

## 1.0 INTRODUCTION

### 1.1 PURPOSE OF THIS DOCUMENT

This document is a Final Environmental Impact Report (EIR) for the Ordinance Relating to the Reduction of Single-Use of Single-Use Plastic and Paper Bags, also referred to as the Reusable Bag Ordinance, (the “Proposed Ordinance”) in the City of Sacramento. The Proposed Ordinance would prohibit certain stores from providing single-use plastic bags and would also require those retailers to charge a minimum of ten cents (\$0.10) for each recycled paper bag and reusable bag provided at the point of sale. This document includes a summary of the public review process for the Draft Environmental Impact Report (Draft EIR, State Clearinghouse (SCH) #2013122031) for the proposed project, any revisions to the Draft EIR, all agency and public comments received on the Draft EIR, responses to the comments received, and a Mitigation Monitoring Plan.

This Final EIR document has been prepared in accordance with the California Environmental Quality Act (CEQA) and, together with the Draft EIR (and Appendices), constitutes the EIR for the proposed project that will be used by the decision makers during project hearings.

### 1.2 SUMMARY OF PROPOSED PROJECT

The proposed Reusable Bag Ordinance (“Proposed Ordinance”) would regulate the use of single-use plastic and paper carryout bags within the jurisdictional limits of the City of Sacramento (the City). The Proposed Ordinance would apply to three categories of retail establishments that are located within or doing business within the geographic limits of the City. The Proposed Ordinance would apply to the following types of retail establishments:

1. *A supermarket, defined as a full-line, self-service retail store with gross annual sales of two million dollars (\$2,000,000), or more, and which sells a line of dry grocery, canned goods, or nonfood items and some perishable items;*
2. *A store of at least 10,000 square feet of retail space that generates sales or use tax pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law (Part 1.5 (commencing with Section 7200) of Division 2 of the Revenue and Taxation Code) and that has a pharmacy licensed pursuant to Chapter 9 (commencing with Section 4000) of Division 2 of the Business and Professions Code; or*
3. *A convenience food store, foodmart, or other entity that is engaged in the retail sale of a limited line of goods, including milk, bread, soda, and snack foods, and that holds a Type 20 or 21 liquor license issued by the Department of Alcoholic Beverage Control.*

The proposed ordinance would (1) prohibit stores from distributing single-use plastic carryout bags and (2) require stores to charge customers at least \$0.10 for recycled paper carryout or reusable bags, at the point of sale. The Proposed Ordinance would not apply to restaurants and other food service providers, allowing them to provide single-use plastic bags to customers for prepared take-out food intended for consumption off of the food provider’s premises.

The intent of the Proposed Ordinance is to reduce the environmental impacts related to the use of single-use plastic and paper bags, and to promote a shift toward the use of reusable bags. It is anticipated that by prohibiting single-use plastic bags and requiring a mandatory charge for each recycled paper carryout bag or reusable bag distributed by retailers, the Proposed Ordinance would provide a disincentive to customers to request recycled paper carryout bags when shopping at regulated stores and promote a shift to the use of reusable carryout bags, thereby reducing the number of single-use plastic and paper carryout bags.

Single-use plastic bags are defined in the Proposed Ordinance as any bag made of plastic derived from either petroleum or a biologically-based source, such as corn or other plant sources, which is provided to a customer at the point of sale. The term includes compostable and biodegradable bags. Regulated bags would not include any bag without handles used exclusively to carry produce, meats, or other food items such as bulk foods to the point of sale inside a store or to prevent such food items from coming into direct contact with other purchased items, hold a prescription medication, or segregate food or merchandise that could be damaged or that could damage or contaminate other food or merchandise. A recycled paper carryout bag is defined in the Proposed Ordinance as a bag that (1) is 100% recyclable, (2) contains a minimum of 40% postconsumer recycled material (3) is capable of composting, consistent with the timeline and specifications of the American Society of Testing and Materials Standard D6400 (4) displays the name of the manufacturer, the country where the bag was manufactured and the percentage of postconsumer content the bag contains, and (5) indicates that it is recyclable in a highly visible manner on the outside of the bag.

The City of Sacramento's objectives for the Proposed Ordinance include:

- *Reducing the environmental impacts related to single-use plastic bags, including impacts to water and other natural environments;*
- *Reducing the amount of single-use plastic bags in landfills;*
- *Reducing the cost of shutting down recycling machinery due to recycling of plastic bags; and,*
- *Reducing litter and the associated adverse impacts to stormwater systems, aesthetics and both aquatic and terrestrial environments related to single-use plastic bags.*

### 1.3 ORGANIZATION OF THE FINAL EIR

The Final EIR is organized as follows:

- **Chapter 1 - Introduction:** This chapter summarizes the project under consideration and describes the contents of the Final EIR. This chapter also contains a list of all of the agencies or persons who received the Notice of Availability on the Draft EIR during the public review period.
- **Chapter 2 - Revisions to the Draft EIR:** This chapter summarizes any text changes made to the Draft EIR in response to comments made on the Draft EIR and/or staff-initiated text changes. Changes to the text of the Draft EIR are shown by either a line through the text that has been deleted or double

underlined where new text has been inserted. No revisions have been made to the DEIR.

- **Chapter 3 – Comments and Responses:** This chapter contains any comment letters received on the Draft EIR followed by responses to individual comments. No comment letters were received.
- **Chapter 4 – Mitigation Monitoring Plan:** This chapter contains the Mitigation Monitoring Plan (MMP) to aid the City in its implementation and monitoring of measures adopted in the EIR. No mitigation measures have been incorporated into the project, and as such, there is no MMP.

## 1.4 BACKGROUND, PUBLIC PARTICIPATION AND REVIEW

In response to concerns regarding the environmental impacts of single use plastic carryout bags, the City of Sacramento has prepared the Proposed Ordinance for the reduction of single-use plastic and paper bags. Adoption of the proposed Reusable Bag Ordinance would be a discretionary action subject to the environmental review requirements of the California Environmental Quality Act (CEQA). The City of Sacramento has decided to proceed with an EIR to examine the Proposed Ordinance’s potential environmental impacts.

Several cities and counties in California have previously considered or passed similar ordinances within their respective jurisdictions. These include, but are not limited to: the City of San Francisco, the County of Los Angeles, the City of Berkeley, the City of San Jose, the City of Manhattan Beach, the City of Palo Alto, Marin County, the City of Malibu, the City of Santa Monica, San Mateo County, the City of Sunnyvale, Alameda County, the City of Calabasas, the Town of Fairfax, the City of Huntington Beach, the City of Dana Point, the City of Laguna Beach, and the City of Long Beach.

The Proposed Reusable Bag Ordinance requires the discretionary approval of the City Council. Therefore, it is subject to the requirements of CEQA. In accordance with Section 15121 of the *CEQA Guidelines*, the purpose of this EIR is to serve as an informational document that:

*...will inform public agency decision-makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.*

The proposed Reusable Bag Ordinance would require an amendment to the Sacramento City Code (Addition of Chapter 5.154) with discretionary approval by the Sacramento City Council. The following approvals would be required:

- *Certification of the Final EIR*
- *Adoption of the Reusable Bag Ordinance amending the City Code*

No other agencies have discretionary approval authority over any aspect of the proposed Reusable Bag Ordinance.



The City of Sacramento prepared a Notice of Preparation (NOP) of an EIR for the Proposed Ordinance and distributed the NOP for agency and public review for a 30-day review period beginning December 16, 2013 and ending January 17, 2014. The City received one letter in response to the NOP that expressed support for the Proposed Ordinance and described concerns related to existing use of single-use plastic bags and the impact such use has on existing environmental conditions. The City also conducted a public scoping meeting during the NOP comment period. This took place in Sacramento on January 9, 2014.

The City of Sacramento prepared a Notice of Availability (NOA) of a Draft EIR for the Proposed Ordinance and distributed the NOA for agency and public review for a 45-day review period beginning March 20, 2014 and ending May 5, 2014. The City did not receive any comment letters in response to the NOA.

## **1.5 LIST OF COMMENTERS**

As described above, the City did not receive any comment letters in response to the NOA on the Draft EIR.

## **2.0 REVISIONS TO THE DRAFT EIR**

### **2.1 INTRODUCTION**

This chapter summarizes text changes made to the Draft EIR either in response to a comment letter or initiated by city staff or in response to a modification in the project as proposed by the project sponsor. New text is indicated in double underline and text to be deleted is reflected by a strike through. Text changes are presented in the page order in which they appear in the Draft EIR.

### **2.2 DRAFT EIR REVISIONS**

No changes to the Draft EIR are warranted. As described in Chapter 1.0, no comment letters were received during the 45-day public review for the Draft EIR that suggested edits/revisions. Further, city staff does not have any text changes and no changes to the project have occurred since the release of the Draft EIR. Thus no revisions are necessary.

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## **3.0 COMMENTS AND RESPONSES**

### **3.1 INTRODUCTION**

This section contains comment letters that were received on the Draft EIR. However, as described in Section 1.0 and 2.0, no comment letters were received during the 45-day public review period. Thus no responses to comments is warranted.



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## 4.0 MITIGATION MONITORING PLAN

### 4.1 INTRODUCTION

Section 15097 of the California Environmental Quality Act (CEQA) Guidelines requires public agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a “mitigated negative declaration” or specified environmental findings related to environmental impact reports.

For the proposed Reusable Bag Ordinance, the Draft EIR determined that all impact would be either less than significant or beneficial and thus no mitigation measures were required to reduce impacts to a less than significant level. Further, the proposed project would not result in any significant and unavoidable impacts necessitating a statement of overriding considerations. Therefore, this project does not contain a Mitigation Monitoring Plan (MMP) as no mitigation measures were identified within the Draft EIR for this project.

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