

BALLOON POLICY TOOLKIT | JUNE 2022

Hold On To Your Balloons



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Executive Summary

We've all witnessed it: a lone balloon, or perhaps dozens of them at an event, floating aimlessly through the sky, further and further away until they eventually disappear from sight.

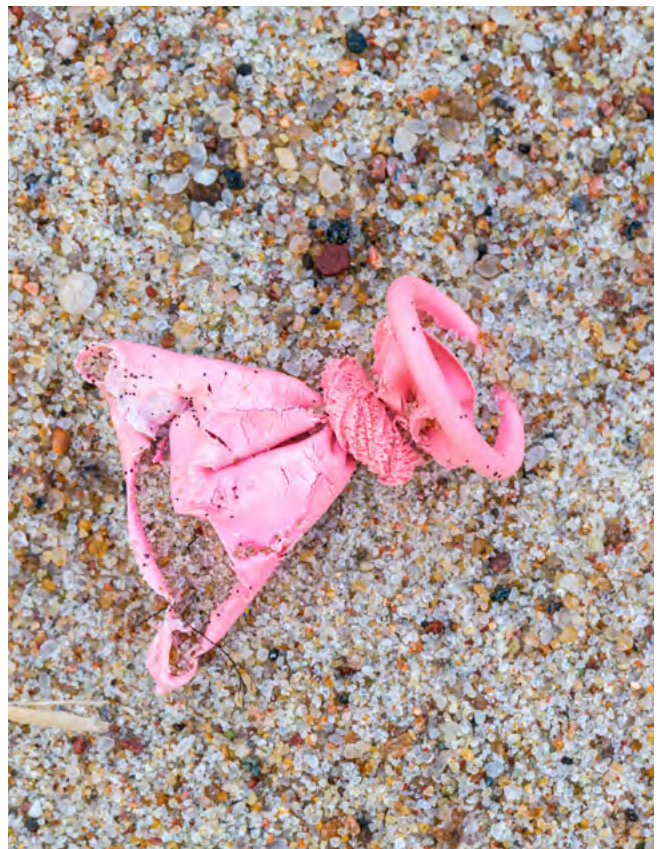
Unfortunately, what goes up must come down. Balloons that are released to the skies will return to the earth as litter in both marine and terrestrial environments. Most would agree that intentionally littering is not ok – it is no different with balloons.

This balloon policy toolkit was created to provide resources, strategies and examples for Surfrider Foundation chapters and clubs to advocate for laws that mitigate the impacts of balloon pollution in local communities.

In this toolkit, you will find examples of balloon pollution reduction policies based on the work that many chapters and clubs have carried out across the country. Since 2016, Surfrider has helped to pass 31

balloon **laws** nationwide, ranging from bans on the intentional release of balloons, to the clarification that the release of balloons is littering, to the prohibition of the sale of balloons in local municipalities.¹

To choose a strategy, it's important to understand what kind of policy makes the most sense for your community and region. This document gives suggestions and connects you to resources that will help propel your efforts forward. If you need help developing your strategy, and particularly if you plan to advocate for legislation, please reach out to your regional staff members. They have the expertise to support you and help create a winning campaign strategy, and they are familiar with lobbying requirements that the Surfrider Foundation must follow. With all of this collective knowledge, you will have the tools at hand to get out on the street and help ensure that balloons don't end up littering the environment.



Why Balloon Releases Are Harmful

Whether released intentionally or not, airborne balloons can travel thousands of miles before they burst or deflate and begin their descent. **Plastic pollution** is a major environmental and human threat, and balloons are a part of this worsening crisis.

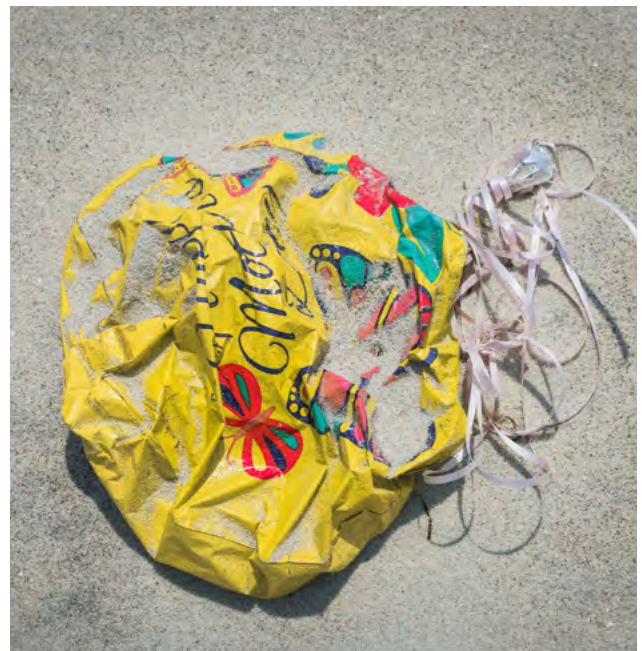
The two types of balloons addressed in this toolkit are latex and mylar:

Latex balloons are typically made from synthetic materials, such as neoprene, and will remain in the environment indefinitely, while breaking down into smaller and smaller pieces. Unlike traditional plastic, which is made from petroleum, latex is a natural product from trees. However, many latex balloons include plasticizers and other chemical additives to slow down or prohibit degradation.² Even latex balloons marketed as natural can take six months to four years to break down while causing harm to wildlife in the meantime.

Mylar balloons are composed of a thin, continuous metallized film over nylon. Nylon is a type of plastic derived from petroleum. This plastic is then put through an intensive chemical process, resulting in strong, stretchy fibers that will never biodegrade.³

Balloon pollution is a global issue that has no boundaries. Animals, both wild and domestic, can mistake balloons for food or find themselves snared in plastic ribbon, strings and other materials associated with balloons.

Even latex balloons marketed as natural can take six months to four years to break down while causing harm to wildlife in the meantime.



FACTS AND FIGURES

Here are some statistics and suggestions that may be helpful when developing campaign materials or delivering public testimony:

- Similar to other items of plastic pollution, when a balloon is ingested, it can choke or block an animal's digestive tract, causing the animal to slowly starve to death.⁴
- One **study** found that balloons are the highest-risk item of plastic pollution for seabirds as they are 32 times more deadly than the ingestion of hard plastics.⁵
- Balloon strings are also a source for animal entanglement and can cause death.⁶
- Balloons contain dangerous chemicals that do not degrade, leaving time for them to become an environmental hazard.⁷
- Once in the environment, mylar balloons will eventually pop and continue to break down into smaller pieces, making it difficult to clean up, eventually becoming **microplastics**.⁸
- A **study** provides evidence for the disproportionate ingestion of balloons by marine turtles. Balloons are also documented as deadly to terrestrial animals, including the desert tortoise.^{9,10}
- Balloons that end up in hay fields become bailed up with hay that is fed to horses or livestock, which, if ingested, can cause death.¹¹



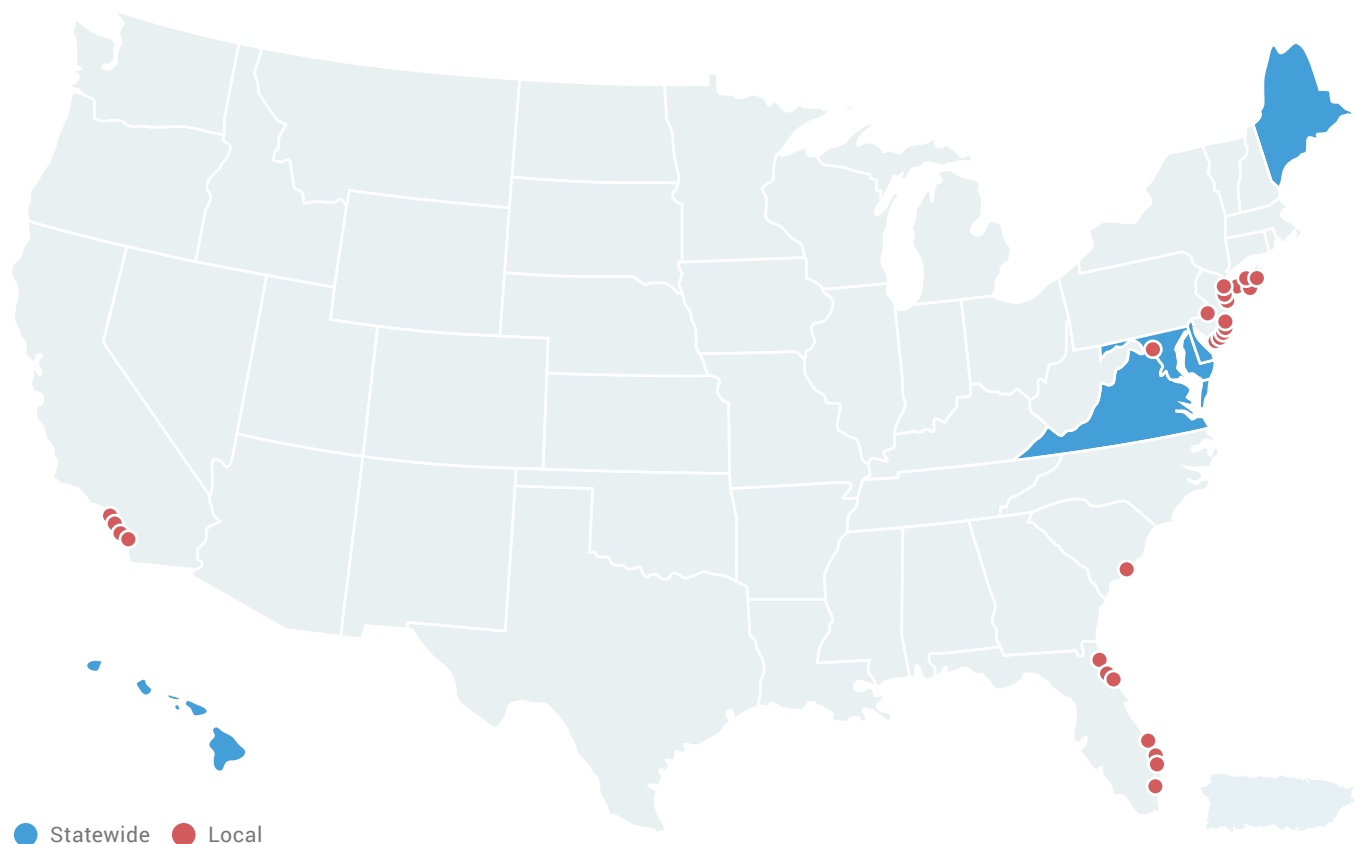
One study found that balloons are the highest-risk item of plastic pollution for seabirds as they are 32 times more deadly than the ingestion of hard plastics.

- Thin, metallic casing in mylar balloons makes them a fire hazard when caught in power lines and they can also cause power outages. A **study** in Virginia showed that up to 20% of electrical power outages were the result of balloons making contact with power lines.¹²
- Most residential recycling centers do not accept latex and mylar balloons because there is no market value for them, so they will end up in landfills or burned.¹³
- Similar to balloons, glitter and confetti, as well as sky lanterns, all end up as trash in our environment when released and are nearly impossible to clean up.
- Sky lanterns have caused huge structural fires and wildfires, and can burn humans and wildlife as they land.¹⁴ Most sky lanterns have a thin wire for support, which animals can ingest or get entangled in.
- In the last six years (2016-2022), nearly 9,000 balloons have been collected during Surfrider beach cleanups nationally.¹⁵ (If you have local cleanup data, make sure to use it for testimony and continue to track it to be able to show any changes in data).



Surfrider Balloon Campaign Victories 2016-2021

Since 2016, Surfrider has helped to pass 31 balloon **laws** across the country, ranging from bans on the intentional release of balloons to the prohibition of the sale of balloons in local municipalities.



California

Manhattan Beach, CA
Carlsbad, CA
Encinitas, CA
Solana Beach, CA

Hawai'i

State of Hawai'i

Northeast

State of Maine

Southeast

Folly Beach, SC
St. Johns County, FL
St. Augustine, FL
Boca Raton, FL
Boynton Beach, FL
Tequesta, FL
Atlantic Beach, FL
Hollywood, FL

Mid-Atlantic

East Hampton Town, NY
Suffolk County, NY
Southampton Town, NY
Long Beach, NY
Hammonton, NJ
Long Branch, NJ
Asbury Park, NJ
Bradley Beach, NJ
North Wildwood, NJ

Long Beach Township, NJ
Atlantic City, NJ
Ventnor, NJ
Longport, NJ
State of Delaware
State of Virginia
State of Maryland
Montgomery County, MD

[VIEW ADDITIONAL BALLOON LAWS¹⁶](#)

**Please note that there are more existing balloon laws than shown on the map that were passed before 2016 or where Surfrider was not involved.*

Building Your Campaign

As you start to get organized and move forward with a balloon campaign, it's important to review our **campaign planning assets** on ChapterNet. Connect with your regional staff and answer the following questions:

1. Scale: Will your campaign be local or state-based?

Local campaigns can directly impact your community while statewide campaigns may take more resources to implement as they can impact a larger population. Regional staff may already be involved with local or statewide campaigns, so it's a good idea to check with them first as well as report and coordinate on any local campaigns.

2. Evaluate Your Options: Is there political will and interest in passing a balloon policy? What type of balloon policy makes the most sense to pursue?

Identifying legislative champions and building a strong relationship with them will help move a policy forward.

If possible, leverage the opportunity to urge your elected officials to pass stronger legislation than neighboring cities or counties.

3. Building Support and Coalition: Who and what organizations will you be working with to move this forward and what are the logistics of working together?

Find a time that will work for everyone who wants to participate in this effort. Meetings may need to happen outside of normal business hours, translation services offered and remote participation available as an option.

If you have regular meetings, prepare by discussing who will fill basic functions, such as leading the meeting, taking notes and disseminating them, and setting up the in-person meeting, video or phone calls.

4. Stakeholder Representation and Engagement: Who and how will a balloon policy make the most impact?

Be sure to identify and work with affected stakeholders from the very beginning to understand how a policy may impact them. Make sure that all voices are being represented and heard before making decisions collectively. Think through who might be disproportionately impacted by this policy and try to engage representatives from that population to see if concerns can be addressed early in the process.

This also includes organizations, schools and community groups that may have balloon releases. This will help provide additional insight and an opportunity to inform them of the harms of this activity, in addition to alternatives. If they discontinue balloon releases, they could be helpful allies in the future.

Connect with additional stakeholders, such as community-based organizations, environmental justice organizations, businesses, utilities, agriculture representatives and school groups.

As public utility companies may already have educational and outreach efforts around mylar balloons, it may be helpful to connect with them.

Think through who might be disproportionately impacted by this policy and try to engage representatives from that population to see if concerns can be addressed early in the process.

TYPES OF BALLOON POLICIES

When considering balloon policies, most campaigns will focus on banning the intentional mass release of balloons. However, there may be opportunities to include other plastic waste, such as lanterns, glitter and confetti, when drafting the policy. Below are potential policy options to consider. These may also be combined or separated out, depending on what makes sense in your community or state.

There may be opportunities to include other plastic waste such as glitter, confetti and lanterns, when drafting the balloon policy.



Type of Balloon Law	Example Policies
Banning the sale or distribution of gas of helium-filled balloons <u>and</u> mass release of balloons	<p>East Hampton Town, NY (2021)¹⁷: Building off the intentional mass balloon release in 2019, this ordinance bans the sale of balloons filled with helium or any other type of lighter-than-air gas. Contact: Surfrider's Eastern Long Island Chapter¹⁸</p> <p>Other legislation: Encinitas, CA (2022)¹⁹</p>
Banning the mass release of balloons <u>plus</u> glitter, confetti and/or paper lanterns	<p>St. Johns County, FL (2022)²⁰: St. Johns County became the first county in Florida to unanimously vote 5-0 to ban balloon and lantern releases. This law prohibits the release of helium, foil, mylar, biodegradable or photodegradable balloons. The state of Florida already has a ban on balloon releases but this ordinance is stronger as it includes a ban on the release of sky lanterns. Contact: Surfrider's First Coast Chapter²¹</p> <p>Other legislation: Tequesta, FL (2021)²², Boca Raton, FL (2021)²³</p>
Banning the mass release of balloons	<p>State of Delaware (2021)²⁴: Bill SB 24 imposes a civil penalty for the violation of intentionally releasing five or more balloons filled with air or lighter-than-air gases. Contact: Surfrider's Delaware Chapter²⁵</p> <p>Other legislation: State of Hawai'i (2021)²⁶, State of Maine (2021)²⁷, State of Maryland (2020)²⁸, State of Virginia (2021)²⁹, North Hempstead, NY (2019)³⁰, Long Branch, NJ (2019)³¹</p>
Education/Outreach	<p>If there is limited political will to address balloons through legislation, consider starting an outreach or education effort to bring awareness to this issue and focus on actions people can take to reduce balloon pollution</p> <p>Examples: PreventBalloonLitter.org³², BalloonsBlow.org³³</p>

POTENTIAL LOOPHOLES AND RECOMMENDATIONS

Here are a few considerations and recommendations when developing policy language:

- Make sure to clearly define balloons to include both latex and mylar. Including the phrase “lighter than air” is helpful. This will capture all balloons, despite their material composition, which may not be filled with helium such as nitrous oxide.
- Be careful of exemptions being made for “biodegradable” or “photodegradable” balloons as these should be included under the definition of balloons to be prohibited from release.
- Allowable exemptions may be made for balloons that are used for scientific, governmental or meteorological purposes and for hot air balloons, which are obviously not intended to be lost to the environment.
- Require the tethering of balloons and that they may not be left for an extended period of time.
- Review existing legislation in the above table to better understand definitions and policy language.

Allowable exemptions may be made for balloons that are used for scientific, governmental or meteorological purposes and for hot air balloons, which are obviously not intended to be lost to the environment.



EXAMPLE POLICY LANGUAGE

1. Defines balloon, bans the sale and/or distribution of balloons and includes reasonable exemptions:

Town of East Hampton, NY (2021)³⁴

BALLOON: A flexible porous or nonporous bag made from materials such as rubber, latex, polychloroprene mylar or nylon fabric that can be inflated or filled with a gas, such as helium, hydrogen, nitrous oxide, oxygen, air or water, and then sealed at the neck, usually as a toy or decoration.

[Amended 12-14-2021 by L.L. No. 25-2021]

§ 84-2

Restriction on intentional release of balloons; prohibition on sale of certain balloons.

[Amended 12-14-2021 by L.L. No. 25-2021]

- A. No person shall intentionally release or dispose of any balloon, except in public receptacles, in authorized private receptacles, or in designated areas within Town of East Hampton recycling centers.
- B. No person, firm, corporation or other entity shall organize the release of, condone the release of, or intentionally cause to be released, any balloon.
- C. Commencing January 1, 2022, it shall be prohibited for any person, firm, corporation or other entity to engage in the sale and/or distribution of mylar, foil and/or any balloons filled with helium or any other type of lighter than air gas, whether for public or private use.

§ 84-3 Exceptions.

These restrictions shall not apply to:

- A. Balloons that are being used for the purpose of carrying scientific instrumentation during the performance of an experiment or testing procedure or by a person on behalf of a governmental agency or pursuant to a governmental contract for scientific or meteorological purposes;
- B. Hot air balloons that are recovered after launching;
- C. Balloons released indoors.

2. Uses the phrase “lighter than air” and includes reasonable exemptions:

State of Hawai‘i (2021)³⁵

Effective January 1, 2023

(a) No person or entity shall intentionally release, organize the release of, or otherwise cause the release of a balloon inflated with a gas that is lighter than air, except for:

- (1) A balloon released for scientific or meteorological purposes, on behalf of a governmental agency or pursuant to a governmental contract;
- (2) A hot air balloon that is recovered after launching; or
- (3) A balloon that is released and remains indoors.

Surfrider chapters and clubs can use [ChapterNet](#) for resources on developing and implementing successful campaigns.³⁶ Contact regional staff for critical campaign guidance and support.

TYPICAL PROPONENTS AND OPPONENTS

As you move forward with your campaign, focus on identifying potential supporters and opponents. The environmental community, sustainable businesses, utilities, agriculture and schools are often a good place to start to find support. On the other hand, you may encounter industry-led opposition that may seem like they are in support but may have an ulterior agenda. For example, the **Balloon Council** is a

national organization made up of “retailers, distributors and manufacturers... to educate consumers and regulators about the wonders of balloons and the proper handling of them.”³⁷ Although the Balloon Council has **recognized the environmental issues** with releasing balloons, they continue to advocate for consumer education rather than bans on sales or intentional releases of balloons.³⁸

The environmental community, sustainable businesses, utilities, agriculture, and schools are often a good place to start to find support.



Balloon Release Alternatives

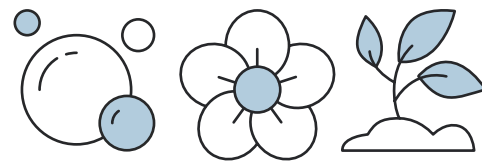
There are many ways to **celebrate, remember, memorialize or honor the special moments in our lives without releasing balloons.**

Planting in Remembrance: Planting a native tree or other plant in an appropriate setting is a wonderful, earth-friendly gesture to honor a loved one or celebrate any special occasion.

There are dozens of ways to celebrate and honor the important moments in our lives without harming the environment.³⁹



Floating Flowers: The act of releasing balloons symbolizes for many the act of letting go. By consulting with local authorities for permission and then releasing a reasonable amount of native flowers into a local stream, lake or ocean instead, we can still ritualize the act of letting go in an environmentally-conscious way.



Blowing Bubbles: Make sure your bubble concoction is non-toxic and food-safe for this fun and engaging way to fill the sky and celebrate a special event.

[CLICK HERE FOR MORE IDEAS](#)



Key Takeaways

Although balloon litter is one of the deadliest forms of plastic pollution, it's a solvable problem! By connecting with regional staff and your local communities and stakeholders, we can work together to reduce balloon pollution. Make sure that you build relationships with all affected stakeholders before you start your campaign so you have a clear understanding of how this policy might impact your community or state.

Choosing the right balloon policy for your campaign depends on the local political situation. If moving a policy forward is not feasible at this time, focus on developing

an educational or outreach campaign. On the other hand, if implementing a strong law is feasible, aim to include other waste items, such as lanterns, glitter and confetti, in the policy. In some places, the sale of balloons has also been banned. When making your case, always highlight alternative ways that do not use balloons to celebrate and honor loved ones.

Every event that uses an alternative to balloon releases is a step toward protecting our environment and wildlife, and collectively, we can end balloon releases, one balloon at a time.

By connecting with regional staff and your local communities and stakeholders we can work together to reduce balloon pollution.

If you have any questions please contact:

Miho Ligare

Plastic Pollution Policy Manager

mligare@surfrider.org

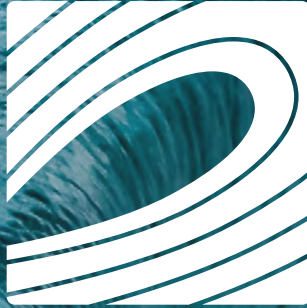


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