



PLANNING DEPARTMENT

Date of Notice: MARCH 23, 2016

**PUBLIC NOTICE OF AVAILABILITY FOR RECIRCULATED
SECTIONS OF A DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT**

Internal Order Number: 21003516

The City of San Diego Planning Department has determined that various sections of the Draft Environmental Impact Report (EIR) for the above project should be revised and recirculated in accordance with Section 15088.5(a) of the State CEQA Guidelines which requires that an EIR be recirculated for an additional public review when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review, but before certification. This determination was made in response to comments received during public review of the draft EIR regarding greenhouse gas emissions that would result from the adoption of the proposed ordinance. Public review concluded on January 19, 2016. This Recirculated draft EIR is consistent with the requirements of Section 15088.5(a) of the CEQA Guidelines.

As a result, the following sections or chapters of the draft EIR have been revised to include additional information and analysis regarding Greenhouse Gas Emissions:

- Executive Summary, sections on Environmental Impacts and Alternatives to the Project
- Section 3, Environmental Impact Analysis, Greenhouse Gas Emissions
- Section 4, Alternatives to the Project
- Section 5, Significant Environmental Effects that Cannot Be Avoided If the Project Is Implemented
- Section 6, Significant Irreversible Environmental Changes
- Section 8, Cumulative Impacts

The revised sections of the draft EIR 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>

In accordance with CEQA Section 15088.5(f)(1), the City is inviting the public to review the Recirculated EIR sections. **Please note that comments will only be accepted for the revised portions of the sections noted above and recirculated under this notice. Your comments must be received by MAY 9, 2016 to be included in the final document considered by the decision-making authorities.** The Final EIR will include responses to comments from the original EIR public review and that of the current effort.

Please send your written comments to the following address: **Susan Morrison, Environmental Planner, City of San Diego Planning Department, 1010 2nd Avenue, Suite 1200, East Tower, MS 413, San Diego, CA 92101** or email your comments to PlanningCEQA@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: **CITY OF SAN DIEGO SINGLE-USE CARRYOUT BAG REDUCTION ORDINANCE**
- Project No. **412659**, SCH No. **2015051034**
- Community Plan Area: **CITYWIDE**
- Council District: **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 EIR concludes that the project would result in significant unavoidable impacts in the area of **Greenhouse Gas Emissions**, and 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 Recirculated Environmental Impact Report (EIR) Sections, and/or supporting documents in alternative format call the Planning Department at 619-235-5200 or (800) 735-2929 (TEXT TELEPHONE).

Additional Information: For information regarding public hearings on this project, contact Project Manager Jennifer Ott at (858) 573-1285. For environmental review information, contact Susan Morrison, Environmental Planner at (619) 533-6492. The draft EIR, Initial Study, and supporting documents may be reviewed or purchased for the cost of reproduction, in the Planning Department.

This public notice for the Recirculated draft EIR sections was published in the SAN DIEGO DAILY TRANSCRIPT, posted at the County of San Diego, distributed for public review, and posted on the following City of San Diego web-sites on **MARCH 23, 2016**:

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

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

Alyssa Muto
Deputy Director