative Delegation, the Secretary of the Florida Department of Environmental Protection, and the other Regional Planning Councils.

DULY ADOPTED by the Treasure Coast Regional Planning Council this 15th day of December 2023.

Douglas Bournique
Chair

Thomas J. Lanahan
Executive Director