



City of Santa Clara – Environmental Programs Proposed Plastic Bag Ordinance Community Outreach Plan

Problem Statement:

The City of Santa Clara needs to reduce litter to meet stormwater National Pollutant Discharge Elimination System (NPDES) permit requirements. The NPDES permit requires the City to reduce litter going into the storm drain system by 40% by 2014, 70% by 2017, and 100% by 2022. The Regional Water Quality Control Board (RWQCB) will be making a subjective determination of permittee compliance with the trash reduction mandate, and it may levy fines up to \$5,000 per day for failure to achieve them.

Almost twenty billion carryout plastic bags are used in California each year, and according to CalRecycle, only less than 5% get recycled through take-back programs. As a result, a large amount of plastic bags end up as litter in streets, parks and other public places, eventually making their way into our waterways via the storm drain system. According to a study conducted by the Bay Area Stormwater Management Agencies Association (BASMAA), 8% of the trash (by volume) found in the stormdrains were plastic grocery bags. Plastic bags are transported to local water bodies by wind and urban runoff, negatively affecting wildlife and aesthetics.

Paper bags are also problematic, requiring 14 million trees each to produce a year's supply for retail use in the United States. Additionally, paper bags have a higher energy use associated with their production, transportation and recycling, so they are not a viable alternative to replace plastic bags in their totality.

Stage I: Decision Analysis

Single-use carryout bags, either paper or plastic, are an unnecessary use of resources that can be easily avoided with the use of reusable shopping bags. As part of the effort to reduce litter to meet NPDES permit requirements, the City of Santa Clara is considering a single-use carryout bag ordinance which would prohibit the distribution of plastic bags and require a 10-cent fee to be charged for paper bags containing at least 40% post-consumer recycled material provided to customers at the point of sale. Although paper bags also contribute to litter, they are fully biodegradable and recyclable. Single-use carryout bag ordinances have already been adopted by many cities in the Bay Area, and they have proven that charging a small fee for paper bags encourages customers to bring their own bag, and still provides an alternative choice.

The California Grocers Association reports that within one year of a single-use carryout bag ordinance implementation, 90% of the customers tend bring their own bag or choose to not take a bag at all. Although it could be challenging for some residents to get into the habit of carrying their own reusable bags, they would be the main beneficiaries of cleaner public spaces. Additionally, retailers would get to keep revenue from selling paper bags, and the city could save ratepayer money from enhanced cleanup efforts.

Stage II: Pre-ordinance community engagement (December 2013 – February 25, 2014)

WHO?

1. Stakeholders and their interests
 - a. Grocery stores, pharmacies and retailers in Santa Clara – save money from not having to distribute bags
 - b. Residents – having to pay for paper bags, not being able to get plastic bags, but are the main beneficiaries of a cleaner environment and better aesthetics.



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- c. California Grocers' Association – represents interests of retail food stores and supports the bag ordinance for regional consistency.
- d. Chamber of Commerce – acts on legislative issues that will affect businesses does not support the bag ordinance.
- e. 49ers concession stands at Levi's Stadium – currently handing out bags for merchandise
2. Community groups that could potentially get involved
 - a. Nextdoor.com in Santa Clara – community based social network
 - b. South of Forest Neighborhood Association (SOFNA)
 - c. Santa Clara Green Action group
 - d. Neighborhood Watch captains
 - e. Neighborhood University Relations Committee (NURC)
 - f. Staff will continue to identify other potential community groups
3. Non-stakeholder interest groups that could potentially get involved
 - a. American Chemistry Council – They produce plastic products
 - b. Californians Against Waste – decreased amount of litter
 - c. Clean Water Action – Decreased impact of plastic pollution in waterways
 - d. Save our Shores – Decreased impact of plastic litter on wildlife and water quality in shore habitats
 - e. Save the Bay – Decreased impact of plastic litter going into the bay

WHAT?

1. Provide residents and businesses with information so they can understand the benefits and drawbacks of each strategy.
 - a. Information about meeting NDPES permit requirements.
 - b. Explain alternatives considered (See ATTACHMENT A)
 - c. Impacts of plastic bags on public health and the environment.
 - i. Can entangle and suffocate wildlife
 - ii. Contaminate waterways and ultimately the Bay
 - iii. Break up into smaller pieces that contaminate the food chain when ingested
 - iv. Do not biodegrade
 - v. Make up 8% of litter found in stormdrains
 - vi. Taxpayers pay for cleanup costs
 - d. Impacts of paper bags, including transportation footprint and use of raw materials
 - i. Paper bags require more energy and water to be produced
 - ii. Paper bags are about 12 time heavier than a plastic bag, therefore they have a larger transportation footprint
 - iii. Producing paper bags are mostly made of raw materials (trees)
 - e. Benefits of adopting a single-use carryout bag ordinance
 - i. Can reduce cleanup costs
 - ii. Reduces waste being landfilled
 - iii. Retail stores will be allowed to sell paper bags and keep revenue
 - iv. Provides regional consistency and a level playing field – San Jose, Sunnyvale, Palo Alto, Mountain View, Cupertino, Campbell, Los Gatos, Los Altos, and Unincorporated Santa Clara County have adopted ordinances regulating single-use carryout bags. Milpitas and Morgan Hill are also moving forward with this type of ordinance.



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- f. Drawbacks from adopting a single-use carryout bag ordinance
 - i. Customers who would like a bag carryout bag at checkout must pay a ten-cent fee
- g. Other actions being taken by the city of Santa Clara to reduce litter in the near future, independently of a bag ordinance
 - i. Increased sweeping frequency in commercial and industrial zones
 - ii. Earlier sweeping hours to avoid parked vehicles
 - iii. Installation of full trash capture devices
 - iv. Develop a volunteer database to conduct additional on-land and creek cleanups
 - v. Develop “adopt a spot” program, including sections of creek trails, streets, etc.

HOW?

1. Outreach materials In English and Spanish to inform and gather feedback.
 - a. Letters/postcards to retail stores
 - b. Flyers with meeting info distributed at municipal facilities (Teen Center, Central Library, Recreation Center, Family Reading Center, Police Station, Senior Center, and City Hall).
 - c. Public meetings (Jan 7 and Jan 15)
 - d. Presentation to the Chamber of Commerce Government Relations Committee(Jan 7)
 - e. Presentation to the Youth Commission (Feb 11)
 - f. Post information on website
 - i. What the potential ordinance would entail
 - ii. Important links
 - iii. Updates
 - g. Posted on News section of website and sent to e-Notify subscribers
 - h. Press release to Santa Clara weekly
 - i. Article printed in the January edition of Mission City Scenes
 - j. Email community group members/representatives
 - k. Plastic bag information incorporated in stormwater education visits to schools
 - l. Online Surveys - will not be used to identify whether or not businesses and residents are for or against this type or ordinance; instead, the surveys will be used to identify concerns and barriers to adopting the ordinance. By obtaining this information, we will be able to tailor additional community outreach that can help overcome their concerns. (See ATTACHMENT B and ATTACHMENT C)
2. Challenges of engagement:
 - a. Stakeholders delaying the process
 - i. Informational meetings will explain the issue at hand and explore the possibilities the City took into account
 - b. No stakeholders getting involved in the process.
 - i. Provide adequate notice of informational meetings
 - ii. Scheduled varied meeting times (2pm and 6pm)
 - iii. Choose a place that is familiar to most people that provides
 - Parking availability
 - Accessibility
 - Physical comfort
 - Enough space to accommodate people
 - Have materials needed for presentation (Computer, projector, microphone)



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Stage III: Present to council for consideration (March 18, 2014)

1. Analyze public input to prepare a sound and fair recommendation for City Council
2. If Council decides to move forward with an ordinance, staff will request authorization to enter into an agreement with a specific consultant to prepare the necessary CEQA documents.
3. Council may decide to wait for pending statewide legislation SB270 (Padilla)

Stage IV: Adoption of an ordinance after completion of CEQA – If applicable (May 2014)

Stage V: Post-ordinance community outreach – If applicable (May 2014 – September 2014)

1. Provide retailer toolkit to notify customers
 - a. Register tent cards
 - b. Posters
 - c. Parking lot signage
2. Information in welcome packet for new businesses
3. Information on recycled-content paper bag and reusable bag suppliers
4. Reusable bag giveaway at farmers' market and other events. [Calendar of events](#).
 - a. Kaiser Permanente location, open on Fridays 8:30-1:30 year-round. 710 Lawrence Expy
 - a. Santa Clara Farmers' Market, open Saturdays 9:00-1:00 year-round. Jackson St & Benton St, (408) 241-1281

Stage VI: Evaluate ordinance effectiveness

1. Staff to informally survey customer behavior at stores to determine the number of customers using reusable bags relative to paper bags for reporting purposes to the RWQCB.
2. Enforcement of ordinance
 - a. Additional education to stores that don't comply will be first step
 - b. Administrative citations to be issued to stores if educational efforts are not successful

City Departments and their roles

Public Works Department

- Develop ordinance
- Design and implement community outreach plan
- Develop and distribute educational materials
- Provide technical assistance to businesses through site visits
- Coordinate and host public meetings
- Draft resolution
- Track input and provide feedback to participants and decision-makers
- Develop a sound and fair recommendation for City Council

Planning Department

- Initiate CEQA process
- Review ordinance

City Attorney's Office

- Finalize resolution and ordinance



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ATTACHMENT A - LITTER REDUCTION STRATEGIES TO MEET NPDES PERMIT REQUIREMENTS

Measure	Type	Cost	Reduces EPS/Plastic bag Pollution?	Reduces litter reaching waterways?
Educational campaign	Prevention	Continuous to reinforce positive behavior	Maybe. Campaign will not guarantee behavior change	Maybe. Campaign will not guarantee behavior change
Policy – EPS ordinance	Prevention	\$30,000 Outreach costs	Yes, it eliminates the source	Yes
Policy – Plastic bag ordinance	Prevention	\$50,000 CEQA work + \$30,000 outreach costs	Yes, it eliminates the source	Yes
Policy – anti-litter law	Prevention	\$5,000 to develop and prepare necessary reports + \$100,000 to hire additional staff for enforcement	Maybe. It does not specifically target EPS or plastic bags	Maybe. It is not always possible to identify the perpetrator.
Increase # of trash cans in public spaces	Prevention	\$250 per container + \$29,000 per year for ongoing trash collection	Maybe. Only effective if people use them and containers are maintained sufficiently	Yes, as long as containers are maintained sufficiently
Recycling/take-back programs	Prevention	N/A for EPS since it is not recycled in our program and bags are already accepted.	Maybe. Only if people are disposing of bags in a garbage or recycling container	Maybe. Only if people are disposing of bags in a garbage or recycling container
Trash capture devices in inlets	Interception	\$700 per unit + maintenance costs (\$50/inlet) + device cleaning twice/year	Yes but only what goes into the inlets. Other public spaces will remain unaffected	Yes.
Increased parking enforcement on sweeping days	Interception	Cost of parking signage @ \$170/each + \$100,000 to hire additional staff for enforcement	Yes	Yes
Enhanced creek cleanups	Cleanup	\$6.10/ft	Yes, but only at cleanup site.	Yes.



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ATTACHMENT B - POTENTIAL SURVEY QUESTIONS FOR BUSINESSES

1. What types of carryout bags do you currently provide at checkout? Select all that apply

- Paper bags with no recycled content
- Paper bags with 40% recycled content
- Paper bags with greater than 40% recycled content
- Thin plastic bags (less than 2.25 mil thick)
- Thick plastic bags (greater than 2.25 mil thick)
- Reusable bags (cloth or other material)

2. Does your business offer incentives to customers who bring reusable bags (e.g. 5¢ off per bag)?

- Yes
- No

3. What quantity of carryout bags do you order at a time?

- Less than 500
- 500 – 1,000
- 1,000 – 2,000
- More than 2,000

4. How long does one order of carryout bags last?

- Less than 1 month
- 2-3 months
- 4-6 months
- More than six months

5. Do you have any concerns about the City of Santa Clara adopting a single-use carryout bag ordinance that would prohibit the distribution of single-use carryout bags at checkout, and require a 10¢ charge for a recycled paper bag or approved reusable plastic bag?

- Yes.
- No

If yes, please explain: _____

6. Which of the following would help you and your customers make a smooth transition if a single-use carryout bag ordinance as described above were implemented in the City of Santa Clara?

- Toolkits with material such as posters to help remind customers to bring their bags
- Information on where to purchase approved reusable plastic and recycled paper bags
- Other: _____

7. If you would like us to keep you informed, please provide the information below:

Business Name: _____ E-mail: _____

Address: _____ Phone: _____

For further questions or comments, contact us at (408)615-3080 or environment@santaclaraca.gov



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ATTACHMENT C – POTENTIAL SURVEY QUESTIONS FOR RESIDENTS

1. Do you currently use reusable bags when you shop for groceries?

- Always Sometimes
 Most of the time Never

2. Do you currently use reusable bags when you shop for goods at retail stores?

- Always Sometimes
 Most of the time Never

3. If you don't always bring reusable bags with you when shopping at grocery or retail stores, please describe any challenges or obstacles that prevent you from doing so:

4. Do you have any concerns about the City of Santa Clara adopting a single-use carryout bag ordinance that would prohibit grocery stores, pharmacies, and retail stores from providing plastic bags at checkout and require a 10¢ charge for a paper bag or approved reusable plastic bag?

- Yes No

If yes, please explain: _____

5. Which of the following would help you transition into bringing reusable bags when you shop if a single-use carryout bag ordinance were implemented in the City of Santa Clara?

- Having posters and other reminders at stores
 Information on how to take care of my reusable bags properly
 Information on where to purchase high-quality reusable bags
 Tips on how to avoid forgetting to bring my reusable bags when I go shopping
 Other: _____

6. If you would like us to keep you informed, please provide the information below:

Name: _____ E-mail: _____

Address: _____ Phone: _____

For further questions or comments, contact us at (408)615-3080 or environment@santaclaraca.gov