



March 15, 2013

**NOTICE OF PUBLIC MEETING  
AND  
NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION  
FOR  
THE REUSABLE BAG ORDINANCE**

**NOTICE IS HEREBY GIVEN** that the City of San Mateo has prepared an Initial Study/Negative Declaration, which identifies and discusses potential environmental impacts of the project and, if necessary, proposes mitigation measures to be incorporated in the project to eliminate any potentially significant impacts, for the following project.

**CITYWIDE ORDINANCE: REUSABLE BAG ORDINANCE**

**PROJECT SUMMARY:**

The City of San Mateo is proposing to adopt a Reusable Bag Ordinance that would regulate the use of paper and plastic single-use carryout bags within the City of San Mateo. This Ordinance is effectively the same ordinance adopted by the San Mateo County Board of Supervisors on November 6, 2012, which will become effective April 22, 2013.

The proposed Reusable Bag Ordinance would apply to all retail establishments located within the City of San Mateo, including those selling clothing, food, and personal items directly to the customer. The proposed Ordinance would not apply to restaurants, take-out food establishments or non-profit charitable reuse organizations. The proposed Ordinance exempts retail customers participating in the California Special Supplemental Food Programs and the CalFresh program from the paper bag charge. The proposed Ordinance would prohibit the free distribution of single-use carryout paper and plastic bags and would require retail establishments to charge customers for recycled paper bags and reusable bags at the point of sale. The minimum charge would be ten cents (\$0.10) per recycled paper bag until December 31, 2014, and twenty-five cents (\$0.25) per paper bag on or after January 1, 2015.

Requested Applications:

- A. Proposed adoption of a new City Ordinance
- B. Initial Study & Negative Declaration to assess potential environmental impact

Project Manager: Kenneth Chin, Project Manager  
330 W. 20th Avenue  
San Mateo, CA 94403  
kchin@cityofsanmateo.org  
(650) 522-7313

Project Applicant: City of San Mateo  
330 W. 20th Avenue  
San Mateo CA 94403

**AVAILABILITY OF NEGATIVE DECLARATION AND INITIAL STUDY:**

The application requires the preparation of an environmental impact assessment under the provisions of the California Environmental Quality Act (CEQA). Copies of the Initial Study/Negative Declaration are available at City Hall (330 West 20th Ave.), at the City's Main Library (55 West 3rd Ave, Reference Desk). It is also available online on the City's website at [www.cityofsanmateo.org/index.aspx?NID=2539](http://www.cityofsanmateo.org/index.aspx?NID=2539).

**PUBLIC COMMENT OF ENVIRONMENTAL REVIEW DOCUMENT:**

The public review period for the Draft Negative Declaration starts on **March 15, 2013 and extends to April 3, 2013** (20 day public review period). Please submit all written comments on the Draft Negative Declaration to Kenneth Chin, Project Manager, City of San Mateo Public Works Department, 330 West 20th Avenue, San Mateo, CA, 94403. If you have questions, please call Kenneth Chin at (650) 522-7313. If any person challenges this item in court, that person may be limited to raising only those issues the person in written correspondence delivered at, or prior to, the public hearings.

**PUBLIC HEARING:**

After the conclusion of the public review for the environmental document, the City Council will hold a public hearing to review this ordinance. The City Council public hearing is scheduled for **April 15, 2013 at 7:00 p.m.** in the City Council Chambers at City Hall, 330 W. 20th Avenue, San Mateo, California.

The requested City Council approvals include:

- A. Adopt a Resolution approving the Initial Study and Mitigated Negative Declaration for the Reusable Bag Ordinance
- B. Introduction of the Reusable Bag Ordinance

If any person challenges this item in court, that person may be limited to raising only those issues the person or someone else raised at the public hearing described in this notice, or in written correspondence delivered at, or prior to, the public hearings.

*AMERICANS WITH DISABILITIES ACT — In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify the City Clerk 48 hours prior to the meeting at (650) 522-7041.*



# CITY OF SAN MATEO

## Negative Declaration

Pursuant to Section 21000 et seq of the Public Resources Code and the City of San Mateo Environmental Review Guidelines and Procedures, a Negative Declaration is hereby granted for the following project:

Project Title and Number: Reusable Bag Ordinance

Lead Agency Name and Address: City of San Mateo, Public Works Department

Contact Person and Phone Number: Stephen Scott, Zoning Administrator  
Phone: (650)522-7207  
Email: [sscott@cityofsanmateo.org](mailto:sscott@cityofsanmateo.org)

Project Location and APN: Citywide

Project Sponsor's Name & Address: City of San Mateo  
330 W. 20<sup>th</sup> Avenue  
San Mateo, CA 94403

General Plan Designation: Citywide

Zoning: Citywide

Description of Project: The City of San Mateo is proposing to adopt a Reusable Bag Ordinance that would regulate the use of paper and plastic single-use carryout bags within the City of San Mateo. This Ordinance is effectively the same ordinance adopted by the San Mateo County Board of Supervisors on November 6, 2012, which will become effective April 22, 2013.

Surrounding Land Uses and Setting: Citywide

Requested Applications: Ordinance Adoption

Other public agencies whose approval is required: None

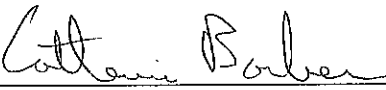
Finding: Based on the attached Initial Study and the testimony received at a duly noticed public hearing, a Negative Declaration is granted, based on the judgment that:

The project will not have a significant effect on the environment.

\_\_\_\_\_ The significant effects of the project noted in the Initial Study attached have been mitigated by modifications in the project, or by imposition of required mitigation measures listed in the Initial Study, so that the potential adverse effects are reduced to a point where no significant effects would occur.

  
\_\_\_\_\_  
Stephen Scott, Zoning Administrator

3-13-13  
Date

  
\_\_\_\_\_  
Prepared By

3-13-13  
Date

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# CITY OF SAN MATEO

## Initial Study

1. **Project Title:** Reusable Bag Ordinance
2. **Lead Agency Name and Address:** City of San Mateo, Planning Division  
330 W. 20<sup>th</sup> Avenue  
San Mateo, CA 94403
3. **Contact Person and Phone Number:** Stephen Scott, Zoning Administrator  
Phone: (650) 522-7207  
Email: [sscott@cityofsanmateo.org](mailto:sscott@cityofsanmateo.org)
4. **Project Location:** Citywide- See Location Map.  
The City of San Mateo is located in San Mateo County, California. San Mateo is 15.7 square miles in size and is located approximately 15 miles south of San Francisco. The City of San Mateo is bordered by the City of Burlingame to the north, the City of Belmont to the south, the City of Foster City to the east, and the Town of Hillsborough and unincorporated portions of San Mateo County to the west.

**5. Description of Project:**

The City of San Mateo is proposing to adopt a Reusable Bag Ordinance (included in Appendix A) that would regulate the use of paper and plastic single-use carryout bags within the City of San Mateo. This Ordinance is effectively the same ordinance adopted by the San Mateo County Board of Supervisors on November 6, 2012, which will become effective April 22, 2013.

The proposed Reusable Bag Ordinance would apply to all retail establishments located within the City of San Mateo, including those selling clothing, food, and personal items directly to the customer. The proposed Ordinance would not apply to restaurants, take-out food establishments or non-profit charitable reuse organizations. The proposed Ordinance exempts retail customers participating in the California Special Supplemental Food Programs and the CalFresh program from the paper bag charge.

The City of San Mateo's population is 97,207<sup>1</sup> with approximately 531 plastic bags used per person, per year as detailed in San Mateo County's Program EIR for the County's Ordinance<sup>2</sup>. The proposed Ordinance would prohibit the free distribution of single-use carryout paper and plastic bags and would require retail establishments to charge customers for recycled paper bags and reusable bags at the point of sale. The minimum charge would be ten cents (\$0.10) per recycled paper bag until December 31, 2014, and twenty-five cents (\$0.25) per paper bag on or after January 1, 2015.

The bag charges that are collected by the affected stores may be retained to compensate the stores for the increased costs related to compliance with the proposed Ordinance. The proposed Ordinance would be effective thirty (30) days from the date of adoption.

The purpose of the proposed Ordinance includes:

- Reducing the amount of single-use plastic bags in trash loads (e.g., landfills), in conformance with the trash load reduction requirements of the National Pollutant Discharge Elimination System (NPDES) Municipal Regional Permit;
- Reducing the environmental impacts related to single-use plastic carryout bags, such as impacts to biological resources (including marine environments), water quality and utilities (e.g., solid waste);
- Minimizing the use of paper bags by retail customers;
- Promoting a shift toward the use of reusable carryout bags by retail customers;
- Avoiding litter and the associated adverse impacts to stormwater systems, aesthetics, creeks and the marine environment (San Francisco Bay and the Pacific Ocean).

## 6. Previous CEQA Review:

### Overview

This Initial Study provides the required analysis under the California Environmental Quality Act (CEQA) for the proposed reusable bag Ordinance. Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, provided that one or more effects have been adequately analyzed in an earlier EIR or Initial Study/Negative Declaration, per CEQA guidelines, Section 15152(G).

The environmental analysis for the proposed Ordinance is tiered from the 2012 Reusable Bag Ordinance (formerly Single Use Bag Ban Ordinance) Final Program EIR ( County EIR) for the San Mateo County Reusable Bag Ordinance. This document is hereby "incorporated by

<sup>1</sup> <http://www.bayareacensus.ca.gov/cities/SanMateo.htm>

<sup>2</sup> San Mateo County, Draft Program EIR, "Single Use Bag Ban Ordinance Draft Program EIR", dated June 2012 and San Mateo County, Final Program EIR, "Reusable Bag Ordinance (formerly Single Use Bag Ban Ordinance) Final Program EIR", August 2012

reference" pursuant to the State *CEQA Guidelines* Section 15150. An EIR or Negative Declaration may incorporate by reference all or portions of another document which is a matter of public record or is generally available to the public. Where an EIR or Initial Study/Negative Declaration uses incorporation by reference, the incorporated part of the referenced document shall be briefly summarized where possible or briefly described if the data or information cannot be summarized. Incorporation by reference is most appropriate for including long, descriptive, or technical materials that provide general background.

The County EIR evaluated a bag ordinance adopted within unincorporated San Mateo County as well as a similar ordinance within each of the eighteen (18) participating cities in San Mateo County and six (6) participating cities in Santa Clara County. San Mateo County's EIR is a Program EIR which was prepared pursuant to Section 15168 of the *CEQA Guidelines* (Title 14, California Code of Regulations, Sections 15000 et seq.), and that document fully analyzed the implementation of the Reusable Bag Ordinance. The County EIR concluded that the proposed Ordinance would not result in any significant unavoidable effects. All potential impacts identified in the County EIR were either beneficial or less than significant such that **no mitigation measures were required.**

#### Chronology

San Mateo County released a Notice of Preparation for the EIR for the proposed Reusable Bag Ordinance on April 6, 2012. Rincon Consultants, Inc., prepared the Draft EIR and Appendices which were published in June 2012. A Notice of Completion and copies of the Draft EIR were delivered to the State Clearinghouse (SCH No. 2012042013) on June 22, 2012 and the document was circulated for a 45-day public review period that began on June 22, 2012 and ended on August 6, 2012.

The Draft EIR and Final EIR for the County's Reusable Bag Ordinance was, and is still available, on the County's website. Copies of the documents are available for review at the County of San Mateo Planning and Building Department and at the following libraries, which are located in the Study Area identified by the document (18 San Mateo County cities and 6 Santa Clara County cities):

Serramonte Main Library  
40 Wembley Drive  
Daly City, CA 94015

Millbrae Library  
1 Library Avenue  
Millbrae, CA 94030

San Mateo Main Library  
55 West Third Avenue  
San Mateo, CA 94402

Redwood City Downtown Library  
1044 Middlefield Road  
Redwood City, CA 94063

Half Moon Bay Library  
620 Correas Street  
Half Moon Bay, CA 94019

Mountain View Library  
585 Franklin Street  
Mountain View, CA 94041

Los Gatos Public Library, Town Civic Center  
100 Villa Avenue  
Los Gatos, CA 95030

Milpitas Library  
160 North Main Street  
Milpitas, CA 95035



A public hearing was held on July 11, 2012 by the County's Planning Commission to receive comments on the Draft EIR. The County of San Mateo Planning and Building Department prepared a Final EIR entitled "Reusable Bag Ordinance (formerly Single Use Bag Ban Ordinance) Final Program EIR", dated August 2012. Consistent with Section 15132 of the *CEQA Guidelines*, this Final Program EIR consists of (a) revisions to the Draft EIR, (b) a list of persons and organizations that commented on the Draft EIR, (c) comments received on the Draft EIR, (d) the County's responses to significant environmental points raised in the review and consultation process, and (e) any other information added by the County.

On October 23, 2012 the San Mateo County Board of Supervisors held a public hearing where the Reusable Bag Ordinance was introduced and they certified the Final EIR for the Ordinance. The County's Reusable Bag Ordinance was adopted by the Board of Supervisors on November 12, 2012 and will be implemented beginning April 22, 2013.

**7. Other public agencies whose approval is required:**

None

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this Project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Aesthetics               | <input type="checkbox"/> Agriculture and Forest Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources     | <input type="checkbox"/> Cultural Resources               | <input type="checkbox"/> Geology / Soils                    |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials    | <input type="checkbox"/> Hydrology / Water Quality          |
| <input type="checkbox"/> Land Use / Planning      | <input type="checkbox"/> Mineral Resources                | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Population / Housing     | <input type="checkbox"/> Public Services                  | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Transportation / Traffic | <input type="checkbox"/> Utilities / Service Systems      | <input type="checkbox"/> Mandatory Findings of Significance |

**DETERMINATION:**

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

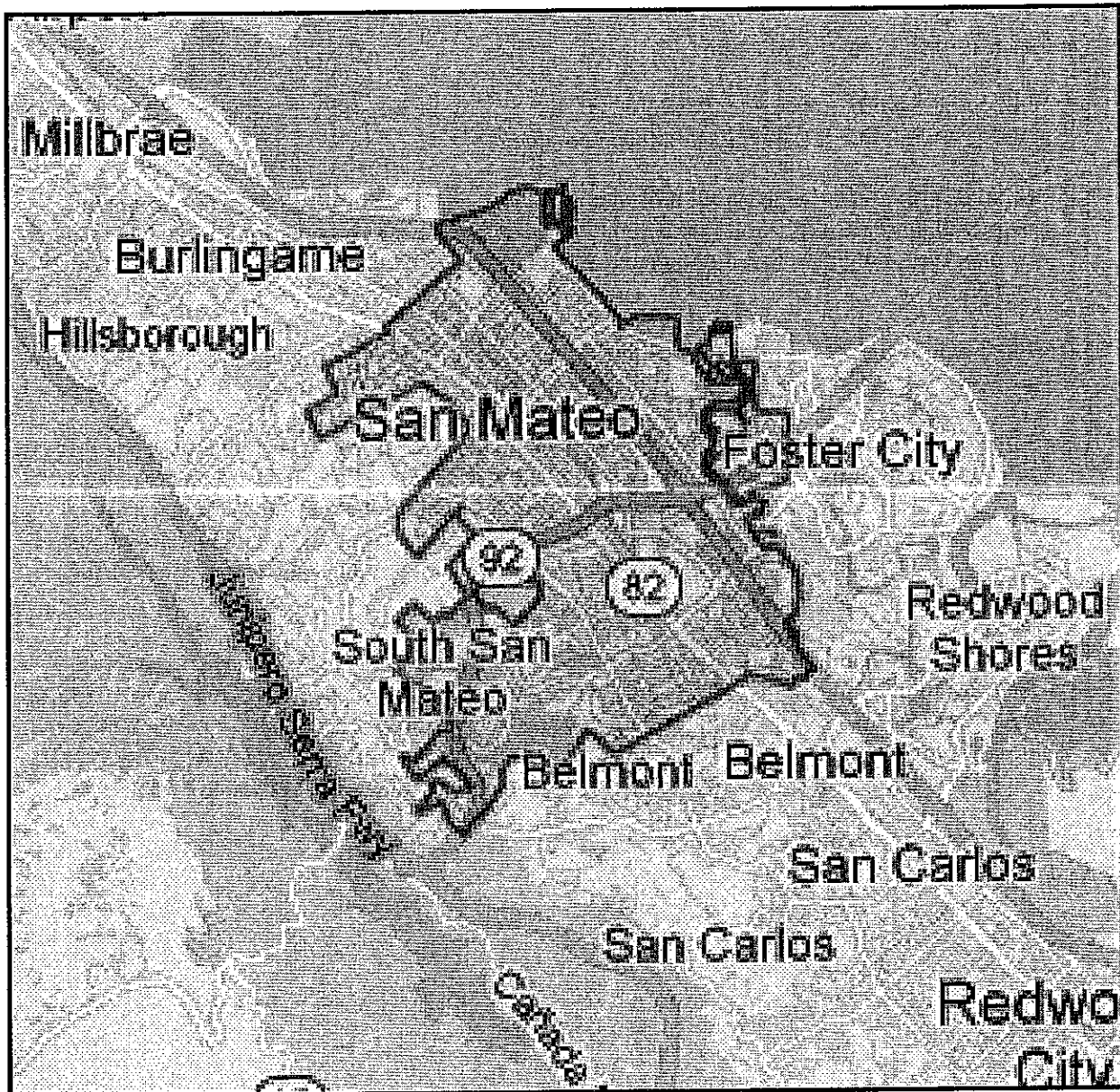
Prepared by:

Catherine Barber (SWS)  
Signature

3-13-13  
Date

[Signature]  
Stephen Scott, Zoning Administrator

3-13-13  
Date



**FIGURE 1**

*Location Map  
City of San Mateo- Initial Study-Reusable Bag Ordinance*

## EVALUATION OF ENVIRONMENTAL IMPACTS:

### DISCUSSION OF ENVIRONMENTAL EVALUATION

Items identified in each section of the environmental checklist below are discussed following that section. Required mitigation measures are identified (if applicable) where necessary to reduce a projected impact to a level that is determined to be less than significant. The General Plan Environmental Impact Report (SCH No. 89100308) and San Mateo County's "Single Use Bag Ban Ordinance Draft Program EIR" and "Reusable Bag Ordinance (formerly Single Use Bag Ban Ordinance) Final Program EIR" (SCH No. 2012042013), are hereby incorporated herein by reference in accordance with Section 15150 of the *CEQA Guidelines*. Copies of the General Plan EIR and all other documents referenced herein are available for review at the City of San Mateo Planning Division, 330 W. 20th Avenue, San Mateo. Copies of San Mateo County's "Single Use Bag Ban Ordinance Draft Program EIR" and "Reusable Bag Ordinance (formerly Single Use Bag Ban Ordinance) Final Program EIR" are available at the San Mateo County Planning and Building Department, 455 County Center, Redwood City.

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The following sources are referenced in the Initial Study Checklist, and are hereby incorporated by reference into this document. While these documents are not attached with the circulated Initial Study, all referenced documents are available for review at the City of San Mateo Planning Division.

1. City of San Mateo General Plan
2. City of San Mateo Municipal Code
3. <http://www.bayareacensus.ca.gov/cities/SanMateo.htm>
4. State of California Hazardous Waste & Substances List
5. Uniform Building Code
6. Uniform Fire Code
7. Citywide Archaeological Investigations, City of San Mateo, CA
8. San Mateo Historic Resources Inventory 1989
9. Bay Area Air Quality Management District CEQA Air Quality Guidelines, June 2010
10. USGS Map Showing Faults and Earthquake Epicenters in San Mateo County, CA
11. USGS, *Susceptibility Map of the San Francisco Bay Area*
12. USGS, *Soil Type and Shaking Hazards in the San Francisco Bay Area Map*
13. Department of Conservation, Division of Mines and Geology Map, *Mineral Resource Zones and Resource Sectors Map for San Francisco and San Mateo Counties*
14. FEMA Flood Insurance Rate Map: Community-Panel 061081C0166E, City of San Mateo, San Mateo County
15. San Mateo Countywide Stormwater Pollution Prevention Program's C.3 Stormwater Technical Guidance Document, updated December 2012, Chapter 7, Hydromodification Management Measures
16. *Greenhouse Gas Inventory*, Sustainable Silicon Valley, October 2007
17. *Sustainable Initiatives Plan*, City of San Mateo's Sustainability Advisory Committee, December 2007
18. City of San Mateo, *Climate Action Plan for Operations and Facilities*, January 2008
19. Ocean Conservancy. *International Coastal Cleanup 2009 Report: A Rising Tide of Ocean Debris (And What We Can Do About It)*, 2009. [www.oceanconservancy.org/our-work/marine-debris/icc\\_report.html](http://www.oceanconservancy.org/our-work/marine-debris/icc_report.html)

20. Keep America Beautiful. *Litter in America. National Litter Research Findings and Recommendations*. 2009. [www.kab.org](http://www.kab.org)
21. Green Cities California. *Master Environmental Assessment on Single-Use and Reusable Bags*. March 2010
22. Franklin Associates. *Resource and Environmental Profile Analysis of Polyethylene and Unbleached Paper Grocery Sacks*. 1990
23. San Mateo County, Draft Program EIR, "*Single Use Bag Ban Ordinance Draft Program EIR*", dated June 2012
24. San Mateo County, Final Program EIR, "*Reusable Bag Ordinance (formerly Single Use Bag Ban Ordinance) Final Program EIR*", August 2012
25. City of San Mateo, Reusable Bag Ordinance
26. City of Millbrae, *Revised Initial Study/Environmental Checklist for the Millbrae Municipal Code Amendment to Prohibit Single-Use Carryout Bags*, November 2011
27. City of Davis, *Single Use Carryout Bag Ordinance, Draft Initial Study*, prepared by ESA, January 2013
28. City of San Jose. *Draft Environmental Impact Report – Single-Use Carryout Bag Ordinance*. July 2010.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Supporting Information Sources
<b>1. AESTHETICS. Would the project:</b>					
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,19, 20,23, 24,25
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,19, 20,23, 24,25
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,19, 20,23, 24,25
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,19, 20,23, 24,25

**DISCUSSION OF EVALUATION – AESTHETICS:**

**1(a-d)(No Impact)**

The proposed Ordinance is intended to help reduce the amount and visibility of litter associated with single-use carryout bags. Single-use carryout bags, particularly plastic bags, are a significant component of litter in the environment due to their light weight and their susceptibility to be blown away by the wind. They rank number 5 in the top 10 littered items, and made up 5 percent of the total collected items on Coastal Cleanup Days in the last 25 years according to the Ocean Conservancy/International Coastal Commission.<sup>3</sup> Over the last 40 years incidence of plastic items in the litter stream has increased over 165 percent.<sup>4</sup> In 2009, the U.S. EPA estimated that approximately 9 percent of single-use carryout plastic bags, including film/wrap plastic, were recycled in California. AB 2449 became effective July 2007, and requires that all California grocery stores take back and recycle plastic grocery bags (single-use carryout bags). The bill also requires retailers to provide consumers with a bag reuse opportunity, as well as for retailers and manufacturers to implement a public education program with all bags labeled 'Please Return to a Participating Store for Recycling'. As a result, recycling of single-use carryout bags may have increased with the installation of plastic

<sup>3</sup> Ocean Conservancy. *International Coastal Cleanup 2009 Report: A Rising Tide of Ocean Debris (And What We Can Do About It)*, 2009. [www.oceanconservancy.org/our-work/marine-debris/icc\\_report.html](http://www.oceanconservancy.org/our-work/marine-debris/icc_report.html)

<sup>4</sup> Keep America Beautiful. *Litter in America. National Litter Research Findings and Recommendations*. 2009. [www.kab.org](http://www.kab.org).

bag recycling bins in large grocery stores. The City of San Jose has estimated that 7 percent of plastic bags were being recycled in San Jose (following implementation of AB 2449)<sup>5</sup>.

Paper bags are generally recycled at a higher rate than plastic bags, likely due to their greater weight and given the fact that paper bags can be easily recycled through curbside recycling programs. The U.S. EPA estimated in 2009 that approximately 50 percent of paper bags were recycled nationally. Within the San Francisco Bay Area and in San Mateo County, this rate is likely higher due to greater promotion of recycling programs and public awareness.

Adoption and implementation of the proposed Ordinance would result in the reduction of single-use carryout bags from distribution and potentially reduce the amount of litter and associated aesthetic impacts and would not result in any new potentially significant aesthetics impacts. The proposed Ordinance would not adversely affect any scenic vistas, damage scenic resources, degrade existing visual character, and would not create a source of substantial light or glare.

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<sup>5</sup> City of San Jose. *Draft Environmental Impact Report – Single Use Carryout Bag Ordinance*. July 2010

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Supporting Information Sources
<b>2. AGRICULTURE AND FOREST RESOURCES.</b>					
<p>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. -- Would the project:</p>					
<p>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,25
<p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,25
<p>c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,25



Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Supporting Information Sources
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,25

**DISCUSSION OF EVALUATION –AGRICULTURAL AND FOREST RESOURCES:**

**2(a-d)(No Impact)**

The consideration of a new Ordinance that would regulate single-use carryout bags at retail establishments within the City of San Mateo would have no impact on land designated as Prime Farmland, Unique Farmland or Farmland of Statewide Importance, or land within a Williamson Act contract. Therefore, no impact is anticipated to agricultural and forest resources.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Supporting Information Sources
<b>3. AIR QUALITY.</b> Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,9,18,23, 24,25,26, 27
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,9,18,23, 24,25,26, 27
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,9,18,23, 24,25,26, 27
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,9,18,23, 24,25,26, 27
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,9,18,23, 24,25,26, 27

**DISCUSSION OF EVALUATION – AIR QUALITY:**

**2(a,b,d),(No Impact)**

**2(c)(Less Than Significant Impact)**

The proposed Ordinance would not conflict or obstruct the implementation of the applicable air quality plan or violate any air quality standards in the City. The proposed Ordinance would result in greatly reducing single-use carryout plastic bags from distribution within the City of San Mateo, which would be replaced with ‘recycled’ paper bags and reusable bags. The Ordinance states that all paper bags used in the City at point of sale shall meet the following requirements;

- Be composed of a minimum of 40 percent post consumer recycled content;
- Be one-hundred percent (100 percent) recyclable;
- Have printed, in a highly visible manner, on the outside of the bag the words "Reusable" and "Recyclable", with the name and location of the manufacturer and the percentage of post-consumer recycled content.

The exact number of single-use carryout bags that would be removed and replaced with paper or reusable bags as a result of implementation of this Ordinance is not known. However, it can be concluded that plastic bags would not be replaced by paper bags on a one to one ratio since paper bags have a higher capacity. In light of anticipated education efforts and the public's existing concern for this issue, it can be reasonably assumed that at least some percentage of plastic bags are expected to be replaced by reusable bags rather than paper bags.

Several studies have documented that the manufacturing and distribution of paper bags can consume more energy than plastic bags. With an expected increase in the use of recyclable paper bags, the proposed Ordinance could potentially generate air pollutant emissions associated with an incremental increase in truck trips to deliver recycled paper and reusable carryout bags to retailers within the City of San Mateo. There could also be an increase in emissions from power plants due to this use of energy to manufacture more paper bags; however, it is expected to be relatively small with a minimal or nonexistent increase in energy consumption and emissions. San Mateo County's EIR details the various studies and the specific emissions that could result from the manufacturing of both plastic and paper bags. It should be noted that no known manufacturing facilities of carryout bags are located within the City (or County) of San Mateo. Nevertheless, the County's EIR studies potential emissions.

In summary, the manufacturing process to make carryout bags requires fuel and energy consumption, which generates air pollutant emissions. These may include particulate matter, nitrogen oxides, hydrocarbons, sulfur oxides, carbon monoxide, and odorous sulfur.<sup>6</sup> However, the specific amount of each of these pollutants varies based upon the type and quantity of carryout bags produced. These emissions may contribute to air quality impacts related to acid rain (atmospheric acidification) or ground level ozone formation. However, all manufacturing facilities that produce carryout bags are subject to stringent air quality regulations. These emissions are regulated under the Clean Air Act and are subject to requirements of the local air quality management district in which they are located. Adherence to permit requirements ensures that manufacturing facilities do not violate any air quality standard. In addition to emissions permitting, manufacturing facilities are also required to obtain equipment permits for emission sources to ensure that equipment is operated and maintained in a manner that limits air emissions in the region. These equipment permits are issued through the local air quality management district. Compliance with applicable regulations ensures that manufacturing facilities do not generate emissions conflicting with or obstructing implementation of the applicable air quality plan, violate any air quality standard or contribute substantially to an existing or projected air quality violation or result in a cumulatively considerable net increase of any criteria pollutant. Therefore, the proposed Ordinance would have a less than significant impact on air quality.

With regard to potential emissions resulting from delivery trucks that transport carryout bags from manufacturers or distributors to local retailers, the County's EIR also considers these potential impacts in detail for the Study Area (which includes the City of San Mateo). This issue is discussed in the *Transportation* section of the Initial Study below as well. The study of potential truck emissions assumes that for the City of San Mateo, and statewide, approximately 531 plastic bags will be used

<sup>6</sup> Green Cities California. *Master Environmental Assessment on Single- Use and Reusable Bags*. March 2010.

per person per year. Like manufacturing facilities, delivery trucks are also subject to existing regulations primarily related to diesel emissions. These regulations are intended to reduce emissions associated with fuel combustion. The ground operational emissions associated with truck trips to deliver carryout bags to retailers were calculated using the URBEMIS 2007 v. 9.2.4 computer program (Rimpo and Associates, 2007). According to San Mateo County's Program EIR, the estimated increase in truck traffic that could result from implementation of the proposed Ordinance would be a net increase of 1.57 truck trips per day. However, this increase in truck trips to deliver recyclable paper and reusable bags would be at least partially offset by a reduction in trips to deliver single use plastic bags. The analysis detailed the overall emissions and found that any potential air quality impacts related to increased truck traffic associated with the distribution of carryout bags is expected to be less than significant and would not exceed Bay Area Air Quality Management District (BAAQMD) operational significance thresholds. Therefore, air quality impacts would be less than significant.

Implementation of the proposed Ordinance would not conflict with or obstruct implementation of an applicable air quality management plan, result in the violation of any air quality standard, or result in a cumulatively considerable net increase of any criteria pollutant. Sensitive receptors are considered homes, medical facilities, daycare centers, schools and playgrounds. The proposed Ordinance would not expose sensitive receptors to substantial pollutant concentrations and would not create objectionable odors.

The Program EIR prepared by San Mateo County for the reusable bag ordinance notes beneficial effects of the Ordinance based upon the shift towards reusable bags. The proposed Ordinance is expected to substantially reduce the number of single-use carryout bags, which would ultimately reduce the total number of single-use bags manufactured thereby resulting in a reduction in the overall air pollutant emissions associated with bag manufacture, transportation and use.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Supporting Information Sources
<b>4. BIOLOGICAL RESOURCES.</b> Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,22, 23,25
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,22, 23,25
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,22, 23,25
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,22, 23,25

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Supporting Information Sources
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,22, 23,25
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,22, 23,25

**DISCUSSION OF EVALUATION – BIOLOGICAL RESOURCES:**

**4(a-f)(No Impact)**

As discussed in the *Aesthetics* section above, single-use carryout bags (plastic debris) is a major pollutant of coastal and Bay waters. Plastic litter in the environment tends to break down into smaller pieces and eventually makes its way into the food chain. While the exact numbers of marine life which perish every year due to ingestion of or choking on plastic debris is difficult to assess, there are numerous anecdotal accounts of marine life being discovered with plastic debris in their stomachs or clogging their breathing apparatus. Paper bags are heavier, but degrade at a faster rate than plastic bags and therefore are less visually prominent in the litter stream.

The proposed Ordinance discourages single-use carryout bags, with the intended purpose of decreasing the prevalence of single-use carryout bag litter in the marine environment in and near the City of San Mateo. While this reduction in the use of single-use carryout bags in San Mateo would likely have only a minimal impact in the overall reduction of the migration of plastic refuse into the ocean; the Ordinance is likely to have some modest impact on improving water quality and removing a potential hazard from the marine environment given San Mateo's location along the Bay front. This reduction would be expected to reduce the litter-related impacts to sensitive wildlife species and sensitive habitats, which San Mateo County's EIR for the proposed Ordinance notes as a beneficial effect on biological resources.

Therefore, implementation of the proposed Ordinance would not be expected to result in any impacts to federally protected wetlands or substantially interfere with the movement of any native resident or migratory fish or wildlife species or impact any native wildlife nursery sites. The proposed Ordinance would not conflict with any local policies protecting biological resources, or conflict with any adopted Habitat Conservation Plan, Natural Community Conservation Plan or other local or regional conservation plans. The proposed Ordinance would not result in substantial

adverse effects, directly or through habitat modification on any species identified as a candidate, sensitive or special species. In addition, the proposed Ordinance would not adversely affect riparian habitats or other sensitive natural communities identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Supporting Information Sources
<b>5. CULTURAL RESOURCES.</b> Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5? (1,24)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,7,8,25
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? (1,24)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,7,8,25
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?(1,24)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,7,8,25
d) Disturb any human remains, including those interred outside of formal cemeteries? (1,24)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,7,8,25

**DISCUSSION OF EVALUATION – CULTURAL RESOURCES:**

**5(a-d)(No Impact)**

The proposed Ordinance to regulate the use of single-use carryout bags would not result in any potential impacts with respect to cultural resources and does not include any development or alterations of physical sites or structures. The Ordinance would not result in a substantial adverse change to a historical resource or archaeological resource or directly or indirectly destroy a unique paleontological resource or site, nor disturb any human remains.



Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Supporting Information Sources
<b>6. GEOLOGY AND SOILS.</b> Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,5,10, 11,12,25
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,5,10, 11,12,25
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,5,10, 11,12,25
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,5,10, 11,12,25
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,5,10, 11,12,25
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,5,10, 11,12,25
d) Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,5,10, 11,12,25

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Supporting Information Sources
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,5,10, 11,12,25

**DISCUSSION OF EVALUATION – GEOLOGY AND SOILS:**

**6(a-e)(No Impact)**

The proposed Ordinance to reduce the usage of single-use carryout bags does not involve any land use activities or actions that would change the existing level of exposure of people or structures to potential substantial adverse effects; therefore, the proposed Ordinance would have no impact on geology and/or soils.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Supporting Source Information
<b>7. GREENHOUSE GAS EMISSIONS.</b> Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	9,16,17,18, 23,24,25, 26
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	9,16,17,18, 23,24,25, 26

**DISCUSSION OF EVALUATION – GREENHOUSE GAS EMISSIONS:**

**7(a,b)(Less Than Significant Impact)**

The San Mateo County Program EIR prepared for the proposed Ordinance notes that the impacts of the reusable bag ordinance would result in less than significant impacts on Greenhouse Gas (GHG) Emissions. There would be an increase in the number of recyclable paper bags used in the City of San Mateo, resulting in an incremental increase in GHG emissions over existing levels due to the manufacturing, transport, and disposal of bags. However, as detailed in the County's EIR and in the *Air Quality* section above, all manufacturing facilities that produce carryout bags are subject to stringent air quality regulation. These emissions are regulated under the Clean Air Act and are subject to requirements by the local air quality management district in which they are located. Adherence to permit requirements ensures that manufacturing facilities do not violate any air quality standards. In addition to emissions permitting, manufacturing facilities are also required to obtain equipment permits for emission sources to ensure that equipment is operated and maintained in a manner that limits air emissions in the region. These equipment permits are issued through the local air quality management district. Compliance with applicable regulations ensures that manufacturing facilities do not generate emissions conflicting with or obstructing implementation of the applicable air quality plan, violate any air quality standard or contribute substantially to an existing or projected air quality violation or result in a cumulatively considerable net increase of any criteria pollutant. Therefore, any impact on GHG emissions would be less than significant.

The increase in trucks trips necessary to delivery reusable bags would be insignificant, estimated at 1.57 additional truck trips per day. The anticipated emissions would not exceed thresholds of significance and would not conflict with any agency's applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs. Therefore, impacts on GHG emissions would be less than significant.

The City of San Mateo has taken several actions to reduce greenhouse gas emissions. The City has adopted a Greenhouse Gas Emissions Reduction Program, and is utilizing the corresponding

monitoring tool, in conformance with *CEQA Guidelines* Section 15183.5. In addition, the Greenhouse Gas Emissions Reduction Program has been designed to meet the requirements of the Bay Area Air Quality Management District's (BAAQMD) CEQA Guidelines and the corresponding criteria for a Qualified Greenhouse Gas Emissions Reduction Strategy as defined by the BAAQMD. The Program quantifies specific policies in the Sustainable Initiatives Plan and General Plan, and concludes that with the combination of the Sustainable Initiative Plan, General Plan policies, regional, and State policies and programs, the City will reach its 2020 Greenhouse Gas emission reduction target, as shown in the table below

City of San Mateo Greenhouse Gas Emissions Reduction Summary

Emissions Reduction Summary (Metric Tons CO <sub>2</sub> e)		
	2020	2030
Business-as-usual Forecast	721,367	764,267
Emissions Reduction Target	519,384	305,707
Emissions Forecast with SIP, General Plan, Regional, and State Policies and Programs.	516,750	411,875

In addition, in January 2008 the City adopted a Climate Action Plan for Operations and Facilities. This document identifies the steps needed and action plans for each City Department to reduce their carbon footprint in order to reach their 2020 goals.

Therefore, the proposed Ordinance is expected to complement the City's adopted policies and plans and help to achieve the GHG emission target reduction goals. It is expected that through educational outreach the shift to reusable bags would reduce GHG gas emissions and would not conflict with plans or policies related to the reduction of GHG emissions.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Supporting Information Sources
<b>8. HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,4,6, 23,24,25
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,4,6, 23,24,25
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,4,6, 23,24,25
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,4,6, 23,24,25
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,4,6, 23,24,25
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,4,6, 23,24,25
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,4,6, 23,24,25

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Supporting Information Sources
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,4,6,23,24,25

**DISCUSSION OF EVALUATION –HAZARDS AND HAZARDOUS MATERIALS:**

**8(a-h)(No Impact)**

The proposed Ordinance to reduce single-use carryout bags would not create, emit, or otherwise expose the public or the environment to hazardous or acutely hazardous materials. The proposed Ordinance does not directly involve any hazardous materials sites within the City of San Mateo, would not create a hazard to the public or the environment and would not result in hazardous emissions. There would be no impact on emergency response planning, emergency evacuation planning, or interference with an adopted emergency response plan or emergency evacuation plan.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Supporting Information Sources
<b>9. HYDROLOGY AND WATER QUALITY.</b> Would the project:					
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,7,10,14, 15,23,24, 25
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,7,10,14, 15,23,24, 25
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,7,10,14, 15,23,24, 25
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,7,10,14, 15,23,24, 25
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,7,10,14, 15,23,24, 25

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Supporting Information Sources
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,7,10,14,15,23,24,25
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,7,10,14,15,23,24,25
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,7,10,14,15,23,24,25
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,10,14,15,23,24,25
j) Expose people or structures to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,10,14,15,23,24,25

**DISCUSSION OF EVALUATION – HYDROLOGY AND WATER QUALITY:**

**9(a-e, g-j)(No Impact)**

The proposed Ordinance does not involve any development, and therefore, would not violate water quality standards, waste discharge requirements, and would not place structures within a 100-year flood hazard area or impede and redirect flood flow. The implementation of the proposed Ordinance would not increase the use of groundwater, alter existing drainage patterns, increase surface water runoff, or degrade water quality. The new Ordinance regarding reusable bags would not expose people or structures to a significant risk of loss, injury or death involving flooding, or inundation by seiche, tsunami or mudflow.

The San Mateo County EIR for the proposed Ordinance anticipates a positive impact on water quality by reducing the potential for single-use carryout bags entering storms drains within the County, which travel to the San Francisco Bay and ultimately out to the Pacific Ocean. The City of San Mateo is subject to the adopted Municipal Regional Stormwater National Pollutant Discharge Elimination System Permit (MRP) regulating stormwater discharges in accordance with the Clean Water Act.



This MRP was adopted by the San Francisco Regional Water Quality Control Board (RWQCB) on October 14, 2009, Order R2-2009-007 NPDES Permit No. CAS61200, and was revised on November 28, 2011. The MRP states that the permittees must protect the quality of receiving waters through the timely implementation of control measures and other actions to reduce trash loads from municipal separate storm sewer systems (MS4s) by 40 percent by 2014, 70 percent by 2017, and 100 percent by 2022. The proposed Ordinance would complement the City's programs and help meet the RWQCB's regulations.

**9(f)(Less Than Significant Impact)**

Plastic bags would not necessarily be replaced by paper bags on a one to one ratio since paper bags have a larger capacity. One study (commissioned by the plastic bag industry<sup>7</sup>) estimates that for every 1,500 plastic bags it would take 1,000 paper bags to replace them. Other studies find that paper bags may hold up to four times the volume of plastic bags. In light of anticipated education efforts, increased publicity (partially resulting from the subject ordinance), and the public's increased concern about pollution and water quality, a certain percentage of plastic bags are expected to be replaced by reusable bags rather than paper bags.

The proposed Ordinance does require that all paper bags used in the City of San Mateo, at the point of sale, be composed of a minimum of 40 percent post consumer recycled content. However, it is well documented, and the San Mateo County EIR states, that the manufacture and recycling of paper generates more wastewater than production of plastic bags. A shift toward reusable bags and potential increase in the use of recyclable paper bags could potentially increase the use of chemicals associated with their production, which could degrade water quality in some instances and locations. However, bag manufacturers would be required to adhere to existing regulations, including NPDES Permit requirements, AB 258, and the California Health and Safety Code. The San Mateo County EIR notes that the reusable bag ordinance would incrementally result in an increase in the number of recycled paper and reusable bags used, but the reduction in the overall number of single-use plastic bags used in the same market would reduce the amount of litter and waste entering storm drain; which would improve local surface water quality, a beneficial effect of the proposed Ordinance. Therefore, the overall impacts to water quality from increasing bag processing activities would be less than significant.

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<sup>7</sup> Franklin Associates. *Resource and Environmental Profile Analysis of Polyethylene and Unbleached Paper Grocery Sacks*. 1990.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Supporting Information Sources
<b>10. LAND USE AND PLANNING.</b> Would the project:					
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,25
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,25
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,25

**DISCUSSION OF EVALUATION – LAND USE AND PLANNING:**

**10(a-c)(No Impact)**

The new Ordinance to reduce single-use carryout bags in the City of San Mateo involves no construction, and therefore no potential to divide the community. The Ordinance is not in conflict with San Mateo’s General Plan or Zoning Ordinance. There is no adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or State habitat conservation plan that would be impacted by the new Ordinance. For these reasons, the proposed Ordinance would have no impact on land use and planning.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Supporting Information Sources
<b>11. MINERAL RESOURCES.</b> Would the project:					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,13,25
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,13,25

**DISCUSSION OF EVALUATION –MINERAL RESOURCES:**

**11(a,b)(No Impact)**

The Project involves the adoption of a new Ordinance to reduce single-use carryout bags within the City of San Mateo and there would be no impact on known significant mineral resources.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Supporting Information Sources
<b>12. NOISE.</b> Would the project result in:					
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,25
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,25
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,25
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,25
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,25
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,25

**DISCUSSION OF EVALUATION –NOISE:**

**12(a-f)(No Impact)**

The proposed Ordinance does not involve any activities or actions that would generate noise levels in excess of standards established in the local General Plan or Noise Ordinance. It would not expose people to or generate groundborne vibration or groundborne noise levels. There would be no resulting temporary or permanent increase in ambient noise levels; therefore, the proposed Ordinance would have no impact on noise.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Supporting Information Sources
<b>13. POPULATION AND HOUSING.</b> Would the project:					
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,3, 25
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,3, 25
c) Displace substantial numbers of people, Necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,3, 25

**DISCUSSION OF EVALUATION –POPULATION AND HOUSING:**

**13(a-c)(No Impact)**

The proposed Ordinance that would reduce the usage of single-use carryout bags does not include any construction of structures or roadways, and would not displace existing housing or people; therefore there is no impact from this Ordinance on population and/or housing.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Supporting Information Sources
<b>14. PUBLIC SERVICES.</b> Would the project:					
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,4,6,25
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,25
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,25
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,25
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,25

**DISCUSSION OF EVALUATION –PUBLIC SERVICES:**

**14(a-e)(No Impact)**

The proposed Ordinance to reduce single-use carryout bags would not result in any potentially significant impacts related public services. Implementation of the Ordinance would involve enforcement and education outreach to residents and business owners by existing City staff. However, the enforcement and outreach activities by City staff are not anticipated to result in the need for additional staff or resources.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Supporting Source Information
<b>15. RECREATION.</b> Would the project:					
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,25
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,25

**DISCUSSION OF EVALUATION –RECREATION:**

**15(a,b)(No Impact)**

The proposed Ordinance to reduce single-use carryout bags would not result in any potentially significant impacts related recreational resources. There would be no increase in the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated as a result of the proposed Ordinance. The new Ordinance does not involve recreational facilities, and would have no impact on recreational facilities within the City of San Mateo. The Ordinance may have a beneficial effect by reducing the amount of litter in parks that is a result of discarded single-use carryout bags.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Supporting Information Sources
<b>16. TRANSPORTATION / TRAFFIC.</b> Would the project:					
- a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,20,23, 24,25,26
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,20,23, 24,25,26
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,20,23, 24,25,26
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,20,23, 24,25,26
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,20,23, 24,25,26
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,20,23, 24,25,26



## **DISCUSSION OF EVALUATION –TRANSPORTATION/TRAFFIC:**

### **15(a-c)(Less Than Significant Impact)**

The proposed Ordinance would regulate the distribution of single-use carryout bags at retail establishments in San Mateo and implementation would not result in any potentially significant impacts related to traffic and transportation. There is a potential that the regulation of single-use carryout bags in the City of San Mateo may result in an increase in recycled content paper bag usage which have more mass per square foot compared to plastic and may increase traffic involved in shipping paper bags to retail establishments. Although the composition of the bags being distributed to retail stores would shift from smaller and lighter bags (plastic bags) to heavier bags (recycled bags and reusable bags), it is not expected that this could result in any significant increase in automobile or truck traffic.

The Ordinance would require those paper bags to have a minimum of 40 percent post consumer recycled content and that the store providing the bag charge a minimum of \$0.10 per bag with the intent of reducing the use of paper bags thereby encouraging the use of reusable bags. The overall goal for bag usage is not to shift the distribution of bags from plastic to paper bags but to encourage a change in consumer shopping habits to see an overall decrease in the number of carryout bags distributed.

The County's Program EIR includes a study of the potential traffic impacts for the Study Area (which includes the City of San Mateo) that may result from an increase in truck trips to deliver paper bags as a result of implementation of the Ordinance. The estimated increase in truck traffic would be about 1.57 truck trips per day. However, this estimated increase in truck trips to deliver recyclable paper and reusable bags would be at least partially offset by a reduction in trips to deliver single use plastic bags. The estimated increase in deliveries would be infrequent and would be geographically dispersed through different areas of San Mateo by different supply distributors, avoiding any concentrated effect upon the level of service (LOS) at specific times, intersections, and street segments. It is anticipated that any change in vehicular traffic patterns as a result of truck delivery trips would not be noticeable and would not result in any potentially significant impacts related to traffic and transportation.

### **15(d-f)(No Impact)**

The proposed Ordinance would prohibit retail establishments in the City of San Mateo from distributing single-use carryout paper and plastic bags at no charge, and would create a mandatory \$0.10 charge for each recycled paper and reusable bag distributed by these stores at the point of sale. The intent of the proposed Ordinance is to reduce the environmental impacts related to the use of single-use plastic bags, and to promote a shift toward the use of reusable bags by retail customers. The Ordinance would not involve any physical development or construction activities and therefore would not cause or result in increased hazards due to a design feature, would not result in inadequate emergency access, and would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Supporting Information Sources
<b>17. UTILITIES AND SERVICE SYSTEMS.</b> Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,15,18, 23,24,25, 26
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,15,18, 23,24,25, 26
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,15,18, 23,24,25, 26
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et. seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,15,18, 23,24,25, 26
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,15,18, 23,24,25, 26
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,15,18, 23,24,25, 26

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Supporting Information Sources
g) Comply with Federal, State, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,15,18,23,24,25,26

**DISCUSSION OF EVALUATION –UTILITIES AND SERVICE SYSTEMS:**

**15(a,d,e)(Less Than Significant Impact)**

San Mateo County's EIR for the proposed Ordinance analyzes the potential impacts to utilities and services and has concluded that there would be less than significant impacts to wastewater treatment and water supplies. The document provides details of the multiple studies that have been done that show that the estimated water use related to manufacturing of the different carryout bags (single-use plastic, paper or reusable bags). The studies concluded that a larger water supply is required for the manufacturing of paper bags verses plastic bags.

There are no known bag manufacturing facilities located within the City of San Mateo, or within the County; therefore, water supply demands due to manufacturing of paper bags that may result from an increase in demand from the implementation of the proposed Ordinance would not utilize local water supplies, and would have a less than significant impact.

Another aspect of water usage that was analyzed in San Mateo County's Program EIR for the proposed Ordinance is the increased water use that may occur due to machine washing of reusable bags, and the resulting increase in wastewater generation from this washing. As more San Mateo residents utilize reusable bags, the washing of reusable bags would also increase, resulting in increased water usage-demand and ultimately more wastewater. The County EIR assumes that approximately half of the reusable bags would be cleaned by rinsing and sanitizing and the other half would be machine washed. If all of the new reusable carryout bags require monthly cleaning in either a washing machine or by rinsing, the total increased water demand in the Study Area (for the County EIR - including the City of San Mateo) would be about 395 AFY (acre feet per year).

This study used very conservative estimates, i.e., that 50 percent of reusable bags would be washed in separate washing machine loads rather than included in existing wash loads. Even using conservative estimates, it was concluded that the potential increase in water demand due to implementation of the proposed Ordinance is within the capacity of the water supplies of the Study Area (inclusive of the City of San Mateo) and would result in a less than significant impact. In addition, the anticipated wastewater that would be generated by the projected washing of reusable bags would remain within the capacity of the wastewater collection and treatment system of the Study Area and would not exceed applicable wastewater treatment requirements of the Regional Water Quality Control Board; therefore impacts would be less than significant.

**15(b,c,g)(No Impact)**

The proposed Ordinance would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities. There would be no potentially significant impacts to existing water, wastewater, or storm water infrastructure. The City of San Mateo is in compliance with the adopted Municipal Regional Stormwater National Pollutant Discharge Elimination System Permit (MRP) regulating stormwater discharges in accordance with the Clean Water Act.

**15(f)(Less Than Significant Impact)**

As described under the *Aesthetics* discussion above, one of the main objectives in implementing the proposed Ordinance is to reduce the amount and visibility of litter associated with single-use carryout plastic bags within the City of San Mateo. Implementation of the proposed Ordinance would result in the reduction of single-use carryout bags from distribution and potentially reduce the amount of litter that is being generated in the City of San Mateo and going to the Ox Mountain Landfill (where solid waste generated in the City of San Mateo is disposed of).

The proposed Ordinance would regulate single-use carryout bags, but would continue to allow recycled content paper bags to be used by retailers in the City of San Mateo. In order to encourage the use of reusable bags, the Ordinance requires that retailers charge a minimum of \$0.10 per bag, which would increase to \$0.25 per bag in 2015, supporting recycling systems and encouraging reduced use. The Ordinance would require the paper bags to have a minimum of 40 percent post consumer recycled content, which would reduce landfill demand. In addition, a larger portion of paper bags are recycled than plastic bags. Therefore, the Ordinance supports the substitution of paper bags for plastic and although paper bags are larger in mass per square foot compared to plastic, they would not significantly impact landfill capacity since a larger portion of paper bags would be recycled than plastic.

San Mateo County's Program EIR states that the proposed Ordinance would alter the solid waste generation associated with increased paper bag use in the Study Area (includes the City of San Mateo). In summary, following a detailed analysis, it was concluded that the projected future solid waste generation, based on the "worst case" scenario could potentially increase as a result of implementation of the proposed Ordinance. However, even under a "worst case" scenario, solid waste totals would not exceed the daily capacity for any of the Study Area landfills, including Ox Mountain Landfill. Therefore, the impact to solid waste facilities as a result of the proposed Ordinance would be less than significant.

Issues:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Supporting Information Sources
<b>18. MANDATORY FINDINGS OF SIGNIFICANCE</b>					
a) Does the Project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; substantially reduce the number or restrict the range of an endangered, rare or threatened species; or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1-28
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1-28
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1-28

## DISCUSSION OF EVALUATION –MANDATORY FINDINGS OF SIGNIFICANCE:

### 15(a,c)(No Impact)

The proposed Ordinance would regulate single-use carryout bags, but would continue to allow recycled content paper bags to be used by retailers in the City of San Mateo. The Ordinance requires that retailers charge a minimum of \$0.10 per bag, which would increase to \$0.25 per bag in 2015, and would require the paper bags to have a minimum of 40 percent post consumer recycled content. There are no specific development activities associated with the Ordinance and no potential to degrade the quality of the environment or substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop, or threaten to eliminate a plant or animal community. The proposed Ordinance would have no impact on important examples of the major periods of California history or prehistory. San Mateo County's EIR, incorporated by reference, as well as the analysis provided in the above Initial Study, conclude that the proposed Ordinance would not have environmental effects or substantial adverse effects on human beings, either directly or indirectly. However, the proposed Ordinance would decrease the prevalence of plastic bag litter in the City of San Mateo, and ultimately in the marine environment, which adversely impact marine wildlife. Therefore, the proposed Ordinance would achieve an overall benefit to the environment.

### 15(b)(Less Than Significant Impact)

All potential impacts identified by Draft Program EIR and Final Program EIR were either beneficial or less than significant such that **no mitigation measures were required.**

CEQA defines cumulative impacts as two or more individual actions that, when considered together, are considerable or will compound other environmental impacts. Cumulative impacts are the changes in the environment that result from the incremental impact of development of the proposed project and other nearby projects. Cumulative impact analysis allows the Program EIR to provide a reasonable forecast of future environmental conditions and can more accurately gauge the effects of a series of projects. Although CEQA analysis typically lists development projects in the vicinity of a project site, San Mateo County's Program EIR analyzed the environmental impacts associated with a proposed reusable bag Ordinance within the context of other bag ordinances that are approved or pending throughout California. This full cumulative analysis is detailed in section 3.0 *Environmental Setting* in the Draft County EIR.

In summary, over the past several years there has been legislation proposed at the National, State, and local level regarding the use of single-use carryout bags. In some jurisdictions that have adopted reusable bag ordinances they have published accompanying Negative Declarations, some jurisdictions have determined that the ordinance was exempt from environmental review, where a few jurisdictions have prepared an EIR.

It is difficult to determine future behavior of consumers in terms of the increase or decrease of paper and plastic bag use resulting from the proposed Ordinance, but if the worst case scenarios are considered there could be negative environmental effects, if the cumulative effect of all of these various programs (Ordinances) leads to a large increase in paper bag use compared to existing conditions, especially if the increased use of paper bags is permanent. However, it is more likely that the cumulative effect of more jurisdictions banning and/or regulating single-use carryout plastic and

paper bags would be that more people would use reusable bags more consistently. The more people utilize reusable bags then the more this trend/behavior will catch on and people will use them.

As discussed in the hydrology/utilities sections, the proposed Ordinance could result in an increase use of water related to the manufacturing of paper bags, and potentially the washing of reusable bags. It is just as probable that paper bag use would substantially decline, as people adapt to the use of reusable bags. The potential increase of paper manufacturing resulting from bag regulations could be substantial if many or most of the regulations adopted allow for substantial and ongoing use of single-use carryout paper bags. However, most of the jurisdictions (in California) are adopting a similar approach in which a charge is placed on recycled content paper bags to discourage their use, then there will not be a cumulatively significant or permanent increase in paper manufacturing as consumers will ultimately use reusable bags on a regular basis for their shopping.

As a result of the factors discussed above, the proposed Ordinance would not result in impacts that are individually limited, but cumulatively considerable.

**ATTACHMENTS:**

Appendix A: City of San Mateo, Reusable Bag Draft Ordinance

# DRAFT

## CITY OF SAN MATEO

### REUSABLE BAG ORDINANCE

#### DEFINITIONS.

- a) **“Customer”** means any person obtaining goods from a retail establishment.
- b) **“Garment Bag”** means a travel bag made of pliable, durable material, with or without a handle, designed to hang straight or fold double and used to carry suits, dresses, coats, or the like without crushing or wrinkling the same.
- c) **“Nonprofit charitable reuser”** means a charitable organization, as defined in Section 501(c)(3) of the Internal Revenue Code of 1986, or a distinct operating unit or division of the charitable organization, that reuses and recycles donated goods or materials and receives more than fifty percent of its revenues from the handling and sale of those donated goods or materials.
- d) **“Person”** means any natural person, firm, corporation, partnership, or other organization or group however organized.
- e) **“Prepared food”** means foods or beverages which are prepared on the premises by cooking, chopping, slicing, mixing, freezing, or squeezing, and which require no further preparation to be consumed. “Prepared food” does not include any raw, uncooked meat product or fruits or vegetables which are chopped, squeezed, or mixes.
- f) **“Recycled paper bag”** means a paper bag provided at the check stand, cash register, point of sale, or other point of departure for the purpose of transporting food or merchandise out of the establishment that contains no old growth fiber and a minimum of forty percent post-consumer recycled content; is one hundred percent recyclable; and has printed in a highly visible manner on the outside of the bag the words “reusable” and “Recyclable,” the name and location of the manufacturer, and the percentage of post-consumer recycled content.
- g) **“Public eating establishment”** means a restaurant, take-out food establishment, or any other business that receives ninety percent or more of its revenue from the sale of prepared food to be eaten on or off its premises.
- h) **“Retail establishment”** means any commercial establishment that sells perishable or nonperishable goods including, but not limited to, clothing, food, and personal items directly to the customer; and is located within or doing business within the geographical limits of the City of San Mateo. “Retail establishment” does not include public eating establishments or nonprofit charitable reusers.
- i) **“Reusable bag”** means either a bag made of cloth or other machine washable fabric that has handles, or a durable plastic bag with handles that is at least 2.25 mil thick and is specifically designed and manufactured for multiple reuse. (A garment bag that meets the above criteria is also a “reusable bag,” whether or not it has handles.
- j) **“Single-use carry-out bag”** means a bag other than a reusable bag provided at the check stand, cash register, point of sale or other point of departure, including departments within a store, for the purpose of transporting food or merchandise out of the establishment. “Single-use carry-out bags” do not include bags without handles provided to the customer: (1) to transport prepared food, produce, bulk food or meat from a department within a store to the point of sale; (2) to hold prescription medication dispensed from a pharmacy; or (3) to segregate food or merchandise that could damage or contaminate other food or merchandise when placed together in a reusable bag or recycled paper bag.

#### SINGLE-USE CARRY-OUT BAG.



- a) No retail establishment shall provide a single-use carry-out bag to a customer at the check stand, cash register, point of sale or other point of departure for the purpose of transporting food or merchandise out of the establishment except as provided in this section.
- b) On or before December 31, 2014, a retail establishment may make available for sale to a customer a recycled paper bag or a reusable bag for a minimum charge of ten cents.
- c) On or after January 1, 2015, a retail establishment may make available for sale to a customer a recycled paper bag or reusable bag for a minimum charge of twenty-five cents.
- d) Notwithstanding this section, no retail establishment may make available for sale a recycled paper bag or a reusable bag unless the amount of the sale of such bag is separately itemized on the sale receipt.
- e) A retail establishment may provide one or more recycled paper bags at no cost to any of the following individuals; a customer participating in the California Special Supplement Food Program for Women, Infants, and Children pursuant to Article 2 (commencing with Section 123275) of Chapter 1 of Part 2 of Division 106 of the Health and Safety Code; a customer participating in the Supplemental Food Program pursuant to Chapter 10 (commencing with Section 15500) of Part 3 of Division 9 of the California Welfare and Institutions Code; and a customer participating in Calfresh pursuant to Chapter 10 (commencing with Section 18900) of Part 6 of Division 9 of the California Welfare and Institutions Code.

**RECORDKEEPING AND INSPECTION.** Every retail establishment shall keep complete and accurate records or documents of the purchase and sale of any recycled paper bag or reusable bag by the retail establishment for a minimum period of three years from the date of purchase and sale, which record shall be available for inspection at no cost to the City or County during regular business hours by any City or County employee authorized to enforce this part. Unless an alternative location or method of review is mutually agreed upon, the records or documents shall be available at the retail establishment address. The provision of false information, including incomplete records or documents, to the City or the County shall be a violation of this section.

**ENFORCEMENT.** It shall be unlawful to violate this Chapter. In the event that the County enforces this Ordinance on the City's behalf within the City limits, the following enforcement provisions apply.

- a) Grounds for Fine. A fine may be imposed upon findings made by the Director of the Environmental Health Division, or his or her designee, that any retail establishment has provided a single-use carry-out bag to a customer in violation of this Chapter.
- b) Amount of Fine. Upon findings made under subsection a), the retail establishment shall be subject to an administrative fine as follows:
  - 1) A fine not exceeding one hundred dollars (\$100.00) for a first violation;
  - 2) A fine not exceeding two hundred dollars (\$200.00) for a second violation;
  - 3) A fine not exceeding five hundred dollars (\$500.00) for the third and subsequent violations;
  - 4) Each day that a retail establishment has provided single-use carry-out bags to a customer constitutes a separate violation.
- c) Fine Procedures. Notice of the fine shall be served on the retail establishment. The notice shall contain an advisement of the right to request a hearing before the Director of the Environmental Health Division or his or her designee contesting the imposition of the fine. The grounds for the contest shall be that the retail establishment did not provide a single-use carry-out bag to any customer. Said hearing must be requested within ten (10) days of the date appearing on the notice of the fine. The decision of the Director of the Environmental Health Division shall be based upon a finding that the above-listed ground for a contest has been met and shall be final administrative order, with no administrative right of appeal.

- d) Failure to Pay Fine. If said fine is not paid within 30 days from the date appearing on the notice of the fine or of the notice of determination of the Director of the Environmental Health Division or his or her designee after the hearing, the fine shall be referred to a collection agency.

**COUNTY ENFORCEMENT.** In addition to the City's enforcement mechanisms set forth in Title 1 of the Municipal Code, the Environmental Health Division is also authorized to enforce Chapter \_\_\_\_ of Title \_\_ within the City of San Mateo upon entry into an agreement with the City. This authorization includes, without limitation, the authority to hold hearings and issue administrative fines within the incorporated area of the public entity.