



THE CITY OF SAN DIEGO

PLANNING DEPARTMENT

Date of Notice: November 20, 2015

PUBLIC NOTICE OF A

DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR)

I.O. No.: 21003516

The City of San Diego Planning Department has prepared a draft PEIR for the following project and is inviting your comments regarding the adequacy of the document. The draft PEIR and ordinance have been placed on the City of San Diego Planning Department website under the heading "Draft CEQA Documents" and can be accessed using the following link:

<http://www.sandiego.gov/planning/programs/ceqa/index.shtml>

The DEIR public notice has also been placed on the City Clerk website at:

<http://www.sandiego.gov/city-clerk/officialdocs/notices/index.shtml>

Your comments must be received by Tuesday, January 19, 2016 to be included in the final document considered by the decision-making authorities. Please send your written comments to the following address: **Susan Morrison, Environmental Planner, City of San Diego - Planning Department, 1010 Second Avenue, MS 614C, San Diego, CA 92101** or e-mail your comments to PlanningCEOA@sandiego.gov with the **Project Name (CITY OF SAN DIEGO SINGLE-USE CARRYOUT BAG REDUCTION ORDINANCE) and Project Number (412659) in the subject line.**

General Project Information:

- Project Name: **CITY OF SAN DIEGO SINGLE-USE CARRYOUT BAG REDUCTION ORDINANCE**
- Project No. 412659/SCH No. 2015051034
- Community Plan Areas: Citywide
- Council Districts: All Council Districts

Applicant: CITY OF SAN DIEGO, ENVIRONMENTAL SERVICES DEPARTMENT

Subject: CITY COUNCIL APPROVAL for the Adoption and Implementation of an ordinance restricting the use of plastic and paper single-use carryout bags, and promoting the use of reusable bags. This proposed ordinance would amend Chapter 6, Article 6 of the San Diego Municipal Code, adding new Division 8, Sections 66.0801, 66.0802, 66.0803, 66.0804, 66.0805, 66.0806, 66.0807, and 66.0808.

The City of San Diego (City) is proposing to reduce the adverse environmental impacts associated with single-use plastic carryout bags, including plastic bag litter. The City proposes to adopt and implement the Single-Use Carryout Bag Reduction Ordinance (project or ordinance) to regulate the use of single-use plastic carryout bags and promote the use of reusable bags within the City. The ordinance would: prohibit stores subject to the ordinance from distributing plastic single-use carryout bags and non-recyclable paper single-use carryout bags at the point of sale to customers, require stores subject to the ordinance to only provide recyclable paper single-use carryout bags or reusable bags at the point of sale to customers, and require stores subject to the ordinance to collect a charge at the point of sale of \$0.10 for each recyclable paper single-use carryout bag provided to a customer and a minimum charge of \$0.10 for each reusable carryout bag provided to a customer. More specifically, the ordinance would:

1. Prohibit the distribution of plastic single-use carryout bags and paper single-use carryout bags that do not qualify as “recyclable paper single-use carryout bags” to point-of-sale customers at stores subject to the ordinance.
2. Require stores subject to this ordinance to collect a \$0.10 charge for each recyclable paper single-use carryout bag provided to point-of-sale customers.

Participants in the Women, Infant and Children (WIC) or Supplemental Food Programs would be exempt from this requirement. (The Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) provides federal grants to states for supplemental foods, health care referrals, and nutrition education for low-income pregnant, breastfeeding, and non-breastfeeding postpartum women, and to infants and children up to age five who are found to be at nutritional risk.)

3. Apply to the following:
 - a. Full-line retail stores with two million dollars or more in gross annual sales that offer for sale perishable items in addition to a line of dry groceries, canned goods, or non-food items (Category A stores).
 - b. Stores of at least 10,000 square feet of retail space that generate sales or use tax pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law and that have a pharmacy licensed pursuant to the Pharmacy Law (Category B stores).
 - c. Supermarkets, grocery stores, drug stores, convenience food stores, food marts, pharmacies, or other entities engaged in the retail sale of goods that include milk, bread, soda, and snack foods, including those retail establishments with a Type 20 or 21 license issued by the California Department of Alcoholic Beverage Control (Category C stores).
4. Not regulate:
 - a. ”Product bags” - these include plastic or paper bags without handles, that are provided to a customer to carry meat, produce, or other food items to the point of sale, or to protect food or merchandise from being damaged or contaminated by other food or merchandise when items are placed together in a reusable bag or a recyclable paper single-use carryout bag at the point of sale.
 - b. Restaurants.
 - c. Non-profit stores that sell used goods.
5. Require stores subject to the ordinance to provide or make available to customers only recyclable paper single-use carryout bags or reusable bags for carrying away goods or materials from the point of sale.
6. Require stores subject to the ordinance to charge at least \$0.10 per reusable bag at the point of sale to customers.

7. Allow stores subject to the ordinance to provide reusable bags for free to customers during an infrequent and limited time promotion that cannot exceed a total of 90 calendar days within any consecutive 12-month period.
8. Require stores subject to the ordinance to keep complete and accurate records of the number of recyclable paper single-use carryout bags provided each calendar month, both at a cost and for free to customers, and the total amount of monies collected each calendar month for the sale of recyclable paper single-use carryout bags to customers.
9. Not require periodic reporting, although the City may request data.
10. Phase implementation to allow for the transitional use of remaining single-use plastic and non-recyclable paper carryout bag inventories.

The ordinance would not prohibit a store from providing “product bags” to protect or contain meat or prepared food; or for bagging fruits, vegetables, and other fresh produce; or for other goods that must be protected from moisture, damage or cross-contamination, and which are typically placed inside a single-use carryout bag at the point of sale. Restaurant, City farmers market vendor, pharmacy, clothing, and dry cleaner bags would be exempt from the ordinance. A grace period of six months for large retailers (Category A and B stores) and one year for small retailers (Category C stores) would be provided to allow retailers to phase out stocks of plastic single-use carryout bags and paper bags that do not qualify as “recycled paper single-use carryout bags”. Upon completion of the applicable grace period, retailers would have to charge \$0.10 per recyclable paper single-use carryout bag, which would be retained by the retailer. The City’s Environmental Services Department (ESD) has conducted a public education program for several years, and would continue these activities through the grace period.

Recommended Finding: The draft PEIR concludes that the project would result in less than significant or beneficial effects with regard to **Air Quality, Hydrology/Water Quality, and Energy**. All other impacts analyzed in this EIR were found to be less than significant.

Availability in Alternative Format: To request this Notice, the draft PEIR and/or supporting documents in alternative format, call the Planning Department at 619-235-5200 or (800) 735-2929 (TEXT TELEPHONE).

Additional Information: For environmental review information, contact Susan Morrison at (619) 533-6492. The draft PEIR and supporting documents may be reviewed, or purchased for the cost of reproduction, at the Planning Department at 1222 First Avenue, Fifth Floor. If you are interested in obtaining additional copies of the Compact Disk (CD) or a hard-copy of the draft PEIR, they can be purchased for an additional cost. For information regarding the draft PEIR process or public meetings/hearings on this project, contact Jennifer Ott-Rol, Project Manager at (858) 573-1285 or via email: jott@sandiego.gov.

This notice was published in the SAN DIEGO DAILY TRANSCRIPT and distributed on **November 20, 2015**

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Planning Department