

**MINUTES
MIDDLESEX COUNTY
WATER RESOURCES ASSOCIATION/WATERSHED MANAGEMENT GROUP MEETING
HELD AT THE
MIDDLESEX COUNTY BOARD OF CHOSEN FREEHOLDERS MEETING ROOM
March 9, 2020
1:30 P.M.**

The meeting was called to order by Mr. Williams at 1:40 p.m. Notice of this meeting, pursuant to the Open Public Meetings Act, N.J.S.A. 10:4-10 and the NJ Water Quality Management Planning Rules, N.J.A.C. 7:15-9.3(b)7, have been complied with and are entered into the minutes of this meeting. A salute to the flag was observed prior to the start of today's meeting.

I. Roll Call

Attendance was as follows:

William Robins	Borough of Dunellen	Not present
Theodore Chase, Jr.	Township of Franklin	Not present
Freeholder Charles Kenny	Middlesex County Board of Chosen Freeholders	Not present
Alan Godber	Lawrence Brook Watershed Partnership, Inc.	Not present
Sewell Peckham	Borough of Helmetta	Not present
Dawn Mc Donald	Borough of Spotswood	Not present
Margaret Drozd		Not present
Michael Hill	Freehold Soil Conservation District	Not present
Tim Thomas		Present
Theodore Gassman	Middlesex Water Company	Present
Donald Newton	Borough of Sayreville	Not present
Gail Lalla	Middlesex County Planning Board	Not present
Siegfred Hubak	Township of Woodbridge	Not present
Alice Tempel	Borough of South Plainfield	Present
Brian Racin	Borough of South River	Not present
Bryan Bidlack	Township of South Brunswick	Not present
Leigh Jones	Township of East Brunswick Water and Sewage	Not present
Ron Yake	Township of Plainsboro	Present
Robert Noel	Monroe Township	Present
Heather Fenyk	Lower Raritan Watershed Partnership	Not present
Doriann Kerber		Present
George Ververides	Middlesex County Office of Planning	Present
Mirah Becker		Present
Laurie Sobel		Not present
Nicholas Tufaro		Present
Lori Kahel		Present
Alex Zakrewsky		Not present
Sharon Martens	Middlesex Cty. Office of Public Health –	Not present
Gary Rojek	Environmental Division	Not present
Ronald Sendner	Middlesex County Office of Engineering	Not present
Edward Kuchie		Not present
Kyle Clonan	NJ Water Supply Authority	Present
Wale Adewunmi	Middlesex County Utilities Authority	Not present
Daria Ludas	Borough of Jamesburg	Not present

I. Roll Call (continued)

Allan Williams	Highland Park Environmental Commission	Present
Rick Lear	Middlesex County Office of Parks and Recreation	Not present
Michele Bakacs	Rutgers Cooperative Extension	Not present
Sara Malone	Rutgers Sustainable Raritan Initiative	Not present
Suzan Colon	Old Bridge Twp. Environmental and Open Space Committee	Not present
David Hall	Township of Old Bridge	Not present
Bill Schultz	Raritan Riverkeeper	Present
Brandon Goldberg	City of New Brunswick	Not present
Scott Tarnoski		Not present
Joseph Meyer	SUEZ Water	Not present
Maximo Vazquez	City of Perth Amboy	Not present
Maritza Rodriguez		Not present
Bryan Cardenas		Not present
Edward Segotta	Borough of Carteret	Not present
Greg Remaud	NY/NJ Baykeeper	Not present
Tom Boccino	Somerset County	Not present
Steve Gottlieb	East Brunswick Township	Not present
Sean Kaplan	Borough of Middlesex	Not present
John Kranz	Middlesex County Mosquito Extermination Com.	Not present
Denise Marabello	Township of Cranbury	Not present
Barbara Rogers		Present
Chris Gianotto	Township of North Brunswick	Not present
Thomas Vigna		Not present
Dini Checko	ANJEC	Present
James Fogerty	Middlesex County Office of Information Technology	Present

I. Minutes of the Meeting of January 13, 2020

The minutes of the meeting of January 13, 2020 were distributed prior to today’s meeting.

A motion was made by Mr. Noel, seconded by Mr. Schultz and approved to adopt the minutes as distributed.

II. Presentation – Dini Checko - “Discussion of Single-Use Plastic Pollution & Call for Action for Regional, Local and Statewide Policies

Mr. Williams introduced Ms. Dini Checko who made a presentation on Single-Use Plastic Pollution & Call for Action for Regional, Local and Statewide Policies. Highlights of her presentation included an effort to stop plastic bag pollution in New Jersey, the problems with disposable bags, effectiveness of recycling efforts, bring you own bag policies and the ANJEC Model Single-Use Plastic Reduction Ordinance. (See attached handouts for more details)

Ms. Checko stated that currently there are 118 local ordinances managing single use plastic reduction. The only Middlesex County municipality that had adopted an ordinance was Highland Park, but she has been in conversation with Metuchen, Cranbury and a few other towns as well.

II. Presentation – Dini Checko - “Discussion of Single-Use Plastic Pollution & Call for Action for Regional, Local and Statewide Policies (continued)”

ANJEC would definitely provide support and education to any town who would need assistance with moving this effort forward. They are also encouraging regional efforts since having different ordinances in each town can become confusing and frustrating for residents and business owners.

Two counties (Camden and Bergen) have adopted resolutions banning single use plastics in all county facilities and countywide events. Ms. Checko had also been in conversations with Somerset and Hunterdon counties. A proposed Resolution Authorizing a Ban on the Use of Single-Use Plastic Bags, Polystyrene Foam Food Service Ware, Straws, Utensils and Similar Single-Use Plastics in All Middlesex County-Owned or Leased Facilities and At All County Sponsored Events was distributed for the members’ review (attached). She asked that the Middlesex County Board of Chosen Freeholders consider adopting this resolution as well.

Ms. Checko added that the State Senate recently adopted SA-864 which bans the use of single use paper or plastic bags and polystyrene containers and plastic straws given upon request in stores over 2,500 square feet. The bill still needs Assembly and the Governor’s approval. This is the third time ANJEC is trying to get the law approved. Ms. Checko encouraged the members to reach out to Assemblyman Coughlin to express their support of this bill.

Local support and education is key to this effort. The average American uses 500 bags per year multiplied by the population of New Jersey amounts to four (4) billion bags used annually. Education of students, especially middle schoolers, must be encouraged who will in turn educate their parents.

Mr. Williams stated that due to Home Rule, the County could not ban the use of single use plastic bags throughout the County. However, he asked the members if they would be willing to recommend the proposed resolution to the Freeholders. The members agreed with the proposal to pursue the resolution with the Freeholders. Mr. Williams thanked Ms. Checko for her presentation.

III. Presentation by Doriann Kerber: Watershed Educational Opportunities and Insights

Ms. Doriann Kerber spoke about some educational opportunities she participated in over the last few years. Ms. Kerber participated in the green infrastructure project with Dr. Obropta. This work led her to become a Green Infrastructure Champion. In order to maintain her Green Infrastructure Champion status, she was invited to become a member of the Lower Raritan Watershed Partnership (LRWP) Board.

Ms. Kerber spoke about LRWP engagement activities such as the Sculpture Project, Project WADES, #lookfortheriver Project, and Stream keepers. More exciting events are planned such the installation of rain gardens. Please visit the LRWP website at: <http://lowerraritanwatershed.org> for more details on LRWP programs.

Ms. Becker added that Dr. Heather Fenyk will be the guest speaker at the May WRA Meeting where she will present the water quality sampling results for the Raritan.

IV. Lawrence Brook Watershed Partnership (LBWP) (Alan Godber)

No report.

V. Lower Raritan Watershed Partnership (LRWP)

See above.

Mr. Tufaro invited everyone to the March 16, 2020 LRWP Meeting where a workshop on NJDEP's Connecting Habitat Across New Jersey Program will be held. The workshop will be held from 9:30 a.m. to 12 noon in the Middlesex County Freeholder Meeting Room.

VI. Manalapan Brook Watershed Protection and Restoration Plan (Freehold Soil Conservation District)

Mr. Thomas reported that FSCD met with NJDEP to give a Quarterly Progress Report. The next phase of programming has begun. There was some educational outreach done in Monroe. A project meeting was held to discuss programming for the next phase of the project. The team decided to design and contract for a treatment train at the Manalapan Lake Park Zoo. Please visit FSCD website at <https://freeholdsoil.org/conservation-projects/projects/> to view project videos.

VII. Middlesex County Flood Control Commissions

- **Green Brook Flood Control Commission (Middlesex County)**

Mr. Ververides stated that the current focus is in Middlesex Borough. There are some differences of opinion between the towns in the upper reaches in Union County. The maintenance agreement between Middlesex and Somerset Counties is working out well.

- **South Central Middlesex County Flood Control Commission**

No report.

VIII. NJ Water Supply Activities/Projects (NJWSA)

- **Raritan Basin Watershed Plan/Raritan Basin Watershed Alliance**
- **D & R Canal Tributary (Franklin) Project**
- **Cedar Grove Brook (Franklin) Project**

No report.

IX. Raritan Riverkeeper

Mr. Schultz spoke about his prediction for an early summer due to the mild winter.

X. Rutgers Cooperative Extension (RCE)

No report.

XI. Sustainable Raritan River Initiative

No report.

XII. Middlesex County Wastewater Management Plan

Ms. Becker provided a brief update on the Wastewater Management Plan. The plan is under review by NJDEP. Middlesex County staff met with representatives of Plainsboro Township on February 26 to review flow calculations and methodology. The developable layer is currently being reviewed to come to a consensus. NJDEP has assured county staff that this is the last obstacle to overcome before beginning the public review process.

XII. Status Update on NJDEP NJ Resilient Program and CRS/MS4 Group

Mr. Tufaro provided a brief update on the NJDEP NJ Resilient Program. NJDEP is hoping to have a consultant on board shortly.

XIII. Status Update on WMP Amendment Applications

Ms. Becker provided the following update on pending WMP Applications:

Application	Municipality	Status
Scotto (D'Anello)	South Brunswick	The public hearing will be held on March 18, 2020. Public comment period will end on April 2, 2020.
South Ridge Hills Section 2C	South Brunswick	Application was deemed incomplete. It is the subject of a builder's remedy lawsuit. Waiting for an endorsement resolution from South Brunswick which is expected to be received by March 31, 2020.
Cranbury Dey Road Residential Development	Cranbury	Approved by the Board of Chosen Freeholders at their March 5, 2020 meeting. Waiting for NJDEP approval.
Bridgepoint South Plainfield, LLC	South Plainfield	Staff will attend a pre-application meeting.
Northwood Manor	Old Bridge	Application is incomplete.
SUEZ Water	South Brunswick, Plainsboro, Cranbury	Application is incomplete.

XIV. Correspondence

There was no correspondence presented at today's meeting.

XV. Old Business

There was no Old Business discussed at today's meeting.

XVI. New Business

There was no New Business presented at today's meeting.

XVII. Public Comment

There was no Public Comment at today's meeting.

XVIII. Next meeting, date, time and place

The next WRA meeting will be held on May 11, 2020 at 1:30 p.m. in the Freeholder Meeting Room, County Administration Building.

XIV. Adjournment

A motion was made, seconded, and approved to adjourn the meeting at 3:25 p.m.

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Stop Plastic Bag Pollution in New Jersey

Switch to Reusable Bags!



Over the last few decades, the issue of plastic bag pollution has become a global concern. Plastic bags have become ubiquitous, and are taking a toll on our environment and our economy. According to the EPA, between 500 billion and a trillion plastic bags are consumed worldwide each year, and each of those bags is used for an average of 12 minutes. NJ residents use 4.4 billion plastic bags each year. These bags, which never fully break down, end up in our landfills, parks, beaches, along roadways, parking lots and in our waterways. Disposable bags are harmful, wasteful, and unnecessary. People around the world are now choosing the sustainable alternative; reusable bags.

What Are the Problems With Disposable Bags?

Wasting Natural Resources – Both plastic and paper bags require vast amounts of our natural resources to manufacture and to transport. In the US alone, it takes 12 million barrels of oil and 14 million trees to produce the plastic and paper bags we consume each year. In addition to the resources needed to produce disposable bags, they also need to be shipped around the world, further wasting fossil fuels and increasing greenhouse gas emissions.

Polluting Waterways – Globally, there is now more plastic than plankton in our oceans, and if we do nothing, there will be more plastic in our oceans than fish by 2050. Plastic pollution kills birds, whales, seals and turtles, and negatively impacts 267 species of marine and avian life. Plastic bags that enter our local waterways never fully break down, but rather “break up” into microplastics in our estuaries, rivers, and oceans. These tiny pieces of plastic attract toxins, including pesticides, PCBs, and flame retardants, which work their way up the food chain to our dinner plates. Microplastics are being found in our tap water, bottled water, fish, shellfish, sea salt, beer, soil, honey, and most recently, in our digestive systems.



Clogging Storm Drains – Disposable bags often end up as unsightly litter in our communities, and when it rains, this litter is swept towards storm drains blocking them and causing infrastructure damage and localized flooding. Clogged storm drains due to plastic bag pollution was found to be the main cause of devastating floods in Bangladesh, when 2/3 of the country was submerged in 1998.

Costing Consumers and Taxpayers – U.S. retailers spend approximately \$4 billion annually to purchase disposable bags, which is being passed on to the consumer in the form of higher prices. Municipalities are also spending millions of dollars to clean up and dispose of plastic bags. Plastic bags not sent to landfills are often put in recycling bins, where they clog recycling machines and cost recyclers time and money to remove. Ocean County Recycling Center identified the cost of cleaning screens contaminated by plastic bags in excess of \$155,000 and loss of production cost of \$1 million annually (2016).

Recycling Efforts Alone are Not Effective

Only 5-10% of plastic bags are recycled in the US. In New York, which has had a plastic bag recycling law since 2009, recycling rates have not significantly improved. The solution to the plastic bag problem is not recycling, it's reduction.

Bring Your Own Bag (BYOBag) Policies

In the last decade, municipalities and countries have begun passing legislation to ban or place a fee on disposable bags. From Bangladesh to Italy to China, to Rwanda to Hawaii, these laws have proven very effective at reducing disposable bag use while increasing the use of reusable bags. To date, 35 New Jersey municipalities have implemented bans and in some cases fees on single-use bags to encourage BYOBag behavior.

Bag Fees: Fees are a proven method of reducing single-use bag use.

- **Washington D.C.**'s 5 cent fee on bags not only reduced usage by as much as 60% but part of its revenue goes to help clean up the Anacostia River. A survey done of residents and businesses 3 years after the law was passed shows the majority of people are still bringing their own bag. There is decreased local litter and the legislation enjoys widespread support among residents of different demographics as well as the business community.
- **Suffolk County, NY** implemented a 5 cent fee on plastic and paper bags in January of 2018. Stores are reporting over 80% decreases in both plastic and paper bag use and residents report less litter in parking lots, on streets, and at local beaches.

Bag Bans: Bag bans also significantly reduce single-use bag use, but they have limited success without a fee.

- **Chicago** banned plastic bags but did not place a fee on paper, leading many stores to simply give away slightly thicker "reusable" plastic bags or paper bags for free. After finding their plastic bag ban actually increased waste and did not change public behavior, Chicago chose to switch from a ban to a 7 cent tax on disposable bags. Plastic bag bans tackle the worst part of the problem, but are not effective without a fee on paper.

A Ban/Fee Hybrid is the Most Effective BYOBag Bill: With municipalities in California reporting over 90% reductions in single-use bag use, we need to move forward with this type of bag reduction law in New Jersey. By getting rid of the polluting single-use plastic/paper bags entirely and incentivizing reusable bags with a small fee, municipalities across the country have seen large-scale consumer behavior change!

Case Study: California Ban on Plastic, Small Fee on Paper

- **San Jose** - Litter was reduced by 89% in storm drains, 60% in creeks and rivers, and 59% in city streets and neighborhoods.
- **Los Angeles** - 95% overall decrease in single-use bag use after their legislation, including a 30% decrease in paper bag use. Similar results in San Francisco and San Jose found that consumers did not switch to paper, but switched to reusable bags.
- **San Francisco** - A study of the financial effects of this law predicted "slight positive impact on the local economy" from their BYOBag law. That same study predicts a \$3 million dollar savings for retailers.





ANJEC MODEL SINGLE-USE PLASTIC REDUCTION ORDINANCE

<https://anjec.org/action-alerts/>

AN ORDINANCE ENTITLED "SINGLE-USE PLASTIC POLLUTION REDUCTION" TO REGULATE THE USE OF SINGLE-USE PLASTIC/PAPER CARRY-OUT BAGS, POLYSTYRENE FOAM FOOD SERVICE PRODUCTS AND PLASTIC STRAWS

Definitions.

The following definitions apply to this ORDINANCE:

CARRYOUT BAG - Means a bag that is provided by a store or food service business to a customer for the purpose of transporting groceries, prepared foods, or retail goods. "Carryout bag" shall not include: (1) a bag used solely to contain or wrap uncooked meat, fish, or poultry; (2) a bag used solely to package loose items such as fruits, vegetables, nuts, coffee, grains, baked goods, candy, greeting cards, flowers, or small hardware items; (3) a bag used solely to contain live animals, such as fish or insects sold in a pet store; (4) a bag used solely to contain food sliced or prepared to order, including soup or hot food; (5) a laundry, dry cleaning, or garment bag; (6) a bag provided by a pharmacy to carry prescription drugs; (7) a newspaper bag; and (8) any similar bag, as determined by the department pursuant to rule, regulation, or guidance.

OPERATOR — The person in control of, or having the responsibility for, the operation of a retail establishment, which may include, but is not limited to, the owner of the retail establishment.

PERSON — Means any individual, corporation, company, association, society, firm, partnership, joint stock company, or governmental entity.

PLASTIC - Means a synthetic material made from linking monomers through a chemical reaction to create an organic polymer chain that can be molded or extruded at high heat into various solid forms retaining their defined shapes during the life cycle and after disposal.

POLYSTYRENE FOAM – Means blown polystyrene and expanded and extruded foams that are thermoplastic petrochemical materials utilizing a styrene monomer and processed by a number of techniques, including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, foam molding, and extrusion-blow molding (extruded foam polystyrene).

POLYSTYRENE FOAM FOOD SERVICE PRODUCT – Means a product made, in whole or in part, of polystyrene foam that is used for selling or providing a food or beverage, and includes, but is not limited to, a food container, plate, hot or cold beverage cup, meat or vegetable tray, cutlery, or egg carton.

PRODUCE BAG or PRODUCT BAG — A very thin bag without handles used exclusively to carry produce, meats, or other food items to the point of sale inside a retail establishment or, for reasons of public health and safety, to prevent such food items from coming into direct contact with other purchased items.

RECYCLABLE — Material that can be sorted, cleansed, and reconstituted using available recycling collection programs for the purpose of reusing the altered, incinerated, converted, or otherwise thermally destroyed solid waste generated therefrom. The material must be recycled in a manner that is environmentally effective, economically feasible, and safe for employees as deemed feasible by the municipality.

RETAIL ESTABLISHMENT — Any store or commercial establishment that sells perishable or nonperishable goods, including, but not limited to, clothing, food, and personal items, directly to the customer and is located within or doing business within the geographical limits of the (municipality). Retail establishments include: a business establishment that generates a sales or use-tax; a drug store, pharmacy, supermarket, grocery store, convenience food store, liquor store, food mart, or other commercial entity engaged in the retail sale of a limited line of goods that include milk, bread, soda, and snack foods; a public eating establishment (i.e., a restaurant, take-out food establishment, or any other business that prepares and sells prepared food to be eaten on or off its premises); and a business establishment that sells clothing, hardware, or any other nonperishable goods.

REUSABLE CARRYOUT BAG – Means a carryout bag that: (1) is made of polypropylene, PET nonwoven fabric, nylon, cloth, or other machine washable fabric; (2) has stitched handles; and (3) is designed and manufactured for multiple reuse.

SINGLE-USE PAPER CARRY-OUT BAG – Means a carryout bag made of paper that is not a reusable carryout bag.

SINGLE-USE PLASTIC CARRY-OUT BAG — Means a carryout bag made of plastic that is not a reusable carryout bag.

Single-use carry-out bags prohibited.

A retail establishment that occupies at least 2500 square feet shall **NOT** provide to any customer a single-use plastic and single-use paper carry-out bag, as defined above. This prohibition applies to bags provided for the purpose of carrying goods away from the point of sale and does not apply to product bags or produce bags used to carry produce within the retail establishment to the point of sale. The prohibition applies to single-use plastic and single-use paper carry-out bags used for take-out deliveries from retail establishments within the municipality. The point of sale in such transactions is deemed to be at the retail establishment, regardless of where payment for the transaction physically occurs.

A retail establishment that occupies less than 2500 square feet shall **NOT** provide to any customer a single-use **plastic** carry-out bag, as defined above. A retail establishment **MAY** choose to charge a fee of at least \$0.10 for a single-use **paper** carryout bag.

Availability and use of reusable carryout bags.

A. All retail establishments shall make available to customers, for a fee, reusable carryout bags, as defined herein, for the purpose of carrying goods or other materials away from the point of sale, subject to the provisions of this chapter. The fee charged shall be reflected in the sales receipt.

B. Nothing in this chapter prohibits customers from using bags of any type that they choose to bring to retail establishments themselves, in lieu of using bags available for a fee from the retail establishment, or from carrying away goods that are not placed in a bag.

C. All monies collected by retail establishments under this chapter shall be retained by the store.

Use of reusable carryout bags encouraged.

A. A retail establishment may choose, in its discretion, to provide a credit to customers that choose to bring their own bags.

B. Each retail establishment shall be strongly encouraged to educate its staff to promote the use of reusable bags and to post signs encouraging customers to use reusable bags.

C. A retail establishment is strongly encouraged to educate on plastic bag and plastic film recycling and offer a take back program.

Single-use polystyrene foam food service products prohibited.

No food service business and retail establishment shall provide or sell any food on a single-use polystyrene foam food service product, as defined above. The following products shall be exempt:

(1) disposable, long-handled polystyrene foam soda spoons when required and used for thick drinks;

(2) portion cups of two ounces or less, if used for hot foods or foods requiring lids;

(3) meat and fish trays for raw or butchered meat, including poultry, or fish that is sold from a refrigerator or similar retail appliance.

Single-use plastic straws only provided upon request.

A food service business shall only provide a single-use plastic straw to a customer upon the request of the customer. In addition, a food service business shall maintain an adequate supply of single-use plastic straws to provide at the request of customers. Nothing in this section shall be construed to prohibit a store from selling packages of single-use plastic straws to customers, or from providing or selling a beverage pre-packaged by the manufacturer with a single-use plastic straw, including, but not limited to, a juice box.

Reporting.

A. No later than (month, day, year), and annually thereafter, the (department) shall report to the governing body on the progress of single-use plastics reduction, which may include the following:

- (1) The amount of carry-out bags in the residential waste and recycling streams;
- (2) The amount of carry-out bags/polystyrene foam/straws identified as litter on streets, sidewalks and in parks;
- (3) The amount of carry-out bags/polystyrene foam/straws found in city storm drains;
- (4) The number of warning notices or notices of violation issued pursuant to this chapter;
- (5) Any estimated cost savings for the (municipality) attributable to single-use plastics reduction such as reduced contamination of the residential recycling stream, or reduction in flooding or combined sewer overflows;
- (6) Number of requests for exemptions.

Enforcement; violations and penalties.

The department (E.g., Code Enforcement, Director of the Department of Environmental Services, Department of Health), or his/her designee, has the responsibility for enforcement of this chapter and may promulgate reasonable rules and regulations in order to enforce the provisions thereof, including, but not limited to, investigating violations and issuing fines.

B. Any retail establishment that violates or fails to comply with any of the requirements of this chapter after an initial written warning notice has been issued for that violation shall be liable for an infraction.

C. If a retail establishment has subsequent violations of this chapter after the issuance of an initial written warning notice of a violation, the following penalties will be imposed and shall be payable by the operator of the retail establishment:

- (1) A fine not exceeding \$100 for the first violation after the written warning notice is given;
- (2) A fine not exceeding \$200 for the second violation after the written warning notice is given; or

(3) A fine not exceeding \$500 for the third and any subsequent violations after the written warning notice is given.

D. A fine shall be imposed for each day a violation occurs or is allowed to continue.

E. Any appeal of a written warning notice or fine shall be conducted pursuant to standard municipal regulations and procedures concerning appeals already adopted by the (municipality).

Authority to promulgate rules.

The (department) shall have the authority to promulgate rules as necessary and appropriate for the implementation of this chapter.

Severability.

The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remain in effect; it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Effective Date.

This Ordinance shall take effect six months after passage and publication as provided by law.

Resolution

Resolution Authorizing a Ban on the use of single-use plastic bags, polystyrene foam food service ware, straws, stirrers, utensils and similar single-use plastics in all Middlesex County-owned or leased facilities and at all county sponsored events, Effective Date: _____

WHEREAS, according to recent data supplied by the United States Environmental Protection Agency (“EPA”) as many as 1 trillion plastic bags are used worldwide each year, NJ residents uses 4.4 billion plastic bags annually, and it is estimated that less than 5% of those plastic bags are recycled; and

WHEREAS, in the United States alone, according to the EPA, over 380 billion plastic bags and wraps are used each year, approximately 40% of the bags used are single-use plastic bags, which require an estimated 12 million barrels of oil to create; and

WHEREAS, at present there is no widespread acceptance or use of biodegradable and environmentally safe plastic bags in the marketplace and it is unclear that such bags would prevent all of the negative impacts documented herein; and

WHEREAS, across the globe, people throw away roughly 4 million tons of trash every day, enough to fill 350,000 garbage trucks or 10 Empire State Buildings and approximately 12.8% of that waste is plastic. In 2016, NJ residents generated 1 million tons of plastic waste; and

WHEREAS, it has been reported that global plastic production is projected to be 12 billion metric tons by 2050 and currently 79% accumulates in landfill, 12% incinerated and 9% is recycled. And by 2050, it is projected that there will be more plastic than fish by weight in our oceans; and

WHEREAS, studies have demonstrated that with exposure to sunlight and pounding waves, plastic breaks up into microplastics that measure 5 millimeters or less, which are digested by shrimp, plankton, fish, birds, turtles, and other sea animals; and

WHEREAS, polystyrene foam contains styrene, a known neurotoxin and probable carcinogen as defined by the World Health Organization, can leach from polystyrene foam disposable food service ware into food and drink, which potentially threatens human health; and

WHEREAS, according to a 2018 study, researchers from Rutgers University–New Brunswick found high levels of microplastic in the Raritan and Passaic rivers. They identified more than 300 organic chemical compounds associated with microplastic particles in the two rivers. Plastics and water in the Passaic River had the highest number of compounds (299), followed by the Raritan River (255) and Raritan and Newark bays (81); and

Resolution

WHEREAS, plastics from generation to disposal is public health crisis and humans are exposed to a large variety of toxic chemicals and microplastics through inhalation, ingestion, and direct skin contact, all along the plastic lifecycle; and

WHEREAS, it is beyond dispute that the use of single-use plastic has a severe and negative environmental impact on the local and global environment as a result of the greenhouse gas emissions emitted to produce plastic, the land based and ocean-based pollution created, the hazards posed to wildlife, the blocking of storm drains by plastic, the hazards posed to sources of water for humans, and the negative impact on the ecosystem and food chain as a whole; and

WHEREAS, the County of Middlesex seeks, to the fullest extent of its jurisdiction and authority, to conserve resources, reduce greenhouse gas emissions, reduce waste and litter, and to protect the public health, welfare, and safety, which includes protection of the environment, waterways, and wildlife, in order to protect and increase the quality of life of the County's residents and visitors; and

WHEREAS, the County of Middlesex currently bears the cost associated with the negative effects of single-use plastic on the solid waste stream, drainage systems, litter and garbage nuisance, increased recycling costs and the negative consequences of the foregoing environmental damage; and

WHEREAS, based upon the foregoing, the County has concluded that residents and visitors should use reusable bags and that a prohibition on the distribution of single-use plastic carryout bags by the County is appropriate and will incentivize the use of reusable and recycled bags by County residents; and

WHEREAS, based upon the foregoing, the County has further concluded that it is unquestionably in the best interests of the health, safety, and welfare of the residents and visitors of the County to reduce the cost of waste disposal and to protect the environment, wildlife, and natural resources by reducing the distribution of single-use plastic carryout bags and incentivizing the use of reusable bags at businesses; now, therefore,

BE IT RESOLVED by the Board of Chosen Freeholders of the County of Middlesex, hereby authorizes banning that the distribution and use single-use plastic bags, polystyrene foam food service ware, straws, stirrers, utensils and similar single-use plastics is banned in all County-owned or leased facilities and at all County-sponsored events, effective_____.