



## **HEAL THE BAY CONTRIBUTIONS POLICY**

### **POLICY STATEMENT:**

Heal the Bay will not knowingly solicit or accept a contribution from any person or entity if such acceptance is a conflict of interest or a perceived conflict of interest. A conflict of interest may impair or create the impression of impairment of Heal the Bay's independence or independent judgment, or place Heal the Bay in adversarial positions with a donor in contested judicial, legislative, or administrative proceedings.

### **REVIEW PROCEDURE:**

Heal the Bay's policy is to review contributions on a case-by-case basis according to pre-established criteria. All contributions are subject to review by the VP of Development, President & CEO, and others if there are specific concerns regarding the standing of the contributor when evaluated according to our pre-established criteria.

### **PROHIBITED CONTRIBUTORS:**

Heal the Bay is prohibited from receiving contributions from the following: (for comments about prohibited categories, see Appendix 1):

1. Petrochemical and Chemical based companies or their subsidiaries or trade associations, including plastics manufacturers and distributors.
2. Tobacco industry companies or trade associations.
3. Natural resource extraction companies

### **CRITERIA FOR REVIEWING CONTRIBUTIONS:**

Heal the Bay will prepare a list of additional Prohibited Contributors. This list shall be edited by the President & CEO at least annually, by the close of the fiscal year (September 30), and approved by the Board of Directors at its January meeting. This list may be edited more frequently, as necessary, by the President & CEO, in which case it will be presented to Executive Board for ratification at the next Executive Board meeting.

The list of Prohibited Contributors will include specific industries and/or entities which have a history of large-scale environmental degradation, and which have undertaken little or no effective mitigation measures or efforts to diminish their environmentally harmful positions and practices. Organizational support due to regulatory fines are, however, permissible.

The list of Prohibited Contributors will be circulated among Heal the Bay board members, staff, and third-party representatives who are seeking contributions for Heal the Bay in order to avoid the acceptance of contributions that do not meet our criteria.



All contributors shall be evaluated according to these criteria:

1. Is this individual or entity currently involved in an adversarial manner in any dispute or litigation which involves Heal the Bay? Contributors who are an actual adversarial party to any lawsuit opposing Heal the Bay are generally prohibited. The President & CEO and Executive Board may allow exceptions to such contributions only if any of the following criteria are met:
  - a. The contribution is part of a pre-existing contract or agreement that pre-dates the litigation.
  - b. The contribution is from a government program/agency that helps educate or protect public health and/or the environment.
2. Is the contribution from an individual or entity believed to currently be in or have a history of violation of water quality or other environmental standards relating to protection of water and/or habitat quality?
3. Is the contributor or a subsidiary a member of a polluting industry that negatively affects water or habitat quality? Is the contributor considered to be an exception or at the forefront of correcting pollution problems?
4. Is this individual or entity a known antagonist or lobbyist against environmentally protective laws or issues? Against environmental organizations?
5. Would a contribution/sponsorship by this individual or entity conflict or appear to conflict with the goals of specific Heal the Bay programs, policies, or legislative initiatives?
6. Would contribution/sponsorship by this individual or entity conflict or appear to conflict with the scientific and ethical credibility and impartiality of Heal the Bay's position on regulatory matters or other public commentary?
7. Is Heal the Bay currently commenting on a permit or policy document related to the individual or entity?

In reviewing the case-by-case application of these criteria, it is not necessary for all the criteria to be applied affirmatively to render a decision about the propriety of accepting a contribution. Individual criterion, and/or the applicability of multiple criteria shall be accorded the relative weight and deference as decided by the President & CEO and VP of Development.

The Development Department will keep a record of all instances when the organization declined funds by invoking the Contributions Policy. The record shall include the name of the entity or person(s) attempting to contribute, contact information, the dollar amount, the reason(s) for denial, date of the decision, and any clarifying notes. This record should be made available to board members during the annual adoption of the Contributions Policy at the January board meeting.



## Appendix 1

### **PROHIBITED CONTRIBUTORS**

Revised September 25, 2023

#### **Comments about Prohibited Contributors:**

In general, Heal the Bay adds specific industries and/or entities to its list of Prohibited Contributors if they have a history of large-scale environmental degradation, and which have undertaken little or no effective mitigation measures or efforts to diminish their environmentally harmful positions and practices.

#### **Current List of Prohibited Contributors**

1. Petrochemical, chemical, and plastics companies are listed as prohibited contributors because these industries as a whole have failed to address water quality issues, and through legal, legislative and regulatory means continue to push environmentally detrimental agendas in conflict with Heal the Bay's mission, programs, and legislation. These categories of industry have severe impacts on wildlife, aquatic and human health.: Petrochemical products are toxic, carcinogenic, and damaging to human health in air or water. There is also well-documented research about the detrimental impacts of plastics on the global food chain and on animal and human health, as well as the empirical evidence that plastics are the largest increasing component of litter.
2. Tobacco companies are listed as prohibited contributors because the tobacco industry is likewise incongruous with Heal the Bay's mission to protect public health and Heal the Bay's educational focus on children. Moreover, the tobacco industry is responsible for a persistent source of coastal pollution: cigarette butts.<sup>1</sup>

Statistics about cigarettes as litter are staggering. According to the Ocean Conservancy which coordinates annual International Coastal Cleanup Day in the United States, cigarette butts are the most commonly found item during cleanups worldwide. In 2021, more than 2,100,000 butts were collected globally during the 3 hour cleanup.

It is well established that cigarettes and smoking (even second-hand smoke) is dangerous to human health. It is equally apparent that cigarette butts are harmful to the health of aquatic life. The cellulose acetate plastic in the butts can take over a decade and a half to degrade. Degraded plastic is a threat to the ocean ecology. Moreover, filters are often mistaken by birds and aquatic life for food.

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<sup>1</sup> International Coastal Cleanup: [www.coastalcleanup.org](http://www.coastalcleanup.org).



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Toxic chemicals from discarded filters can directly threaten the ability of fish to grow and reproduce.

3. Non-Petroleum Resource Extraction Companies are listed as prohibited contributors because these industries have often failed to address water quality and water usage issues, and through legal, legislative, and regulatory means continue to push environmentally detrimental agendas in conflict with Heal the Bay's mission, programs, and legislation. These categories of industry (mining, silviculture, groundwater pumping, fishing, agriculture, and desalination) often have externalities associated with their operations that can have severe, irreversible impacts on wildlife, aquatic and human health in myriad ways such as destroying or damaging habitat and impacting air and water quality. The historic lack of sustainability programs and practices in these industries is well-documented.