



**NOTICE OF AVAILABILITY
OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR
SANTA MONICA SINGLE-USE CARRYOUT BAG ORDINANCE
SCH# 2010041004**

OFFICIAL NOTICE is hereby given on the completion and availability of a Draft Environmental Impact Report (DEIR) for the proposed Single-use Carryout Bag Ordinance.

PROJECT DESCRIPTION: The City of Santa Monica proposes to adopt a Single-use Carryout Bag Ordinance that would prohibit all retail establishments (except restaurants) in Santa Monica from providing “single-use plastic carryout bags” to customers at the point of sale, and create a Green Fee for each paper bag distributed by grocery stores, convenience stores and pharmacies in the city, and requires that paper bags are at a minimum made of 40% post-consumer, recycled content and 100% recyclable. Restaurants and other food service providers may apply for an exemption from the ordinance that would allow them to provide plastic bags to customers for prepared take-out food intended for consumption off of the food provider’s premises. The intent of the ordinance is to reduce the environmental impacts related to single-use plastic and paper carryout bags, and promote a shift toward the use of reusable bags. The environmental impacts associated with the use of single-use plastic and paper bags include air quality, biological resources (including marine environments), greenhouse gas emissions, water quality and traffic. It is anticipated that by prohibiting single-use plastic carryout bags and requiring a Green Fee for each paper bag distributed by the respective retailers, the proposed ordinance would incrementally reduce the amount of single-use plastic and paper bags within the City, while promoting a shift to the use of reusable bags by Santa Monica retail customers.

Single-use plastic carryout bags are made from petroleum or bio-based plastic (i.e., made with at least 90% starch from renewable resources such as corn, potato, tapioca, or wheat, or from polyesters, manufactured from hydrocarbons, or starch–polyester blends) that are less than 2.25 millimeters thick. The proposed Single-use Carryout Bag Ordinance would prohibit retailers from distributing both petroleum and bio-based single-use plastic bags. The proposed Single-use Carryout Bag Ordinance would not prohibit the distribution of plastic “product bags” such as those distributed within a grocery store for bagging produce. As described above, restaurants and other food service providers may apply for an exemption from the ordinance that would allow them to provide plastic bags to customers for prepared take-out food intended for consumption off of the food provider’s premises. This exception is included as a public health safeguard based on input from restaurant owners who expressed concern that some hot and liquid foods could leak from take-out containers and potentially cause paper bags to weaken and fail.

The Single-use Carryout Bag Ordinance would also impose a “Green Fee” on paper carryout bags at all Santa Monica grocery stores, convenience stores, mini-marts, liquor stores and pharmacies. It is anticipated that the Green Fee would be at least \$0.25 (twenty-five cents) per paper bag with at least \$0.10 (ten cents) of this amount being retained by the affected stores to offset their costs. The Green Fee is intended to provide a disincentive to customers to request paper bags when shopping at regulated stores and is intended to promote a major shift toward the use of reusable bags by consumers in Santa Monica. The fee would not apply to other types of retail stores such as department stores, clothing stores, and stores that sell durable goods because these types of stores do not typically distribute single-use plastic carryout bags to customers in large volumes as compared to grocery stores, convenience stores, mini-marts, liquor stores and pharmacies. The Green Fee would also not apply to paper bags distributed by vendors at the City’s Farmers’ Markets.

The Green Fee would charge customers for each paper carryout bag provided by the affected stores. Revenues generated by the fee would be used to offset the costs to the City for implementation and enforcement of the ordinance, and to compensate the affected stores for increased costs related to compliance with the ordinance. Stores would be required to indicate on the customer receipt the number of paper carryout bags provided and the total amount of Green Fee charged. The stores would be required to regularly report and remit to the City the regulatory portion of the Green Fees collected.

Although not included in the proposed ordinance, as part of the Community Outreach and implementation of the Single-use Carryout Bag Ordinance, the City would purchase and distribute (at no cost) approximately 25,000 reusable bags to the public.

POTENTIAL SIGNIFICANT IMPACTS: Potentially significant environmental impacts have been analyzed in the following issue areas: Air Quality, Biological Resources, Greenhouse Gas Emissions, Hydrology/Water Quality, and Transportation/Traffic.

PUBLIC REVIEW PERIOD: A 45-day public review period is provided for all interested persons to submit written comments (letters or email) on the adequacy of the Draft EIR. **The comment period will start on June 7, 2010 and end at 5:30 p.m. on July 22, 2010.** Written comments should be sent to:

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PUBLIC MEETING: Additional notice will be given when public meetings before City Council are scheduled to receive comments on the EIR, and the proposed ordinance. If you wish to challenge the Draft Environmental Impact Report in court, you may be limited to raising those issues that you or someone else raised during this 45 day comment period, or at any public hearing or meetings where this document was considered.

AVAILABILITY OF ENVIRONMENTAL DOCUMENTATION: The Draft EIR and background materials may be on the City website at www.sustainable-sm.org or <http://www.smgov.net/departments/ose/> and at the following locations:

Office of Sustainability and the Environment
200 Santa Monica Pier, Suite D
Santa Monica, CA

Office of the City Clerk
Room 102
1685 Main Street, Santa Monica, CA

Santa Monica Library
Main Branch
601 Santa Monica Blvd., Santa Monica, CA

Santa Monica Library
Montana Avenue Branch
1704 Montana Avenue, Santa Monica, CA

Santa Monica Library
Fairview Branch
2101 Ocean Park Blvd., Santa Monica, CA

Santa Monica Library
Ocean Park Branch
2601 Main Street, Santa Monica, CA