



13 February 2023

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To: Encinitas Mayor and City Council

Support for Item 10A: Introduction of City Council Ordinance No. 2023-02 amending Encinitas Municipal Code Chapter 11.08 and repealing Chapter 11.09 establishing a citywide smoking ban in all public places

Honorable Mayor and City Council,

Surfrider Foundation's San Diego County Chapter (Surfrider) appreciates the opportunity to provide comments in support of Item #10A, i.e. *the smoking ban*. Surfrider Foundation is a nonprofit environmental organization that engages a vast volunteer network of ocean users to protect our world's ocean, waves, and beaches. Our San Diego County Chapter represents thousands of ocean recreation users — from dedicated surfers to occasional beachgoers — as well as the coastal communities and economies that rely on them throughout the region.

Surfrider supports the concept that a prohibition on smoking in public spaces would result in a measurable decrease in tobacco product waste along our coastline. The [Agenda Report](#) for this item correctly points out that single-use plastic cigarette butts are the no.1 most collected items at cleanups, both locally and worldwide. Here in San Diego County, cigarette butts have topped our annual beach cleanup lists every year since we began tracking cleanup data in 2006. In most years, they account for a staggering 20-25% of every item Surfrider volunteers pick up at the community beach cleanups we host (including a monthly cleanup at Moonlight Beach)¹.

Butt pollution is especially concerning, not only because of its high frequency and the general complacency around it from smokers and non-smokers alike, but because butts are made from a form of plastic called cellulose acetate. Like all plastics, cellulose acetate does not readily biodegrade in the marine environment. Additionally, butts are

¹ [Pages 3-4, 2019 San Diego County Beach Cleanup Report, Surfrider SD & SD Coastkeeper](#)



full of toxic chemicals by the time they're discarded. After all, the purpose of a filter is to trap tar and chemicals from tobacco smoke. If we care about the health of marine wildlife, not to mention the millions of beachgoers who enjoy the coastal recreation that our beaches provide - then we must act to reduce tobacco product waste along our coast.

Certain actions have already been taken to reduce the impacts of smoking at our parks and beaches. Smoking is effectively banned at every single beach in Encinitas *and* San Diego County, including our state beaches thanks to passage of SB 8 in 2019². Certainly some people smoke on our beaches regardless of these laws. However, UCSD student researchers found that when they conducted controlled cleanups at local beaches *with* smoking bans vs. similar state beaches *without* bans, "the median number of butts on high utilization beaches without the ban was 10x higher than those with a ban."³ Of note is that their study included two beaches in Encinitas, Moonlight beach (has smoking ban) and Cardiff State Beach (no ban yet at time of study).

This study provides solid evidence that a public smoking ban anywhere will decrease associated tobacco product waste. Their conclusion held true despite very little capacity for enforcement at beaches with smoking bans⁴. I'll add that as a stakeholder in the student research project, I was initially doubtful they'd find any correlation between beach smoking bans and a decrease in butt pollution due to the lack of enforcement. Their results proved me wrong!

Circling back to our ocean and beaches, it's especially worth noting that a large percentage of cigarette butt pollution makes its way to our coast from upstream locations in our watershed. Due to their small size and virtual weightlessness, discarded cigarette butts very easily *hitch a ride* to our beaches from all over the county via storm

² <https://openstates.org/ca/bills/20192020/SB8/>

³ [Evaluation of the Smoking Ban Policy in San Diego Beaches, May 2019 \(final presentation, pg 11\)](#)

⁴ [Banning Butts on the Beach, Does it Decrease Environmental Pollution?](#) The students interviewed lifeguards and law enforcement to find out that barely any citations were issued on an average year. "So I would say that 99% of the time we're getting compliance just on educating people or warning people..."
-Lifeguard



drains, rivers and creeks. Butts discarded in and around the City of Encinitas are no exception.

For this reason and the others stated in the Agenda Report, Surfrider agrees that a citywide prohibition on smoking in public places would be an effective means to reduce tobacco product waste along our coast.

In addition to a public smoking prohibition, Surfrider would also ask that both the Environmental Commission and City Council support additional followup action to hold Big Tobacco accountable for the trillions of wasteful, unnecessary single-use plastic filters they attach to their products in order to sell more cigarettes. Cigarette filters provide no proven health benefit to smokers and are little more than a marketing ploy; indeed, U.S. Surgeon Generals have held this opinion since 1959⁵. While bills to restrict the sale of single-use filtered cigarettes have been introduced in the California State Legislature for several years running, none have gained traction despite our best efforts to support them. Ultimately, holding tobacco producers responsible is the best way to eliminate this problem.

Meanwhile the cities of Beverly Hills and Manhattan Beach have passed citywide bans on the sale of tobacco products, showing that local municipalities can lead the way if the state fails to act. Surfrider would be especially supportive of local action to prohibit the sale of *single-use filtered* tobacco products since from a coastal conservation perspective, butts are the main issue.

In conclusion, Surfrider San Diego supports the reasoning that a reduction of smoking in public places will lead to a reduction in associated tobacco product waste. We support the adoption of this public smoking ordinance as a marine debris mitigation strategy and respectfully ask for the City Council's support. The residents and visitors of Encinitas deserve to enjoy public spaces - *and especially our beaches* - that are not marred by

⁵<https://www.nytimes.com/1959/11/27/archives/cigarette-filter-held-ineffective-surgeon-general-says-tips-and.html>



tobacco product waste. Thank you for the opportunity to provide public comment on this important matter.

For our Ocean, Waves and Beaches,

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