



**NOTICE OF PREPARATION
PUBLIC NOTICE OF SCOPING MEETING
SANTA BARBARA COUNTY SINGLE-USE PLASTIC BAG BAN ORDINANCE**

PUBLICATION DATE: November 5, 2013

FROM: Mark A. Schleich, Deputy Director
County of Santa Barbara
Public Works Department
Resource Recovery and Waste Management Division
130 E. Victoria Street, Suite 100
Santa Barbara, California 93101

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report (13EIR-00000-00006) for the proposed Santa Barbara County Single-Use Plastic Bag Ban Ordinance

PROJECT NAME: Santa Barbara County Single-Use Plastic Bag Ban Ordinance

The Santa Barbara County Public Works Department, Resource Recovery and Waste Management Division (RRWMD) is the Lead Agency responsible for preparation of an Environmental Impact Report (EIR) for the proposed Santa Barbara County Single-Use Plastic Bag Ban Ordinance. In accordance with Section 15082 of the California Environmental Quality Act (CEQA) Guidelines, a Notice of Preparation (NOP) has been prepared for the proposed ordinance. This NOP is a request for comment on the scope of environmental issues that you or your organization believes should be addressed in the EIR regarding the proposed project.

Background: On Behalf of its member agencies, The Beach Erosion Authority for Clean Oceans and Nourishment (BEACON), a California Joint Powers agency established in 1992 to address coastal erosion, beach nourishment and clean oceans within the Central California Coast from Point Conception to Point Mugu, prepared a Program EIR (SCH # 2012111093) for a proposed model ordinance regulating single-use plastic bags throughout the incorporated and unincorporated areas of Santa Barbara and Ventura counties. BEACON completed the Final Program EIR in May 17, 2013 and has provided the Final EIR to the member agencies (including the County of Santa Barbara) for their use as CEQA Lead Agencies in adopting a Single-Use Plastic Bag Ban Ordinance applicable to their respective jurisdictions. Santa Barbara County is



now proposing to prepare a project specific EIR (utilizing information from the Program EIR) to analyze environmental impacts associated with the adoption of a county-specific ordinance which, as described below, differs slightly from the model ordinance analyzed in the BEACON Program EIR. The intent of the ordinance is to reduce the environmental impacts related to the use of single use plastic bags and promote a shift toward the use of reusable bags.

Project Location: The proposed Single-Use Plastic Bag Ban Ordinance would apply to certain retail food and grocery store establishments throughout unincorporated Santa Barbara County (see Figure 1).

Project Description (summary): The proposed ordinance, which can be reviewed at <http://www.lessismore.org/supbb>, (1) prohibits the free distribution of single-use carryout paper and plastic bags; and (2) requires retail establishments to charge customers for paper bags at the point of sale. Regulated retail establishments would be allowed to sell reusable bags or distribute them free of charge. The proposed ordinance sets the minimum charge for single-use paper bags at ten cents (\$0.10). Plastic carryout bags are defined in the proposed ordinance as any bag made predominately of plastic derived from either petroleum or biologically-based sources, such as corn or other plant sources, which is provided to a customer at the point of sale. Regulated bags would not include reusable bags, produce bags, or product bags (as defined). The proposed ordinance does not apply to restaurants and other food service providers, allowing them to provide plastic bags to customers for prepared take-out food intended for consumption off of the food provider's premises. Retail establishments would be required to keep complete accurate records and report annually to the governing jurisdiction for three (3) years after this ordinance goes into effect.

Per the proposed ordinance, any of the following retail establishments would be regulated:

1. A store of at least 10,000 square feet of retail space that generates sales or use tax pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law (Part 1.5 (commencing with Section 7200) of Division 2 of the Revenue and Taxation Code) which sells a line of dry grocery or canned goods, or non-food items and some perishable food items for sale or a store that has a pharmacy licensed pursuant to Chapter 9 (commencing with Section 4000) of Division 2 of the Business and Professions Code; or
2. A drug store, pharmacy, supermarket, grocery store, convenience food store, food mart, liquor store, or other similar retail store or entity engaged in the retail sale of a limited line of grocery items. Grocery items typically include, but are not limited to, milk, bread, soda, candy and snack foods.

In summary, the proposed County ordinance includes the following specific changes to BEACON's model ordinance:

- Reformatted to fit in the County Code as Chapter 16-B

- Section J. 2: This section was re-worded for clarity. Liquor stores are specifically called out but the reference to ABC Type 20 and 21 licenses was dropped.
- Section J. 3: This is a new section which exempts wineries and wine tasting rooms.
- Section 16B-3 Permitted Bags: This section was modified to clarify that stores that do not hand out single use bags of any sort would not be required to sell reusable bags.
- Section 16B-4 E and 16B-7 A: These sections were modified to identify that the County Public Works Department would be the primary agency responsible for implementing and enforcing the County ordinance (as opposed to the Finance Department as stated in the model ordinance). This change is reflected in other sections of the ordinance as well.

Potential Environmental Effects: An EIR will be prepared to evaluate the environmental impacts that implementation of the proposed ordinance might cause. Issue areas proposed to be evaluated in detail in the EIR include: Air Quality, Biological Resources, Greenhouse Gas Emissions, Hydrology/Water Quality, and Utilities/Service Systems. These are the same issues that were studied in the EIR for the BEACON model ordinance described above. As part of the environmental review prepared for the model ordinance, BEACON prepared an Initial Study and concluded that other issues on the CEQA checklist would not have the potential for significant environmental effects. This analysis remains applicable to the proposed County ordinance. Alternatives to the proposed project that were analyzed in the BEACON Program EIR will also be evaluated in the EIR. These include:

- No Project
- Ban on Single-Use Plastic Bags at all Retail Establishments, Except Restaurants
- Mandatory Charge of \$0.25 for Paper Bags
- Ban on Both Single Use Plastic and Paper Carryout Bags
- Mandatory Charge of \$0.10 for Plastic and Paper Carryout Bags

In addition, an alternative that includes delayed implementation of the ordinance in certain areas of the County will be analyzed.

Written Comments: In accordance with the time limits established by CEQA, **your response to this NOP must be received at the address underlined below at the earliest possible date, but not later than 5:00 p.m. on Monday, December 9th, 2013.** Your response should include your name, your agency's or organization's name, your address, and if applicable, the name of the specific contact person in your agency or organization. Comments should be mailed, e-mailed or hand delivered to: County of Santa Barbara, Public Works Department, Resource Recovery and Waste Management Division, 130 E. Victoria Street, Suite 100, Santa Barbara, California 93101. Attention: Mr. Carlyle A. Johnston. E-mail Address cjohnst@cosbpw.net

Public Scoping Meeting: A public Scoping Meeting will also be held to accept comments regarding issues of concern that should be evaluated in the EIR. The purpose of the Scoping Meeting is to provide the public and other affected government agencies with a formal opportunity to comment on the environmental issues that should be analyzed in the EIR. The

Scoping Meeting will focus on gathering public input on the environmental document and on feasible ways in which project impacts may be mitigated.

Date: Thursday, November 21st
Time: 6 PM
Location: Santa Barbara County Planning Commission Hearing Room
123 East Anapamu Street, 1st Floor
Santa Barbara, CA 93101

Please contact Mr. Carlyle A. Johnston, Project Leader, at (805) 882-3617 if you have any comments or questions regarding the Single-Use Plastic Bag Ban Ordinance.

Respectfully,

A handwritten signature in black ink that reads "Mark A. Schleich". The signature is fluid and cursive, with a long horizontal stroke at the beginning.

Mark A. Schleich

Deputy Director – Resource Recovery and Waste Management Division

Attachment A: NOP Distribution List

c: Clerk of the Board (please post for 30 days)