OFFICE OF THE CITY ATTORNEY
Long Beach, California

ROBERT E. SHANNON
City Attorney

HEATHER A. MAHOOD
Chief Assistant City Attorney

MICHAEL J. MAIS
Assistant City Attorney

PRINCIPAL DEPUTIES

Dominic Holzhaus
Anne C. Lattime
Monte H. Machit
J. Charles Parkin

DEPUTIES

C. Geoffrey Allred
Gary J. Anderson
Richard F. Anthony
Amy R. Burton
Christina L. Checel
Randall C. Fudge
Charles M. Gale
Barbara J. McTigue
Barry M. Meyers
Cristyl Meyers
Howard D. Russell
Tiffani L. Shin
Linda Trang
Theodore B. Zinger

May 17, 2011

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Receive supporting documentation into the record and conclude the public hearing.

Adopt resolution making findings and approving the addendum to Los Angeles County's Final Environmental Impact Report (FEIR) dated November 16, 2010.

Declare ordinance amending the Long Beach Municipal Code by adding Chapter 8.62 relating to regulating the use of plastic carryout bags and recyclable paper bags, and promoting the use of reusable bags in the City of Long Beach read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

DISCUSSION:

At the City Council meeting of December 7, 2010, the Council requested the City Attorney and City Manager to develop an ordinance duplicating Los Angeles County's adopted ordinance for unincorporated cities regulating the use of plastic carryout bags and recyclable paper bags, and to complete any required review pursuant to the California Environmental Quality Act (CEQA) prior to submitting the ordinance.

An addendum to the County's EIR was prepared setting forth the potential environmental impacts specific to the City of Long Beach and concluding that the project would not result in any significant environmental impacts in any of the areas studied. CEQA does not require publication of an EIR addendum. Nevertheless, the City provided a twenty-day "courtesy" publication period to allow public review and comment, ending April 29, 2011.

The ordinance is substantially similar to the County's ordinance. The ordinance is intended to reduce the environmental impacts related to single-use plastic and

paper carry-out bags and to promote the use of reusable bags in the City. The ordinance's provisions include the following:

- The distribution of plastic carry-out bags will be prohibited and a ten-cent per bag charge will be placed on the distribution of recyclable paper carryout bags by an affected store, as defined.

- The stores that will be affected are:
  - full-line self-service retail stores with gross annual sales of $2 million or more, that sell a line of dry grocery, canned goods or non-food items and some perishable items; or
  - stores of at least 10,000 square feet of retail space that generate sales or use tax pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law and that have a pharmacy licensed pursuant to Chapter 9 of Division 2 of the California Business and Professions Code; or
  - A drug store, pharmacy, supermarket, grocery store, convenience food store, food mart or other entity engaged in the retail sales of a limited line of goods that include milk, bread, soda and snack foods, including those stores with a Type 20 or 21 license issued by the Department of Alcoholic Beverage Control; or
  - Long Beach farmers' markets, as defined in subsection 3.80.180G of the Long Beach Municipal Code.

- Compliance with the ordinance will be phased in. Larger grocery stores and pharmacies must begin compliance August 1, 2011. This date is one month after the County compliance date for stores of the same type, per City Council direction. All other affected stores and farmers' markets will have until January 1, 2012 to comply. The January 1, 2012 compliance date for the remaining stores is the same as the County ordinance.

- The ordinance includes compostable and biodegradable plastic carryout bags in the definition of plastic carryout bags, and as a result, these bags will be prohibited as well. The ordinance imposes a ten cent charge on recyclable paper carryout bags and requires that these bags be 100% recyclable overall, contain a minimum of 40% post-consumer recycled material and be accepted for recycling in the City's curbside recycling program. The ordinance requires reusable bags to be designed for a minimum of 125 uses, be machine washable and not contain lead, cadmium or any other heavy metals in toxic amounts, among other criteria.

- The ten cent charge per recyclable paper bag will be retained by the store and may be used for costs associated with complying with the requirements of the ordinance, actual costs of providing recyclable paper bags or costs

associated with a store's educational materials or campaigns promoting the use of reusable bags. The ordinance exempts customers participating in either the California Special Supplemental Food Program for Woman, Infants and Children (WIC) or the Supplemental Food Program.

- The ordinance requires affected stores to retain relevant records for a period of three years and to permit inspection of them by the City upon request.

SUGGESTED ACTION:

Approve recommendation.

Very truly yours,

ROBERT E. SHANNON, City Attorney

By

AMY R. BURTON
Deputy City Attorney

ARB:bg A10-02640
L:\Apps\CtyLaw32\WPDocs\D005\P013\00248968.DOC

Attachments:

1. Los Angeles County's Final Environmental Impact Report (FEIR) dated November 16, 2010
2. City of Long Beach Addendum to Los Angeles County's FEIR
3. Comment Letters and Responses
4. Resolution
5. Ordinance

H-1

May 17, 2011

LOS ANGELES COUNTY'S FINAL ENVIRONMENTAL IMPACT REPORT, DATED NOVEMBER 16, 2010

Relating to Regulating the Use of Plastic Carryout Bags and Recyclable Paper Bags

A SCANNED IMAGE OF THE AGENDA ITEM ATTACHEMENTS ARE AVAILABLE IN LEGISTAR INSITE AT http://longbeach.legistar.com/Calendar.aspx

OR

PLEASE CONTACT

THE LONG BEACH CITY CLERK DEPARTMENT AT

(562) 570-6101
(562) 570-6789 (FAX)
cityclerk@longbeach.gov

City of Long Beach

Plastic Carryout Bag Ordinance

Addendum to the Ordinances to Ban Plastic Carryout Bags in Los Angeles County Final EIR

May 2011

Environmental Scientists Planners Engineers

Plastic Carryout Bag Ordinance

Addendum to the Ordinances to Ban Plastic Carryout Bags in Los Angeles County Final EIR

Prepared for:

City of Long Beach
Development Services
333 W. Ocean Boulevard
Long Beach, California 90802
Contact: Jill Griffiths
(562) 570-6191

Prepared by:

Rincon Consultants, Inc.
180 North Ashwood Avenue
Ventura, California 93003

May 2011

This report is printed on 30% recycled paper with 30% post-consumer content and chlorine-free virgin pulp.

Plastic Bag Ordinance

Addendum to the Ordinances to Ban Plastic Carryout Bags in Los Angeles County Final EIR

TABLE OF CONTENTS

Page

Introduction 1

Project Description 1

Environmental Impacts 4
- Air Quality 4
- Biological Resources 8
- Greenhouse Gas Emissions 8
- Hydrology and Water Quality 13
- Utilities and Service Systems 16

Conclusion 22
References and Preparers 23

List of Tables

Table 1 Estimated Daily Emission Changes Due to the County's Ordinance and the City's Ordinance Based on the Ecobilan Data (lbs/day) 6
Table 2 Estimated Daily NOx Emission Increases Due to End of Life (Disposal) Based on the Ecobilan Data 6
Table 3 Estimated Daily Operational Emissions From Increased Truck Trips 7
Table 4 Estimated GHG Emissions From Manufacturing Process based on Ecobilan Data 10
Table 5 Estimated GHG Emissions From Daily Mobile Emissions Due to Increased Vehicle Trips 11
Table 6 Estimated GHG Emissions Increases Due to End of Life Based on Ecobilan Data 12
Table 7 Estimated GHG Emissions Increases Due to End of Life Based on Boustead Data 13
Table 8 Eutrophication Due to Plastic and Paper Carryout Bags Based on Ecobilan Data 14
Table 9 Wastewater Generation Due to Plastic and Paper Carryout Bags Based on Ecobilan Data 17

Table 10 Water Consumption Due to Plastic and Paper Carryout Bags Based on Ecobilan Data 18
Table 11 Water Consumption Due to Plastic and Paper Carryout Bags Based on Boustead Data 18
Table 12 Solid Waste Generation Due to Plastic and Paper Carryout Bags Based on Ecobilan Data 20
Table 13 Solid Waste Generation Due to Plastic and Paper Carryout Bags Based on Boustead Data 20
Table 14 Non-Renewable Energy Consumption Based on Ecobilan Data 21
Table 15 Total Energy Consumption Due to Plastic and Paper Carryout Bags Based on Boustead Data 21

Appendix

Appendix A: InfoUSA.com – Store Search in Long Beach
Impact Worksheets (Ecobilan and Boustead data)
GHG Calculations for Truck Trips
URBEMIS Results for Truck Trips

Appendix B: Response to Comments

INTRODUCTION

This document is an addendum to the Ordinances to Ban Plastic Carryout Bags in Los Angeles County Final Environmental Impact Report (EIR) that was adopted by the County of Los Angeles Board of Supervisors on November 16, 2010 (SCH #2009111104). As one of the 88 incorporated cities within Los Angeles County, the City of Long Beach proposes an ordinance to ban plastic carryout bags consistent with the ordinance analyzed in the County's Final EIR and adopted by the Board of Supervisors. The addendum is required to address the possible environmental effects associated with adoption of such an ordinance within Long Beach. The proposed ordinance within Long Beach would ban plastic carryout bags at all supermarkets and other grocery stores, pharmacies, drug stores, convenience stores, food marts, and farmers markets and would place a ten (10) cent charge on the issuance of recyclable paper carryout bags by an affected store, as defined. The ordinance would also require a store to provide or make available to a customer only recyclable paper carryout bags or reusable bags.

According to Section 15164 of the *California Environmental Quality Act (CEQA) Guidelines*, an addendum to a previously adopted Final EIR is the appropriate environmental document in instances when "only minor technical changes or additions are necessary" and when the new information does not involve new significant environmental effects beyond those identified in an adopted Final EIR. The change being contemplated involves adopting a Plastic Carryout Bag Ban Ordinance in the City of Long Beach that is similar to the County's adopted Ordinance. The City is one of the 88 incorporated cities that were included in the EIR analysis for the County's Ordinance. The City would adopt the County's Plastic Carryout Bag Ordinance with a few minor changes that are specific to Long Beach. These minor revisions are discussed below in the project description. The City's proposed Ordinance would have no new significant environmental effects beyond those identified in the County's Certified EIR. Since the proposed Ordinance does not require substantial changes to the County's Ordinance, major revisions of the EIR analysis are not warranted. As such, a subsequent EIR pursuant to Section 15162 of the *CEQA Guidelines* would not be warranted and an addendum is the appropriate environmental document under CEQA.

This addendum includes a description of the currently proposed Ordinance in Long Beach and a comparison of the impacts of the proposed Ordinance to those identified for the County's approved Ordinance, which was studied in the Final EIR that was certified on November 16, 2010.

PROJECT DESCRIPTION

The proposed Plastic Carryout Bag Ordinance ("Ordinance") would ban the issuance of plastic carryout bags and impose a ten (10) cent charge on the issuance of recyclable paper carryout bags at all supermarkets and other grocery stores, pharmacies, drug

stores, convenience stores, foodmarts, and Long Beach farmers markets. The Ordinance would require a store to provide or make available to a customer only recyclable paper carryout bags or reusable bags. The Ordinance would also encourage a store to educate its staff to promote reusable bags and to post signs encouraging customers to use reusable bags. The stores that would be affected are located within the City limits and include the following:

1. A full-line, self-service retail store with gross annual sales of two million dollars ($2,000,000), or more, that sells a line of dry grocery, canned goods, or non-food items and some perishable items; or
2. 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) and that has a pharmacy licensed pursuant to Chapter 9 (commencing with Section 4000) of Division 2 of the Business and Professions Code; or
3. A drug store, pharmacy, supermarket, grocery store, convenience store, food mart, of other entity engaged in the retail sale of a limited line of goods that includes milk, bread, soda, and snack foods, including those stores with a Type 20 or 21 license issued by the Department of Alcoholic Beverage Control.

The Ordinance includes compostable and biodegradable plastic carryout bags in the definition of plastic carryout bags, and, as a result, these types of plastic bags would be banned as well. The Ordinance would impose a ten (10) cent charge on the recyclable paper carryout bag and requires that the paper bags be one hundred percent (100%) recyclable overall, contain a minimum of forty percent (40%) post-consumer recycled material, and be accepted for recycling in curbside programs in the City/County, among other criteria. With respect to reusable bags, the Ordinance would require that the reusable bag be designed for a minimum lifetime of 125 uses, be machine washable, and not contain lead, cadmium, or any other heavy metal in toxic amounts, among other criteria.

The Ordinance would exempt from the ten (10) cent charge those customers who are participating either in the California Special Supplemental Food Program for the Women, Infants, and Children or the Supplemental Food Program. Stores must provide at the point of sale, free of charge, either reusable bags or recyclable paper carryout bags or both, to these customers, at the store's option. Plastic bags that are a minimum of 2.25 mils thick and are used by many stores are considered to be reusable bags, per the definition in the ordinance. Customers may also opt to use their own reusable bags or not use any bag.

The differences between the City's proposed Ordinance and the ordinance adopted by the County include the following:

- Under the City's Ordinance the plastic bag ban would also apply to farmers markets, whereas the County's Ordinance does not specify farmer's markets.
- Under the County's Ordinance stores affected by the ordinance must provide quarterly reports to the Director of Public Works that summarize the money collected for recyclable paper carryout bags and the efforts undertaken to promote the use of reusable bags. Under the City's Ordinance, affected stores are required to keep complete and accurate records of the money collected for recyclable paper carryout bags for a minimum of three years. The record shall be available for inspection at no cost to the City during regular business hours by any City employee authorized to enforce the Ordinance.
- The City's Ordinance would take effect for stores with gross annual sales of $2 million or more and stores of at least 10,000 square feet on August 1, 2011. This date is one month later than the July 1, 2011 operative date in the County's Ordinance. For stores of less than 10,000 square feet, the City's Ordinance would take effect on February 1, 2012, which is one month later than the County's Ordinance for stores of that size.

The differences between the City and County Ordinances as listed above are minor changes that would not result in any changes to the environmental impacts that were analyzed in the County's Final EIR (adopted November 2010). As such, the City's proposed Ordinance is consistent with the County's Ordinance but would be specific to the City of Long Beach.

The City's objectives for the proposed Ordinance would be similar to the County's objectives for the countywide ordinance. The objectives as described in the County's Final EIR include:

- *Conduct outreach to all 88 incorporated cities of the County to encourage adoption of comparable ordinances*
- *Reduce the Countywide consumption of plastic carryout bags from the estimated 1,600 plastic carryout bags per household in 2007, to fewer than 800 plastic bags per household in 2013*
- *Reduce the Countywide contribution of plastic carryout bags to litter that blights public spaces Countywide by 50 percent by 2013*
- *Reduce the County's, Cities', and Flood Control District's costs for prevention, clean-up, and enforcement efforts to reduce litter in the County by $4 million*
- *Substantially increase awareness of the negative impacts of plastic carryout bags and the benefits of reusable bags, and reach at least 50,000 residents (5 percent of the population) with an environmental awareness message*

- *Reduce Countywide disposal of plastic carryout bags in landfills by 50 percent from 2007 annual amounts*

Similarly the objectives of the City's Ordinance would include:

- *Reduce the Citywide consumption of plastic carryout bags from the estimated 1,600 plastic carryout bags per household in 2007 to fewer than 800 plastic bags per household in 2013*
- *Reduce the Citywide contribution of plastic carryout bags to litter that blights public spaces Citywide by 50 percent by 2013*
- *Assist the County in the reduction of the County's, City's, and Flood Control District's costs for prevention, clean-up, and enforcement efforts to reduce litter in the City and the County by $4 million*
- *Substantially increase awareness of the negative impacts of plastic carryout bags and the benefits of reusable bags, and reach at least 24,736 residents (5 percent of Long Beach's population) with an environmental awareness message*
- *Reduce citywide disposal of plastic carryout bags in landfills by 50 percent from 2007 annual amounts*

ENVIRONMENTAL IMPACTS

This section addresses each of the environmental issues studied in the Final EIR, comparing the effects of the proposed Long Beach Plastic Carryout Bag Ordinance with the effects of the County of Los Angeles Plastic Carryout Bag Ordinance that was the subject of the adopted Final EIR. In addition to stating the County's finding for each impact statement, the analysis includes a discussion of the City's impact related to adopting its own plastic carryout bag ban ordinance and the impacts associated with implementation of such an ordinance citywide.

The City's proposed Ordinance would not change any of the impacts identified as less than significant in the County's Final EIR Initial Study (Volume II: Section D of the Final EIR). Each of those impacts would remain less than significant for the City's proposed Ordinance. As such, further discussion of these issues in this addendum is not warranted.

Air Quality

The City's proposed Ordinance would have impacts related to Air Quality similar to those of the previously studied County Ordinance (identified as Alternative 5 in the County's Final EIR) since the City's proposed Ordinance is consistent with the County's adopted Ordinance and would apply to an estimated 315 stores within the City (see Appendix A for the estimated number of affected stores). These stores were considered in the County's Final EIR analysis, which analyzed approximately 5,084 stores in the

incorporated cities. Therefore, all of the stores that would be subject to the City's proposed Ordinance have already been analyzed for air quality impacts as part of the County's Final EIR and, as shown below, impacts would be no greater than what was already determined in the County's Final EIR. Like the County's Ordinance, the City's proposed Ordinance does not involve any construction activities; therefore, there would be no regional or localized construction impacts and consideration of construction impacts is not relevant. Thus, this analysis focuses on operational impacts. As studied in the County's Final EIR, operational impacts include indirect emissions based on life cycle assessments, criteria pollutant emissions resulting from disposal of paper carryout bags in landfills, and emissions resulting from increased delivery trips.

Indirect Emissions Based on Life Cycle Assessments. As described on pages 12-41 of the County's Final EIR, based on a conservative scenario of 50 percent conversion from the use of plastic carryout bags to the use of paper carryout bags, and using life cycle data from the Ecobilan study (2004), the County's Ordinance would be expected to result in an overall decrease in emissions of carbon monoxide (CO), particulate matter (PM), sulphur oxide (SOx) and volatile organic compounds (VOCs), but would result in an increase in nitrogen oxide (NOx). Table 1 below shows the estimated daily emission changes that would result if each of the incorporated cities in the County (including Long Beach) were to implement a plastic bag ban ordinance similar to the County's Ordinance. As noted above, the City's approximately 315 stores that would be required to adhere to the City's proposed Ordinance are included within the approximately 5,084 stores listed in Table 1. The emissions related to converting from plastic to paper bags as a result of the City's proposed Ordinance are also shown in Table 1. As shown, emissions related to CO, PM, Sox and VOCs would decrease in Long Beach and NOx emissions would increase. Therefore, similar to the County's determination in the Final EIR, impacts as a result of criteria pollutants from the conversion of plastic bags to paper bags would be expected to result in both beneficial impacts (CO, PM, Sox and VOCs) and adverse impacts (NOx) to air quality, depending on which criteria pollutants are analyzed.

In addition to increasing the use of paper bags, by banning the use of plastic carryout bags the proposed Ordinance would be expected to result in increased use of reusable bags which may also increase emissions. However, as described in the County's Final EIR, because reusable bags must be designed to have a minimum lifespan of at least 125 uses, air quality impacts due to the life cycle of a reusable bag would be expected to be lower than those of a plastic or paper carryout bag when considered on a per-bag basis. Thus, consistent with the findings of the County's Final EIR, any conversion from the use of plastic carryout bags to reusable bags would reasonably be expected to result in an environmental benefit.

Table 1
Estimated Daily Emission Changes Due to the County's Ordinance and the City's Ordinance Based on the Ecobilan Data (lbs/day)

Emission Source	VOCs[1]	NO_x	CO	So_x	PM
County Ordinance – 5,084 stores in incorporated areas plus 1,091 stores in unincorporated areas	-2,729[2]	1,058	-5,004	-1,190	-1,936
City Ordinance – 315 stores within Long Beach[3]	-121.33	184	-292.25	-30.44	-111.25

Source: Ecobilan. February 2004. Environmental Impact Assessment of Carrefour Bags: An Analysis of the Life Cycle of Shopping Bags of Plastic, Paper, and Biodegradable Material. Prepared for: Carrefour Group. Neuilly-sur-Seine, France.

NOTES:
1. Total VOCs include all compounds defined as contributors to the formation of photochemical oxidants in the Ecobilan Study, apart from methane, ethane, and acetone, which are not included in the SCAQMD definition of VOCs under Rule 102.
2. A negative number for emissions indicates the extent of the reduction in air pollutants generated by paper carryout bags in comparison to the air pollutants generated by plastic carryout bags by subtracting the data for plastic carryout bags from the data for paper carryout bags.
3. Emissions related to the 315 stores in Long Beach are also included as part of the 5,084 stores in the incorporated areas in the County's Ordinance emissions.

Criteria Pollutant Emissions Resulting from Disposal of Paper Carryout Bags in Landfills. As shown in Table 2, the County's Final EIR determined that if the County's Ordinance was implemented in all 88 incorporated cities, including Long Beach, NO_x emissions resulting from decomposition of carryout bags at a landfill (known as end of life data) would increase by approximately 110 pounds per day. NO_x emissions resulting from implementation of the City's Ordinance would be only 12.7 pounds per day as shown in Table 2. Nevertheless, any emissions resulting from the end of life of paper carryout bags, including from truck trips transporting paper carryout bag waste to landfills in the County, are currently controlled by regional and state regulations such as CARB's Solid Waste Collection Vehicle Rule and SCAQMD Rule 1193, Clean On-road Residential and Commercial Refuse Collection. Therefore, similar to the County's significance finding, the impacts from the City's proposed Ordinance to air quality due to vehicle trips transporting paper carryout bags to landfills would be less than significant.

Table 2
Estimated Daily NOx Emission Increases Due to End of Life (Disposal) Based on the Ecobilan Data

Emission Source	NO_x (lbs/day)[1]
County Ordinance – 5,084 stores in incorporated areas plus 1,091 stores in unincorporated areas	110
City Ordinance – 315 stores within Long Beach[3]	12.7

Sources:
1. Ecobilan. February 2004. Environmental Impact Assessment of Carrefour Bags: An Analysis of the Life Cycle of Shopping Bags of Plastic, Paper, and Biodegradable Material. Prepared for: Carrefour Group. Neuilly-sur-Seine, France.
2. U.S. Environmental Protection Agency. November 2008. Municipal Solid Waste in the United States: 2007 Facts and Figures. Washington, DC. Available at: http://www.epa.gov/waste/nonhaz/municipal/pubs/msw07-rpt.pdf
NOTES: Assuming 36.8 percent of paper carryout bags are diverted from landfills and 11.9 percent of plastic carryout bags are diverted from landfills, based on the 2007 USEPA recycling rates for bags and sacks.

Emissions Resulting From Increased Delivery Trips. Similar to the County's Ordinance, the City's proposed Ordinance would be expected to cause a potential increase in delivery truck trips required to transport paper and reusable carryout bags to affected stores. As stated in the County's Final EIR, assuming a worst case scenario where the number of trips to deliver reusable bags in the incorporated cities equals the number of trips to deliver paper bags (approximately 79 trips), the County's Ordinance would result in an overall increase of approximately 158 truck trips per day. Using the County's method to determine truck trips, with implementation of the City's proposed Ordinance, the overall increase in truck trips to City stores would only be approximately 12 truck trips per day.[1] As shown in Table 3, similar to the County's Ordinance, the increase of truck trips in the City would not result in an exceedance of any thresholds of significance set by the SCAQMD. As with the County's Ordinance, impacts related to mobile emissions from the City's proposed Ordinance would be less than significant.

As with the County's Ordinance, the City's Ordinance would not conflict with or obstruct the implementation of any applicable air quality plan; would not violate any air quality standard or contribute substantially to an existing or projected air quality violation; would not result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment under an applicable federal or state ambient air quality standard; would not expose sensitive receptors to substantial pollutant concentrations; and would not create objectionable odors affecting a substantial number of people. Consistent with the findings in the County's Final EIR, impacts to air quality would be below levels of significance and would not result in a cumulatively considerable contribution to a significant cumulative impact.

Table 3
Estimated Daily Operational Emissions From Increased Truck Trips

Emission Source	VOCs	NO_x	CO	SO_x	$PM_{2.5}$	PM_{10}
County Ordinance – 96 delivery trucks trips in the incorporated cities of the County and unincorporated areas	0.80	1.90	12.02	0.01	0.46	0.40
City Ordinance – 12 delivery truck trips per day in the City (both reusable and paper)	0.08	0.15	0.98	0.0	0.04	0.19
SCAQMD Threshold	*55*	*55*	*550*	*150*	*55*	*150*
Significant Impact?	***No***	***No***	***No***	***No***	***No***	***No***
County Ordinance Significant Impact?	**No**	**No**	**No**	**No**	**No**	**No**

Source: Los Angeles County Final EIR, November 2010; and, URBEMIS output (see Appendix A).

[1] *(97 stores x 10,000 plastic carryout bags per day/2,304,000 plastic carryout bags per truck) + (218 stores x 5,000 plastic bags per day/2,304,000 plastic bags per truck) x 6.5 the number of truck trips for paper rather than plastic x 2 (paper and reusable bags)= 11.62 daily truck trips or 5.81 for just paper or just reusable*

Biological Resources

As with the County's Ordinance, the City's proposed Ordinance would result in a reduction in the use and disposal of plastic carryout bags. As such, the City's Ordinance would achieve reductions in litter composed of plastic carryout bag waste found in freshwater and coastal environments, which has been shown to have significant adverse impacts upon biological resources. The City's Ordinance would also be anticipated to increase consumer use of reusable carryout bags, which, as discussed in the County's Final EIR, have not been widely noted to have adverse impacts upon biological resources. Although reusable bags may become a part of the waste stream, because they can be reused multiple times (at least 125 times under the proposed Ordinance) and are heavier than plastic carryout bags, the number of reusable bags that would likely end up as litter which could impact biological resources would be lower than the number of plastic or paper carryout bags. The City's Ordinance may indirectly increase the number of paper carryout bags used in the City. However, due to their weight, paper bags are less likely to become litter. In addition, because paper is compostable (unlike plastic), paper bags do not persist in the marine environment for as long as plastic bags.

For the reasons stated above, consistent with the findings of the County's Final EIR, the City's proposed Ordinance would have the potential to reduce impacts to wildlife habitats and aquatic life, and would result in potentially beneficial impacts to sensitive habitats; federally protected wetlands; rare, threatened, and endangered species; and species of special concern. The City's proposed ordinances would not have a substantial adverse effect on any species identified as candidate, sensitive, or special status; would not have a substantial adverse effect on riparian habitats or other sensitive natural communities, including federally protected wetlands as defined by Section 404 of the CWA; would not 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; and would not conflict with any City or County General Plan policies requiring the protection of biological resources. As with the County's Ordinance, the City's Ordinance would not be expected to result in any significant adverse impacts to biological resources and would be expected to achieve additional benefits due to a reduction in the use of plastic carryout bags. Similarly, like the County's Ordinance, the City's proposed Ordinance would not result in a cumulatively considerable contribution to a significant cumulative impact to biological resources.

Greenhouse Gas Emissions

Carryout bags have the potential to contribute to the generation of greenhouse gas emissions (GHGs) either through emissions associated with manufacturing process of carryout bags, truck trips delivering carryout bags to retailers or through disposal

during landfill degradation. For the County's Final EIR (County's Final EIR, page 12-47, November 16, 2010), it was determined that the proposed ordinances would have a significant impact to greenhouse gas emissions when the potential for any one of the following two thresholds was reached:

- *Generate greenhouse gas emissions, either directly or indirectly that may have a significant effect on the environment*
- *Conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases"*

The second threshold was further explained by two additional significance criteria in the County's Final EIR:

- *"Inconsistency with laws and regulations in managing GHG emissions*
- *Inconsistency with the goal to reduce GHG emissions to 1990 levels (approximately 427 metric tons or 9.6 metric tons of carbon dioxide equivalents (CO_2e) per capita) as required by AB 32"*

For this analysis, the City has determined to select its own GHG significance threshold rather than relying on the County's threshold as used in the County's Final EIR. For this analysis, the City's proposed Ordinance is evaluated based on a plan-based threshold of 6.6 metric tons CO_2e per service population (defined to include both residents and employees) per year. The City does not recommend adoption of that threshold for any other purpose at this time, but that numeric threshold is recommended for this analysis for the following reasons. First, the 6.6 metric tons CO_2e per service population threshold was recently adopted by the Bay Area Air Quality Management District (BAAQMD) as a quantitative GHG emissions thresholds for plan-level projects (BAAQMD, "California Environmental Quality Act: Air Quality Guidelines" (June 2010).) Second, the BAAQMD derived that "efficiency" metric from statewide compliance with AB 32, and so that metric may be appropriately applied in regions other than the Bay Area. Finally, although SCAQMD has not yet acted on the proposal, staff of the SCAQMD are proposing the same efficiency metric for use in the South Coast region (SCAQMD, "Proposed Tier 4 Performance Standards, September 2010). Thus, the City finds that a 6.6 metric ton CO_2e per service population per year threshold is appropriately used in this analysis at this time.

Therefore, the City's proposed Ordinance would have a significant impact related to GHG emissions if the GHG emissions would result in more than 6.6 metric tons of CO_2e per service population (residents and employees) per year. Based on existing population and employment data provided by the California Department of Finance (2010), the existing service population in Long Beach is approximately 680,647 which includes a population of approximately 494,709 and approximately 185,938 employees citywide.

Manufacturing Process. As discussed in the County's Final EIR, based on a conservative scenario of a 50 percent conversion from the use of plastic carryout bags to the use of paper carryout bags, and using life cycle data from Ecobilan, the County's Ordinance would be expected to contribute indirectly to an overall decrease of approximately 12,015 metric tons of GHG emissions per year as shown in Table 4. Thus, the County's Final EIR determined that the County's Ordinance would not be expected to conflict with the County's 2020 target GHG emissions (108 million metric tons per year) and therefore impacts related to the manufacturing of paper bags would be less than significant. Similarly, for the City's proposed Ordinance, the conversion of plastic to paper bags would reduce GHG emissions in the City by approximately 148 metric tons per year as shown in Table 4. As such, consistent with the findings of the County's Final EIR, the City's proposed Ordinance would have a beneficial effect related to GHG emissions from the manufacturing process.

Table 4
Estimated GHG Emissions From Manufacturing Process based on Ecobilan Data

Emission Areas	CO_2e Emission Sources			
	Plastic Carryout Bags	Increase from 50% Conversion from Plastic to Paper Carryout Bags		
	Metric Tons per Day	Metric Tons Per Day	Metric Tons per Year[2]	Metric Tons per Year per Capita[1]
County Ordinance – 5,084 stores in incorporated areas plus 1,091 stores in unincorporated areas	568	-32.92	-12,015	-0.001
City Ordinance – 315 stores within Long Beach[3]	30.77	-0.405	-148	-0.0002

Source:
Ecobilan. February 2004. Environmental Impact Assessment of Carrefour Bags: An Analysis of the Life Cycle of Shopping Bags of Plastic, Paper, and Biodegradable Material. Prepared for: Carrefour Group. Neuilly-sur-Seine, France.
Notes:
1. Per capita emissions are calculated using the estimated 2010 population in the County (10,615,700).
2. A negative number for emissions indicates the extent of the reduction in air pollutants generated by paper carryout bags in comparison to the air pollutants generated by plastic carryout bags by subtracting the data for plastic carryout bags from the data for paper carryout bags.
3. Emissions related to the 315 stores in Long Beach are also included as part of the 5,084 stores in the incorporated areas in the County's Ordinance emissions.

The City's proposed Ordinance would promote an increase in the use of reusable bags, which also emit GHG emissions during the manufacturing process. However, because reusable bags would have a minimum lifetime use of 125 times under the proposed Ordinance, the number of reusable bags required would be expected to be far less than the number of plastic carryout bags currently used in the City. Therefore, it can be reasonably expected that the conversion of plastic to reusable bags would not result in an increase in GHG emissions from the manufacturing process.

Truck Trips. Delivery trucks that transport carryout bags from manufacturers or distributors to the local retailers in Long Beach would also contribute GHG emissions. GHG emissions from truck trips result primarily from the combustion of fossil fuels and include CO_2, CH_4, and N_2Ox. As discussed in the County's Final EIR, it is anticipated that implementation of the County's Ordinance in all 88 incorporated cities and in the unincorporated areas would require approximately 96 additional truck trips per year to deliver paper bags. For the City's proposed Ordinance, approximately 6 truck trips per day would be required to deliver paper bags to the estimated 315 stores located within Long Beach. The estimated increase in GHG emissions associated with truck trips (both countywide and just within the City are shown in Table 5). As shown, the additional truck trips countywide would yield approximately 260 metric tons of GHG emissions per year while in Long Beach, the 6 additional truck trips would yield 12 metric tons of GHG emissions per year. Similar to the finding in the County's Final EIR, the total indirect GHG emissions due to mobile sources as a result of a 50-percent conversion of plastic to paper bags within Long Beach would represent an increase of approximately 0.0000028 percent of California's GHG emissions target for 2020 of 427 million metric tons per year, and approximately 0.0000011 percent of the County's target emissions for 2020 (108 million metric tons), or 0.0000176 metric ton per capita per year, which would not conflict with the emission reduction goals established to reduce emissions of GHGs in California down to 1990 levels by 2020 as required by AB 32 (approximately 427 million metric tons in total or 9.6 metric tons per capita by 2020). Therefore, the indirect GHG emissions due to mobile sources for the City's proposed Ordinance would be less than significant, similar to the determination related to mobile GHG emissions in the County's Final EIR.

Table 5
Estimated GHG Emissions From Daily Mobile Emissions Due to Increased Vehicle Trips

Emission Sources	CO_2 Emissions (lbs/day)	CO_2 Emissions (metric tons/year)	Metric Tons per Year per Capita[1]
County Ordinance – 96 delivery trucks trips in the incorporated cities of the County and unincorporated areas (paper only)	1,572.35	260.32	0.000025
City Ordinance – 6 delivery truck trips per day in the City (paper only)	65.75	12	0.000018

Source:
Ecobilan. February 2004. Environmental Impact Assessment of Carrefour Bags: An Analysis of the Life Cycle of Shopping Bags of Plastic, Paper, and Biodegradable Material. Prepared for: Carrefour Group. Neuilly-sur-Seine, France.
Notes:
1. Per capita emissions are calculated using the estimated 2010 population in the County (10,615,700).
2. A negative number for emissions indicates the extent of the reduction in air pollutants generated by paper carryout bags in comparison to the air pollutants generated by plastic carryout bags by subtracting the data for plastic carryout bags from the data for paper carryout bags.
3. Emissions related to the 6 trips in Long Beach for paper bag delivery are also included in the 96 trips in the incorporated areas in the County's Ordinance emissions.

Landfill Degradation/End of Life Emissions. Once disposed of by customers, carryout bags that are not recycled are deposited to a landfill where they are left to decompose and degrade. Depending on the type and materials used, a carryout bag will degrade at various rates. When carryout bag materials degrade in aerobic conditions at a landfill, methane (CH_4) is emitted. This contributes to global climate change.

As shown in Table 6, using the Ecobilan data for the end of life of plastic and paper carryout bags, disposal of paper carryout bags at landfills would yield approximately 70,250 metric tons of GHG emissions per year, which is equivalent to approximately 0.007 metric tons per capita, based on the County's Ordinance if applied countywide (incorporated cities and unincorporated areas). For the City's proposed Ordinance, emissions related to the disposal of paper bags at landfills would yield approximately 6,335 metric tons of GHG emissions per year, which is equivalent to approximately 0.0093 metric tons per capita per year in Long Beach. As such, this increase would not exceed the 6.6 metric tons CO_2e per capita per year threshold. Impacts would be less than significant.

Table 6
Estimated GHG Emissions Increases Due to End of Life Based on Ecobilan Data

Emission Sources	Increase of CO_2e Emissions (metric tons/year)[1]	Metric Tons per Year per Capita
County Ordinance – 5,084 stores in incorporated areas plus 1,091 stores in unincorporated areas	70,250	0.0066
City Ordinance – 315 stores within Long Beach[3]	6,335	0.0093

Source:
Ecobilan. February 2004. Environmental Impact Assessment of Carrefour Bags: An Analysis of the Life Cycle of Shopping Bags of Plastic, Paper, and Biodegradable Material. Prepared for: Carrefour Group. Neuilly-sur-Seine, France.
U.S. Environmental Protection Agency. November 2008. Municipal Solid Waste in the United States: 2007 Facts and Figures. Washington, DC. Available at: http://www.epa.gov/waste/nonhaz/municipal/pubs/msw07-rpt.pdf
Notes:
1. Assuming 36.8 percent of paper carryout bags are diverted from landfills and 11.9 percent of plastic carryout bags are diverted from landfills, based on the 2007 USEPA recycling rates.

The Boustead data uses slightly higher emission rates per bag than the Ecobilan data for end of life emissions. As such, based on the Boustead data as shown in Table 7, the County's Final EIR determined that countywide emissions from disposal of paper carryout bags at landfills would yield approximately 184,621 metric tons of GHG emissions per year. For the City's proposed Ordinance, emissions related to disposal of paper bags according to the Boustead data would yield approximately 10,555 metric tons of GHG emissions per year, which is equivalent to approximately 0.0155 metric tons per capita per year in Long Beach.

Table 7
Estimated GHG Emissions Increases Due to End of Life Based on Boustead Data

Emission Sources	Increase of CO_2 Emissions (metric tons/year)[1]	Metric Tons per Year per Capita
County Ordinance – 5,084 stores in incorporated areas plus 1,091 stores in unincorporated areas	184,621	0.01739
City Ordinance – 315 stores within Long Beach[3]	10,555	0.0155

Source:
Boustead Consulting and Associates Ltd. 2007. Life Cycle Assessment for Three Types of Grocery Bags – Recyclable Plastic; Compostable, Biodegradable Plastic; and Recycled, Recyclable Paper. Prepared for: Progressive Bag Affiliates.
U.S. Environmental Protection Agency. November 2008. Municipal Solid Waste in the United States: 2007 Facts and Figures. Washington, DC. Available at: http://www.epa.gov/waste/nonhaz/municipal/pubs/msw07-rpt.pdf
Notes:
1. Assuming 36.8 percent of paper carryout bags are diverted from landfills and 11.9 percent of plastic carryout bags are diverted from landfills, based on the 2007 USEPA recycling rates.

The Boustead results are likely to be overestimates as emissions from active landfills in the County are strictly controlled by SCAQMD Rule 1150.1 and AVAQMD Rule 1150.1, Control of Gaseous Emissions from Active Landfills, as well as the new state requirements that regulate methane emissions from landfills in accordance with the goals of Assembly Bill 32 as implemented in the California Air Resources Board Climate Change Scoping Plan (County's Final EIR, page 12-49, November 2010). Nevertheless, the County's Final EIR utilized the Boustead data as a conservative worst case analysis and determined that indirect impacts to GHG emissions from decomposition of paper bags in landfills may have the potential to be cumulatively considerable. However, for the City's proposed Ordinance, an increase of approximately 0.0155 metric tons CO_2e per capita per year based on the Boustead data would not exceed the City's threshold of 6.6 metric tons CO_2e per capita per year. Therefore, although impacts under the County's Final EIR were determined to be significant, impacts associated with the City's proposed Ordinance would be considered less than significant. As such, no mitigation measures, including Mitigation Measure MM-GHG-1 as listed in the County's Final EIR, would be required for the City's proposed Ordinance since impacts would be less than significant without mitigation.

Hydrology and Water Quality

Hydrology and water quality impacts would be similar to those identified in the County's Final EIR. The following discusses the impacts related to drainage, surface water quality, groundwater, flooding, and seiche, tsunami and mudflows that would result from implementation of the City's proposed Ordinance.

Drainage. Consistent with the findings of the County's Final EIR, the City's proposed Ordinance would not require construction of new structures or additional storm water infrastructure. Consequently, the capacity of existing storm water drainage would remain unchanged and redirecting storm water flows would be

unnecessary. By banning plastic carryout bags within the City, the Ordinance would improve the existing drainage capacity by removing a significant source of trash that can clog features of the system and reduce its capacity (County's Final EIR, 2010). Therefore, consistent with the findings of the County's Final EIR, the proposed Ordinance would not result in significant adverse impacts to hydrology and water quality related to drainage.

Surface Water Quality. As noted in the County's Final EIR, certain representatives of the plastic bag industry have argued that similar proposed ordinances have the potential to result in environmental impacts that could result in violations of water quality standards due to the increased reliance on paper carryout bags, which can potentially cause increased water eutrophication during the manufacturing process. Eutrophication occurs when high levels of nutrients, such as fertilizers, enter a water body and cause excessive growth of plants, such as algae, resulting in a reduction in water quality.

Several life-cycle-assessments (LCAs) have analyzed the impacts of bag manufacturing upon eutrophication and concluded that paper carryout bag manufacturing releases more pollutants, such as nitrates and phosphates, into water than does plastic carryout bag manufacturing (County's Final EIR, 2010). However, as shown in Table 8 below, using the Ecobilan LCA, the County's EIR determined that a 50 percent conversion from the use of plastic carryout bags to the use of paper carryout bags would be expected to increase eutrophication by approximately 42 additional kilograms of phosphate per day if all 88 incorporated cities of the County adopted plastic bag ordinances. Since Long Beach is one of the 88 incorporated cities in the County, the County's Final EIR accounts for impacts from eutrophication associated with the City's proposed Ordinance. As shown in Table 8, the increase in eutrophication just from the City's proposed Ordinance would be approximately 3.6 kilograms of phosphate, or about 7% of the 50.87 kilograms of phosphate for the entire County.

Table 8
Eutrophication Due to Plastic and Paper Carryout Bags Based on Ecobilan Data

Eutrophication Sources	Eutrophication (kilograms phosphate equivalent)	
	Eutrophication from Plastic Carryout Bags (existing conditions)	Increase Due to Conversion from Plastic to Paper Carryout Bags (with implementation of Ordinance)
County Ordinance – 5,084 stores in incorporated areas plus 1,091 stores in unincorporated areas	10.39	50.87
City Ordinance – 315 stores within Long Beach	0.64	3.6

Source:
Ecobilan. February 2004. Environmental Impact Assessment of Carrefour Bags: An Analysis of the Life Cycle of Shopping Bags of Plastic, Paper, and Biodegradable Material. Prepared for: Carrefour Group. Neuilly-sur-Seine, France

As further stated in the County's Final EIR, since there are no significance thresholds related to eutrophication and since there does not appear to be any paper bag manufacturing facilities located within the County, determining the level of significance of eutrophication impacts from bag manufacturing would be inapplicable and speculative. As such, since there appears to be no manufacturing and production of paper carryout bags in the County (or in the City of Long Beach) there would be no expected impacts to water quality resulting from eutrophication during the manufacturing process. Further, any indirect increase in pollutant discharge from manufacturing plants due to increased demand for paper carryout bags would be regulated and controlled by the local, regional, and federal laws applicable to each manufacturing plant. Within the United States, pollutant discharges from bag manufacturing facilities would be required to comply with National Pollutant Discharge Elimination System (NPDES) requirements and permits. Thus, similar to the findings of the County's Final EIR, impacts of the proposed Ordinance, upon surface water quality outside of the Southern California region due to eutrophication would be less than significant. Therefore, similar to the County's findings, indirect impacts to water quality from eutrophication due to a potential increase in the demand for paper carryout bag manufacturing as a result of the City's proposed Ordinance would be less than significant.

Reusable bags could also indirectly increase eutrophication impacts related to facilities that manufacture reusable bags. However, as stated in the County's Final EIR, studies have shown that when used at least 104 times, the environmental impacts associated with a reusable bag are substantially less than impacts resulting from paper and plastic carryout bags (County's Final EIR, page 12-58, 2010). Like the County's Ordinance, the City's proposed Ordinance would require reusable bags to have a minimum lifespan of 125 uses; therefore, any conversion from the use of plastic carryout bags to reusable bags would be reasonably expected to be environmentally beneficial.

Any adverse indirect impact upon water quality due to eutrophication would likely be offset by positive impacts associated with the proposed Ordinance. The City's proposed Ordinance, similar to the County's Ordinance, would reduce the amount of litter associated with plastic carryout bags and, therefore, would decrease the amount of litter in water bodies within and in the vicinity of Long Beach. As such, the proposed Ordinance would generally improve water quality. This is a beneficial effect.

Groundwater. Similar to the findings of the County's Final EIR, the City's proposed Ordinance would not result in significant adverse impacts to hydrology or water quality in relation to groundwater. Because the proposed Ordinance does not require the construction of new structures, it would not result in the creation of impervious surfaces that would potentially reduce ground water levels. Further, although manufacturing facilities for paper and plastic carryout bags could potentially release pollutants that may affect groundwater, the discharge of pollutants locally and

nationally is regulated by the USEPA and the Regional Water Quality Control Boards (RWQCBs) under the federal Clean Water Act (CWA). Pollutant discharges from manufacturing facilities would be required to comply with the CWA. Further, as noted above, since there appears to be no manufacturing and production of paper carryout bags in the County (or in the City of Long Beach) there would be no expected impacts to ground water quality due to a potential increase in demand associated with conversion from plastic carryout bags to paper carryout bags. Therefore, impacts to groundwater quality related to the City's proposed Ordinance would be less than significant.

Flooding. Although some areas in Long Beach that would be affected by the City's proposed Ordinance are located within a 100-year Flood Zone area, the proposed Ordinance does not require the construction of new development and drainage patterns would not be affected upon implementation of the proposed ordinances. Therefore, similar to the finding of the County's Final EIR, the City's proposed Ordinance would not be expected to result in significant impacts to hydrology and water quality related to the 100-year Flood Zone.

Seiche, Tsunami and Mudflows. The City's proposed Ordinance would affect areas in Long Beach that are located near the Pacific Ocean and, thus, would be subject to a seiche or tsunami. However, implementation of the Ordinance would not require the construction of new development and would not result in an increase in population. As such, the proposed Ordinance would not be expected to increase the risk and hazard to individuals residing within areas that lie in the vicinity of coastal waters of being subject to a seiche or tsunami. Therefore, similar to the finding of the County's Final EIR, implementation of the City's proposed Ordinance would have a less than significant impact to hydrology and water quality in relation to seiche, tsunamis, and mudflows.

Utilities and Service Systems

Impacts to utilities and service systems as a result of the City's proposed Ordinance would be similar to impacts discussed in the County's Final EIR. The following summarizes the impacts related to wastewater generation, water supply, solid waste, and energy consumption for the City's proposed Ordinance compared to the findings contained in the County's Final EIR.

Wastewater Generation. As noted in the County's Final EIR, manufacturing facilities for paper carryout bags appear to not be located within the County or Long Beach. Therefore, any increase in wastewater generation due to paper carryout bag manufacturing would not affect wastewater treatment providers in the County. Nevertheless, in the County's Final EIR, using the Ecobilan LCA data and assuming that 50 percent of consumers switch from plastic carryout bags to paper carryout bags, there was an expected increase in wastewater of approximately 0.04 million gallons per

day (MGD) for the 1,091 affected stores in the unincorporated territory of the County, and up to an additional 0.17 MGD if similar ordinances to the County's Ordinance were to be adopted by the 88 incorporated cities of the County (as shown in Table 9 below). The increase of wastewater in Long Beach as a result of the City's proposed Ordinance would be approximately 0.04 MGD. The Sanitation Districts of Los Angeles County currently treat approximately 510 MGD (County's Final EIR, page 12-60, November 2010). Therefore, an additional 0.21 MGD due to paper carryout bag use throughout the County, including approximately 0.038 MGD in Long Beach, or approximately 0.04 percent of the current amount of wastewater treated per day, would not be a significant increase in wastewater and would not necessitate construction of new wastewater treatment facilities or expansion of existing facilities. The City's proposed Ordinance would not change the conclusions regarding wastewater generation since the estimated increase of wastewater and impacts related to wastewater generation for the City's proposed Ordinance would be less than significant.

Table 9
Wastewater Generation Due to Plastic and Paper Carryout Bags Based on Ecobilan Data

Wastewater Sources	Wastewater Generation (MGD)	
	Wastewater Generation from Plastic Carryout Bags (existing conditions)	Increase Due to Conversion from Plastic to Paper Carryout Bags (with implementation of Ordinance)
County Ordinance – 5,084 stores in incorporated areas plus 1,091 stores in unincorporated areas	0.69	0.21
City Ordinance – 315 stores within Long Beach	0.04	0.038

Source:
Ecobilan. February 2004. Environmental Impact Assessment of Carrefour Bags: An Analysis of the Life Cycle of Shopping Bags of Plastic, Paper, and Biodegradable Material. Prepared for: Carrefour Group. Neuilly-sur-Seine, France

Water Supply. Carryout bags would indirectly result in water use through the manufacturing process of carryout bags. As discussed in the County's Final EIR, the conversion from plastic bags to paper carryout bags and reusable carryout bags would result in an increase of water use from the manufacturing process of paper and reusable bags. The increase of water use for conversion to paper bags varies depending on which LCA data is utilized. As shown in Table 10, the Ecobilan data used in the County's Final EIR determined that due to a 50 percent conversion from plastic to paper carryout bags, the water demand from manufacturing facilities would increase by 0.47 MGD countywide compared to consumption due to plastic carryout bags. The City's contribution to this countywide increase would be 0.06 MGD as a result of the City's proposed Ordinance. In addition, as shown in Table 11, the Boustead data determined that water demand would increase by 10.21 MGD countywide. As noted above, the City of Long Beach's approximately 315 stores were included within the approximately 5,084 stores in the incorporated cities of the County and the increase of water consumption at the 315 stores using the Boustead Data was estimated to be approximately 0.95 MGD as shown in Table 11.

Table 10
Water Consumption Due to Plastic and Paper Carryout Bags Based on Ecobilan Data

Water Consumption Sources	Water Consumption (MGD)	
	Water Consumption from Plastic Carryout Bags (existing conditions)	Increase Due to Conversion from Plastic to Paper Carryout Bags (with implementation of Ordinance)
County Ordinance – 5,084 stores in incorporated areas plus 1,091 stores in unincorporated areas	0.72	0.47
City Ordinance – 315 stores within Long Beach	0.044	0.06

Source:
Ecobilan. February 2004. Environmental Impact Assessment of Carrefour Bags: An Analysis of the Life Cycle of Shopping Bags of Plastic, Paper, and Biodegradable Material. Prepared for: Carrefour Group. Neuilly-sur-Seine, France

Table 11
Water Consumption Due to Plastic and Paper Carryout Bags Based on Boustead Data

Water Consumption Sources	Water Consumption (MGD)	
	Water Consumption from Plastic Carryout Bags (existing conditions)	Increase Due to Conversion from Plastic to Paper Carryout Bags (with implementation of Ordinance)
County Ordinance – 5,084 stores in incorporated areas plus 1,091 stores in unincorporated areas	1.30	10.21
City Ordinance – 315 stores within Long Beach	0.08	0.95

Source:
Boustead Consulting and Associates Ltd. 2007. Life Cycle Assessment for Three Types of Grocery Bags – Recyclable Plastic; Compostable, Biodegradable Plastic; and Recycled, Recyclable Paper. Prepared for: Progressive Bag Affiliates.

As noted in the County's Final EIR, the water districts within the County supplied approximately 1,563 MGD of water in fiscal year 2007/2008 (County's Final EIR, page 12-61, November 2010). The daily increase of water use countywide due to the conversion from plastic to paper carryout bags based on the Ecobilan data would represent approximately 0.03 percent of the total water supplied by water districts in the County. Within Long Beach, the daily increase of water consumption would only represent approximately 0.0038 percent of the total water supplied by the water districts. The increase of water countywide based on the Boustead data would represent 0.65 percent of the total water supplied and the City's increase of water as a result of the proposed Ordinance would only represent 0.06 percent of the total water supplied by the water districts. These increases would not have significant effects. As noted above, there appears to be no manufacturing and production of paper carryout bags in the County (or in the City of Long Beach). Therefore, any increase in water supply necessary for paper carryout bag manufacturing would not impact suppliers in the County and the proposed Ordinance, consistent with the findings in the County's Final EIR, would not be anticipated to necessitate new or expanded entitlements for water.

As noted in the County's Final EIR, banning plastic bags would result in an increase in the use of reusable bags by consumers, the production of which would consume less water than the production of both paper carryout bags and plastic carryout bags when considered on a per bag basis. The City's proposed Ordinance, like the County's Ordinance, would require that reusable bags be designed for a minimum lifetime of 125 uses; therefore, water supply impacts associated with are anticipated to be reduced compared to use of plastic carryout bags. In addition, since the manufacturing facilities that produce reusable bags appear to not be located within the Los Angeles County or within Long Beach, water supply required for the manufacturing of reusable bags may be supplied by water districts outside the County or outside of California. Thus, water districts within the County may not be directly affected. Therefore, consistent with the findings of the County's Final EIR, any increase associated with reusable bag manufacturing as an indirect result of the City's proposed Ordinance would not necessitate new or expanded entitlements for water and impacts would be less than significant.

Solid Waste. As described in the County's Final EIR, based on the Ecobilan data, it was concluded that a 50 percent conversion scenario would result in less solid waste per day at landfills. Also, as shown in Table 12, the City's proposed Ordinance would also result in a reduction of approximately 5 tons of solid waste per day. However, as shown in Table 13, using the Boustead data, the County's Final EIR determined that a 50 percent conversion from plastic to paper carryout bags would result in an increase of approximately 255 tons of solid waste per day. Of this total countywide, approximately 15 tons of solid waste per day would be directly related to implementation of the City's proposed Ordinance. Nevertheless, as stated in the County's Final EIR, the permitted daily maximum capacity of all the County landfills is approximately 43,749 tons per day and currently the landfills combined accept an average of 21,051 tons per day (County's Final EIR, page 12-65, November 2010). Thus, the potential increase of 255 tons of solid waste per day would represent approximately 1.1% of the remaining total daily maximum capacity of approximately 22,698 tons per day.

In Long Beach, refuse is taken to the Southeast Resource Recovery Facility (SERRF) located at 120 Henry Ford Avenue near the harbor in southwest Long Beach. The SERRF processes an average of 1,290 tons of municipal solid waste each day, with a capacity of 2,240 tons per day (City of Long Beach Website, 2011; and, SERRF Facility details at CalRecycle, 2011). For the City's proposed Ordinance, using the worst case scenario (the Boustead data), even with an increase of approximately 15 tons of solid waste per day (which would increase the average waste processed at SERRF to approximately 1,305 tons per day, the increase of solid waste as a result of the City's proposed Ordinance would not exceed the existing capacity of 2,240 tons per day at the SERRF. Thus, the existing waste disposal facilities in the County and in the City could accommodate any indirect increases in solid waste related to the City's proposed

Ordinance. Similar to the findings in the County's Final EIR, impacts related to solid waste would be less than significant.

Table 12
Solid Waste Generation Due to Plastic and Paper Carryout Bags Based on Ecobilan Data

Solid Waste Sources	Solid Waste Generation (tons per day)	
	Plastic Carryout Bags (existing conditions)	Increase Due to Conversion from Plastic to Paper Carryout Bags, Assuming 2007 EPA Recycling Rates,[1,2]
County Ordinance – 5,084 stores in incorporated areas plus 1,091 stores in unincorporated areas	241	-17
City Ordinance – 315 stores within Long Beach	14.8	- 4.9

Source:
Ecobilan. February 2004. Environmental Impact Assessment of Carrefour Bags: An Analysis of the Life Cycle of Shopping Bags of Plastic, Paper, and Biodegradable Material. Prepared for: Carrefour Group. Neuilly-sur-Seine, France.
Notes:
1. Negative numbers indicate the extent of the decrease in solid waste generation that would be expected from a conversion from the current use of plastic carryout bags, to a 50 percent use of paper carryout bags.
2. Assuming 36.8 percent of paper carryout bags are diverted from landfills and 11.9 percent of plastic carryout bags are diverted from landfills, based on the 2007 USEPA recycling rates.

Table 13
Solid Waste Generation Due to Plastic and Paper Carryout Bags
Based on Boustead Data

Solid Waste Sources	Solid Waste Generation (tons per day)	
	Plastic Carryout Bags (existing conditions)	Increase Due to Conversion from Plastic to Paper Carryout Bags, Assuming 2007 EPA Recycling Rates,[1,2]
County Ordinance – 5,084 stores in incorporated areas plus 1,091 stores in unincorporated areas	173.29	255
City Ordinance – 315 stores within Long Beach	9	15

Source:
Boustead Consulting and Associates Ltd. 2007. Life Cycle Assessment for Three Types of Grocery Bags – Recyclable Plastic; Compostable, Biodegradable Plastic; and Recycled, Recyclable Paper. Prepared for: Progressive Bag Affiliates.
Notes:
1. Negative numbers indicate the extent of the decrease in solid waste generation that would be expected from a conversion from the current use of plastic carryout bags, to a 50 percent use of paper carryout bags.
2. Assuming 36.8 percent of paper carryout bags are diverted from landfills and 11.9 percent of plastic carryout bags are diverted from landfills, based on the 2007 USEPA recycling rates.

Energy Conservation. Energy use for carryout bags is primarily related to the manufacturing process. Utilizing the Ecobilan data, the County's EIR determined that non-renewable energy consumption would actually decrease due to the conversion from plastic to paper carryout bags. As shown in Table 14, using the Ecobilan data energy use as a result of the County's Ordinance would decrease by approximately 2 million kilowatt hours (kWh) per year. Also shown in Table 14, energy use would be

reduced by approximately 0.05 million kWh (or approximately 55,000 kWh) per year with implementation of the City's proposed Ordinance.

Table 14
Non-Renewable Energy Consumption Based on Ecobilan Data

Energy Consumption Sources	Energy Consumption (million kWh)	
	Plastic Carryout Bags (existing conditions)	Change Due to Conversion from Plastic to Paper Carryout Bags,[1]
County Ordinance – 5,084 stores in incorporated areas plus 1,091 stores in unincorporated areas	4.14	- 2.01
City Ordinance – 315 stores within Long Beach	0.25	-0.05

Source:
Ecobilan. February 2004. Environmental Impact Assessment of Carrefour Bags: An Analysis of the Life Cycle of Shopping Bags of Plastic, Paper, and Biodegradable Material. Prepared for: Carrefour Group. Neuilly-sur-Seine, France.
Notes: Negative numbers indicate the extent of the decrease in solid waste generation that would be expected from a conversion from the current use of plastic carryout bags, to a 50 percent use of paper carryout bags.

The Boustead data, as shown in Table 15, found different results and determined that the County's Ordinance would increase energy use per year countywide by approximately 3.6 million kWh. Based on the Boustead data, implementation of the City's proposed Ordinance would increase energy use in the City by approximately 460,000 kWh . However, even based on Boustead data (which is a worst case scenario), the total increase of 3.6 million kWh countywide would represent less than 0.01 percent of the total energy use in the non-residential sector of the County (County's Final EIR, page 12-66, November 2010). Further, as stated above paper bag manufacturing facilities appear not to be located within the County and, therefore, the energy supply required for paper carryout bag manufacturing may be supplied by districts outside of the County or outside of California, so impacts may not directly affect the County. Even in the conservative worst case scenario which would increase energy use by approximately 3.6 million kWh per year countywide and approximately 460,000 kWh in the City, impacts would be less than significant.

Table 15
Total Energy Consumption Due to Plastic and Paper Carryout Bags Based on Boustead Data

Energy Consumption Sources	Energy Consumption (million kWh)	
	Plastic Carryout Bags (existing conditions)	Increase Due to Conversion from Plastic to Paper Carryout Bags,[1]
County Ordinance – 5,084 stores in incorporated areas plus 1,091 stores in unincorporated areas	4.74	3.61
City Ordinance – 315 stores within Long Beach	0.29	0.46

Source: Boustead Consulting and Associates Ltd. 2007. Life Cycle Assessment for Three Types of Grocery Bags – Recyclable Plastic; Compostable, Biodegradable Plastic; and Recycled, Recyclable Paper. Prepared for: Progressive Bag Affiliates.
Notes: Negative numbers indicate the extent of the decrease in solid waste generation that would be expected from a conversion from the current use of plastic carryout bags, to a 50 percent use of paper carryout bags.

Energy use for the conversion of plastic to reusable bags would be expected to decrease as a result of the City's proposed Ordinance. Similar to the findings in the County's Final EIR, because reusable bags, by definition, are required to be used at least 125 times, the energy demands to manufacture a reusable bag are reduced significantly compared to paper and plastic carryout bags. As such, impacts related to conversion from paper to reusable carryout bags would have beneficial effects relative to energy conservation.

Conclusion

As discussed above, impacts from the City's proposed Ordinance related to air quality, biological resources, hydrology and water quality, and utilities and service systems were determined to have similar impacts as the County's Final EIR. All of these issues were determined to result in either less than significant impacts or beneficial impacts. For greenhouse gas emissions, utilizing a threshold of 6.6 metric tons CO_2e per capita per year, the City's proposed Ordinance was determined to have a less than significant impact since emissions related to manufacturing, transportation and disposal of carryout bags would result in less than 1 metric ton CO_2e per capita per year. This determination would result in a reduced impact related to GHG emissions compared to the County's Final EIR, which determined that emissions related to the disposal of paper carryout bags would result in significant and unavoidable impacts. Based on the City's determination that none of the impacts of the proposed Ordinance, including those related to GHG emissions, would be significant, no new significant environmental effects beyond those already analyzed in the County's Final EIR would occur.

LIST OF REFERENCES

Bay Area Air Quality Management District (BAAQMD), "California Environmental Quality Act: Air Quality Guidelines" (June 2010).)

Boustead Consulting and Associates Ltd. 2007. Life Cycle Assessment for Three Types of Grocery Bags - Recyclable Plastic; Compostable, Biodegradable Plastic; and Recycled, Recyclable Paper. Prepared for: Progressive Bag Affiliates.

California Department of Resources Recycling and Recovers (CalRecycle). Facility/Site Summary Details: Southeast Resource Recovery Facility (19-AK-0083). Accessed March 2011. Available at: http://www.calrecycle.ca.gov/SWFacilities/Directory/19-AK-0083/Detail/

Ecobilan. February 2004. *Environmental Impact Assessment of Carrefour Bags: An Analysis of the Life Cycle of Shopping Bags of Plastic, Paper, and Biodegradable Material.* Prepared for: Carrefour Group. Neuilly-sur-Seine, France.

Hyder Consulting. 18 April 2007. Comparison of existing life cycle analyses of plastic bag alternatives. Prepared for: Sustainability Victoria, Victoria, Australia.

Long Beach, City of. Draft Plastic Carryout Bag Ordinance. Municipal Code Chapter 8.62. March 2011.

Long Beach, City of. Website: Long Beach Gas and Oil - SERRF Fast Facts. Accessed March 2011. Available at: http://www.longbeach.gov/lbgo/serrf/fast_facts.asp

Los Angeles, County of. Ordinances to Ban Plastic Carryout Bags in Los Angeles County Final Environmental Impact Report (SCH#2009111104). Certified by the Los Angeles County Board of Supervisors November 16, 2010.

Los Angeles, County of. Staff Report prepared by the Department of Public Works - Single-use Plastic and Paper Carryout Bags. November 16, 2010.

Los Angeles, County of. Title 12 - Environmental Protection of the Los Angeles County Code Chapter 12.85 (Amended to include the Plastic Carryout Bag Ordinance).

South Coast Air Quality Management District. "Proposed Tier 4 Performance Standards". Greenhouse Gas CEQA Significance Threshold Stakeholder Working Group Meeting #15. September 28, 2010.

U.S. Environmental Protection Agency. November 2008. Municipal Solid Waste in the United States: 2007 Facts and Figures. Washington, DC. Available at: http://www.epa.gov/waste/nonhaz/municipal/pubs/msw07-rpt.pdf

PERSONS CONTACTED

Kubani, Dean; Director; City of Santa Monica Office of Sustainability and the Environment; March 2011.

Miller, Josephine; Environmental Analyst; City of Santa Monica Office of Sustainability and the Environment; March 2011.

Skye, Coby; Environmental Programs Divisons; County of Los Angeles Department of Public Works; March 2011.

LIST OF PREPARERS

Joe Power, Principal in Charge
Matt Maddox, Associate Environmental Planner
Kathy Babcock, Graphics Technician
Katie Stanulis, Production Coordinator

Appendix A

InfoUSA.com – Store Search in Long Beach
Impact Worksheets (Ecobilan and Boustead data)
GHG Calculations for Truck Trips
URBEMIS Results for Truck Trips

infoUSA.com
from infogroup

Sign In | My Account
800.321.0869
Click to Call | Live Chat | Hablamos Español

Home | Mailing Lists/Sales Leads | Email Marketing | Postcard Marketing | Products & Services | Resource Center | About Us

Home > U.S. Business Search > Review Criteria

Learn more

Type of Business | Size of Business | Other Selections | Geography | Review Criteria

Print this page

Continue

Congratulations! You're almost done.

We have **315** leads that match your criteria.

Did you know we also have 17 emails? Click Here for details.

To provide you with the most accurate and deliverable data, we:

- Place more than 20 million phone calls per year.
- Send our business list through the United States Postal Service's (USPS) National Change of Address (NCOA) database.
- Certify our data using the USPS's Coding Accuracy Support Systems (CASS).

Add Omit

Type Of Business

Primary NAICS Codes and Ranges	445110	Remove
Primary NAICS Codes and Ranges	446110	Remove
Primary NAICS Codes and Ranges	445120	Remove

Add

Size Of Business

Square Footage	0 - 2,499 Feet	Remove
Square Footage	2,500 - 9,999 Feet	Remove
Square Footage	10,000 - 39,999 Feet	Remove
Square Footage	40,000+ Feet	Remove

Add

Other Selections

Add Omit

Geography

City	Long Beach, CA	Remove

You currently have:

315 Leads

Did you know we also have:

17 Emails

Additional Options:

Save Search
New Search
Exclude Lists

How To Change Criteria:

To change or add to your search criteria, click on the category title links.

To remove search criteria, click "Remove." Your count will automatically update.

In order to omit search criteria, click "Omit." Then select the criteria you would like to omit from this search.

City of Long Beach Plastic Carryout Bag Ordinance	
Number of Stores in City	315
Number of Stores 10,000 sf or more	97
Number of Stores < 10,000 sf	218
Plastic Bag Size (liters)	14
Paper Bag Size (liters)	20.48
Reusable bag size (liters)	37
Plastic bags used per day at stores >10,000 sf	10,000
Plastic bags used per day at stores < 10,000 sf	5000
Number of plastic bags used in City per day	2,060,000
Ordinance - Assume 50% switch to paper/reusable	
Number of paper bags per day with 50% conversion	1,030,000
Number of reusable bags per day with 50% conversion	1,030,000

Conversions

liters to gallons	0.264172
Kg to short tons	0.001102
MJ to kWh	0.277778

Eutrophication - Ecobilan Data		Plastic bag	Paper bag	Reusable bag used 125 times
grams phosphate per 9000 liters groceries		0.2	2.35	0.0044
grams phospate per bag		0.00031111	0.00534756	1.80889E-05
grams phosphate per day citywide		640.888889	5507.98222	18.63155556
kg phosphate per day		0.64088889	5.50798222	0.018631556
Increase in phoshpate per day from Ordinance (kg)			**4.86709333**	**-0.622257333**
Increase kg from Ordinance (50% conversion to paper and reusable)	**3.603947111**			

Water Use - Ecobilan		Plastic bag	Paper bag	Reusable bag used 125 times
Liters water per 9000 liters groceries		52.6	173	1.096
Liters water per bag per day		0.08182222	0.39367111	0.004505778
Liters water in City per day		168553.778	405481.244	4640.951111
Gallons per day		44527.197	107116.812	1226.009569
Millions gallons per day (MGD) in City		0.0445272	0.10711681	0.00122601
MGD per year		16.2524269	39.0976362	0.447493493
Increase in water use per year (MGD)			22.8452093	-15.80493342
Increase as a result of Ordinance (50% conversion to paper and reusable).	**0.063815624**			

Wastewater - Ecobilan		Plastic bag	Paper bag	Reusable bag used 125 times
Liters water per 9000 liters groceries		50	130.7	1.096
Liters water per bag per day		0.07777778	0.29741511	0.004505778
Liters water in City per day		160222.222	306337.564	4640.951111
Gallons per day		42326.2329	80925.8224	1226.009569
Millions gallons per day (MGD) in City		0.04232623	0.08092582	0.00122601
MGD per year		15.449075	29.5379252	0.447493493
Increase in water use per year (MGD)			14.0888502	-15.00158152
Increase per day (MGD)	**0.038599589**			
Increase as a result of Ordinance (50% conversion to paper and reusable) per year	**14.08885016**			

Solid Waste - Ecobilan		Plastic bag	Paper bag	Reusable bag used 125 times
kg waste per 9000 liters groceries (w/EPA recycling)		4.19356	3.83624	0.10488
kg waste per bag per day		0.00652332	0.00872958	0.000431173
kg waste in City per day		13438.03	8991.46456	444.1085333
Tons per day (w/recycling)		14.8128749	9.9113813	0.003916362
Tons per year		5406.69934	3617.65417	1.42947221
Increase in solid waste per year (MGD)			-1789.04516	-5405.269866
Increase as a result of Ordinance (50% conversion to paper and reusable). Tons/day	**-4.897577235**			

2007 recycle rate	
plastic bags	11.90%
paper bags	36.80%

Increase as a result of Ordinance (50% conversion to paper and reusable). Tons/year	**-12601.01437**

Energy - Ecobilan		**Plastic bag**	**Paper bag**	**Reusable bag used 125 times**
MJ per 9000 liters groceries		286	295	6.44
MJ per bag per day		0.44488889	0.67128889	0.026475556
MJ in City per day		916471.111	691427.556	27269.82222
kWh in City per day		254575.311	192063.211	7574.950678
million kWh in City per day		0.25457531	0.19206321	0.007574951
Increase in million kWh per day			-0.0625121	-0.24700036
Increase as a result of Ordinance (50% conversion to paper and reusable). Million kWh	**-0.054937149**			
Increase in kWh	**-54937.14859**			

Water Use - Boustead		**Plastic bag**	**Paper bag**
Gallons per 1000 paper bags (1500 plastic bags)		58	1004
Gallons per bag		0.03866667	1.004
Gallons water in City per day		79653.3333	1034120
Millions gallons per day (MGD) in City		0.07965333	1.03412
MGD per year		29.0734667	377.4538
Increase in water use per year (MGD)			**348.380333**
Increase in water per day	0.954466667		

Solid Waste -Boustead		Plastic bag	Paper bag	Reusable bag used 125 times
kg waste per 1000 paper bags (1500 plastic bags)		6.20224	21.4248	0.10488
kg waste per bag per day		0.00413483	0.0214248	0
kg waste in City per day		8517.74293	22067.544	0
Tons per day		9.38919321	24.3252744	0
Tons per year		3427.05552	8878.72517	0
Increase in solid waste per year (MGD)			5451.66964	
Increase as a result of Ordinance (50% conversion to paper and reusable). Tons/day	**14.93608121**			
Increase as a result of Ordinance (50% conversion to paper and reusable)..Tons/year	**2024.61412**			

2007 recycle rate	
plastic bags	11.90%
paper bags	36.80%

Energy - Boustead		Plastic bag	Paper bag	Reusable bag used 125 times
MJ per 1000 paper bags (1500 plastic)		763	2622	
MJ per bag per day		0.50866667	2.622	0
MJ in City per day		1047853.33	2700660	0
kWh in City per day		291070.373	750183.339	0
million kWh in City per day		0.29107037	0.75018334	0
Increase in million kWh per day			**0.45911297**	
Increase as a result of Ordinance (50% conversion to paper and reusable). Million kWh	**0.459112967**			
Increase in kWh	459112.9666			

Air Quality - Ecobilan - Plastic Bags	VOCs	NOx	CO	SOx	Particulates
Emissions (grams) per 9000 liters groceries	37.929	27.1	48.2	23.4	19.2
Emissions (grams) per bag per day	0.059000667	0.042155556	0.07497778	0.0364	0.029866667
Emissions (pounds) per day per bag	0.000130074	9.29371E-05	0.0001653	8.025E-05	6.58447E-05
Emissions (pounds) citywide	**267.9528609**	**191.4504082**	**340.513272**	**165.31142**	**135.6401416**

grams to pounds	0.0022046

Air Quality - Ecobilan - Paper Bags	VOCs	NOx	CO	SOx	Particulates
Emissions (grams) per 9000 liters groceries	28.37487101	72.6	9.34	26.1	4.72
Emissions (grams) per bag per day	0.064568595	0.165205333	0.02125369	0.059392	0.010740622
Emissions (pounds) per day per bag	0.000142349	0.000364215	4.6856E-05	0.0001309	2.3679E-05
Emissions (pounds) citywide	146.6198675	375.1418773	48.2620542	134.86506	24.38938927
Change from Plastic to Paper	**-121.3329935**	**183.6914691**	**-292.251218**	**-30.44637**	**-111.2507523**

Air Quality Just End of Life NOx - Ecobilan - Plastic Bags		NOx
Emissions (grams) per 9000 liters groceries		0.97
Emissions (grams) per bag per day		0.001508889
Emissions (pounds) per day per bag		2.93067E-06
Emissions (pounds) citywide		6.03718728

Air Quality - Ecobilan - Paper Bags		NOx
Emissions (grams) per 9000 liters groceries		5.74
Emissions (grams) per bag per day		0.013061689
Emissions (pounds) per day per bag (w/EPA recycling)		1.81991E-05
Emissions (pounds) citywide		18.74510586
Change from Plastic to Paper (pounds)		**12.70791858**

GHG - Ecobilan		Plastic bag	Paper bag	Reusable bag used 125 times		
GHG Emissions (metric tons) per 9000 liters groceries		0.0109	0.0205	0.000228	grams to metric tons	0.000001
metric tons per bag per day		1.49378E-05	2.9482E-05	9.373E-07		
metric tons citywide per day		30.77195956	30.3665607	0.9654533		
metric tons per year		11231.76524	11083.7947	352.39047		
Increase in metric tons per year			-147.970578	-10879.37		
Increase as a result of Ordinance (50% conversion to paper and reusable). Metric Tons/day	-0.405398844				Long Beach Capita (Population + Employment)	680647
Increase as a result of Ordinance (50% conversion to paper and reusable). Metric Tons/year	-147.9705782					
per capita increase	-0.000217397					

GHG End of Life- Ecobilan		Plastic bag	Paper bag
GHG Emissions (grams) per 9000 liters groceries		84.4879	7520.8
grams per bag per day		0.131425622	17.1139982
metric tons per bag per day		1.31426E-07	1.7114E-05
metric tons citywide per day		0.270736782	17.6274182
metric tons per year		98.81892535	6434.00763
Increase in metric tons per year			6335.18871
Increase as a result of Ordinance (50% conversion to paper and reusable). **Metric Tons/day**	17.35668139		

Increase as a result of Ordinance (50% conversion to paper and reusable). **Metric Tons/year**	**6335.188706**		
per capita annual	0.009307598		

GHG End of Life- Boustead		**Plastic bag**	**Paper bag**
metric tons for 1000 paper and 1500 plastic bags (w/EPA recycling)		0.002643	0.0316
metric tons per bag per day		0.000001762	0.0000316
metric tons citywide per day		3.62972	32.548
metric tons per year		1324.8478	11880.02
Increase in metric tons per year			10555.1722
Increase as a result of Ordinance (50% conversion to paper and reusable). **Metric Tons/day**	**28.91828**		
Increase as a result of Ordinance (50% conversion to paper and reusable). **Metric Tons/year**	**10555.1722**		
Per capita increase	0.015507557		

Greenhouse Gas Emission Worksheet

Mobile Emissions Scripps Park

From URBEMIS 2007 Vehicle Fleet Mix Output:

Daily Vehicle Miles Traveled (VMT): 54 (Net: Proposed - Existing)

Annual VMT: 19,710

Vehicle Type	Percent Type	CH4 Emission Factor (g/mile)*	CH4 Emission (g/mile)**	N2O Emission Factor (g/mile)*	N2O Emission (g/mile)**
Light Auto	0.0%	0.04	0	0.04	0
Light Truck < 3750 lbs	15.8%	0.05	0.0079	0.06	0.00948
Light Truck 3751-5750 lbs	53.1%	0.05	0.02655	0.06	0.03186
Med Truck 5751-8500 lbs	23.2%	0.12	0.02784	0.2	0.0464
Lite-Heavy Truck 8501-10,000 lbs	3.5%	0.12	0.0042	0.2	0.007
Lite-Heavy Truck 10,001-14,000 lbs	1.1%	0.09	0.00099	0.125	0.001375
Med-Heavy Truck 14,001-33,000 lbs	2.1%	0.06	0.00126	0.05	0.00105
Heavy-Heavy Truck 33,001-60,000 lbs	1.2%	0.06	0.00072	0.05	0.0006
Other Bus	0.0%	0.06	0	0.05	0
Urban Bus	0.0%	0.06	0	0.05	0
Motorcycle	0.0%	0.09	0	0.01	0
School Bus	0.0%	0.06	0	0.05	0
Motor Home	0.0%	0.09	0	0.125	0
Total	100.0%		0.06946		0.097765

Total Emissions (metric tons) =
Emission Factor by Vehicle Mix (g/mi) x Annual VMT(mi) x 0.000001 metric tons/g

Conversion to Carbon Dioxide Equivalency (CO2e) Units based on Global Warming Potential (GWP)

CH4	21	GWP
N2O	310	GWP
1 ton (short, US) =	0.90718474	metric ton

Annual Mobile Emissions:

	Total Emissions		Total CO2e units	
CO2 Emissions***:	12.16	tons CO2	11	metric tons CO2e
CH4 Emissions:	0.0014	metric tons CH4	0	metric tons CO2e
N20 Emissions:	0.0019	metric tons N2O	1	metric tons CO2e
		Project Total:	***12***	***metric tons CO2e***

References

* from Table C.4: Methane and Nitrous Oxide Emission Factors for Mobile Sources by Vehicle and Fuel Type (g/mile).
in California Climate Action Registry General Reporting Protocol, Reporting Entity-Wide Greenhouse Gas Emissions, Version 3.1, January 2009.
Assume Model year 2000-present, gasoline fueled.

** Source: California Climate Action Registry General Reporting Protocol, Reporting Entity-Wide Greenhouse Gas Emissions, Version 3.1, January 2009.

*** From URBEMIS 2007 results for mobile sources

3/4/2011 4:01:13 PM

Urbemis 2007 Version 9.2.4

Summary Report for Summer Emissions (Pounds/Day)

File Name: C:\Documents and Settings\MMaddox\Application Data\Urbemis\Version9a\Projects\Long Beach Plastic Bag Ordinance.urb924

Project Name: Long Beach Plastic Bag Ordinance

Project Location: Los Angeles County

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

OPERATIONAL (VEHICLE) EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (lbs/day, unmitigated)	0.08	0.15	0.98	0.00	0.19	0.04	133.31

SUM OF AREA SOURCE AND OPERATIONAL EMISSION ESTIMATES

	ROG	NOx	CO	SO2	PM10	PM2.5	CO2
TOTALS (lbs/day, unmitigated)	0.08	0.15	0.98	0.00	0.19	0.04	133.31

3/4/2011 4:01:45 PM

Urbemis 2007 Version 9.2.4

Detail Report for Summer Operational Unmitigated Emissions (Pounds/Day)

File Name: C:\Documents and Settings\MMaddox\Application Data\Urbemis\Version9a\Projects\Long Beach Plastic Bag Ordinance.urb924

Project Name: Long Beach Plastic Bag Ordinance

Project Location: Los Angeles County

On-Road Vehicle Emissions Based on: Version : Emfac2007 V2.3 Nov 1 2006

Off-Road Vehicle Emissions Based on: OFFROAD2007

OPERATIONAL EMISSION ESTIMATES (Summer Pounds Per Day, Unmitigated)

Source	ROG	NOX	CO	SO2	PM10	PM25	CO2
Truck Trips to deliver Carryout Bags	0.08	0.15	0.98	0.00	0.19	0.04	133.31
TOTALS (lbs/day, unmitigated)	0.08	0.15	0.98	0.00	0.19	0.04	133.31

Does not include correction for passby trips

Does not include double counting adjustment for internal trips

Analysis Year: 2012 Temperature (F): 80 Season: Summer

Emfac: Version : Emfac2007 V2.3 Nov 1 2006

Summary of Land Uses

Land Use Type	Acreage	Trip Rate	Unit Type	No. Units	Total Trips	Total VMT
Truck Trips to deliver Carryout Bags		6.00	1000 sq ft	2.00	12.00	107.68
					12.00	107.68

Vehicle Fleet Mix

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Auto	0.0	0.6	99.2	0.2

3/4/2011 4:01:45 PM

Vehicle Fleet Mix

Vehicle Type	Percent Type	Non-Catalyst	Catalyst	Diesel
Light Truck < 3750 lbs	15.8	1.5	97.0	1.5
Light Truck 3751-5750 lbs	53.1	0.4	99.6	0.0
Med Truck 5751-8500 lbs	23.2	1.0	99.0	0.0
Lite-Heavy Truck 8501-10,000 lbs	3.5	0.0	86.7	13.3
Lite-Heavy Truck 10,001-14,000 lbs	1.1	0.0	60.0	40.0
Med-Heavy Truck 14,001-33,000 lbs	2.1	0.0	22.2	77.8
Heavy-Heavy Truck 33,001-60,000 lbs	1.2	0.0	0.0	100.0
Other Bus	0.0	0.0	0.0	100.0
Urban Bus	0.0	0.0	0.0	100.0
Motorcycle	0.0	60.9	39.1	0.0
School Bus	0.0	0.0	0.0	100.0
Motor Home	0.0	0.0	87.5	12.5

Travel Conditions

	Residential			Commercial		
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer
Urban Trip Length (miles)	12.7	7.0	9.5	13.3	7.4	8.9
Rural Trip Length (miles)	17.6	12.1	14.9	15.4	9.6	12.6
Trip speeds (mph)	30.0	30.0	30.0	30.0	30.0	30.0
% of Trips - Residential	32.9	18.0	49.1			

% of Trips - Commercial (by land use)

Travel Conditions

	Residential			Commercial		
	Home-Work	Home-Shop	Home-Other	Commute	Non-Work	Customer
Truck Trips to deliver Carryout Bags				2.0	1.0	97.0

Operational Changes to Defaults

Appendix B

Response to Comments

COMMENTS and RESPONSES

CEQA does not require public circulation of an EIR Addendum. Nevertheless the City of Long Beach provided a 20-day "courtesy" public circulation period. During that time, the City received four comment letters. Although not required, the City has provided responses to each of the comment letters. The comment letters that the City received are listed below. The letters and responses follow.

Commenter		Page
1.	Kirsten James, Water Quality Director, Heal the Bay®	2
2.	Leslie Tamminen, Ocean Program Director, Seventh Generation Advisors	6
3.	Stephen L. Joseph, Counsel, Save the Plastic Bag Coalition	10
4.	Shari M. Jackson, Director, Progressive Bag Affiliates, American Chemistry Council	22

Heal the Bay

1444 9th Street
Santa Monica CA 90401

ph 310 451 1550
fax 310 496 1902

info@healthebay.org
www.healthebay.org

Letter 1

April 22, 2011

Long Beach Development Services
Jill Griffiths, Planning Officer
333 W. Ocean Boulevard, 5th Floor
Long Beach, CA 90802
Jill.Griffiths@longbeach.gov

RE: Support of Proposed Single-use Bag Ordinance and Addendum to Los Angeles County Final Environmental Impact Report to Ban Plastic Carryout Bags

Dear Ms. Griffiths:

On behalf of Heal the Bay I write in strong support of the Proposed Single-use Bag Ordinance (Draft Ordinance) and Addendum to Los Angeles County Final Environmental Impact Report to Ban Plastic Carryout Bags released on April 8, 2011. The Draft Ordinance offers a comprehensive approach to address single-use bag pollution and will deter consumption of all single-use bags distributed at the point of sale at supermarkets, large retail pharmacies, food marts and farmer's markets.

As you know after several years of discussion on December 7, 2010, the Long Beach City Council provided clear direction on how Long Beach should address the issue of single-use bag pollution. Specifically, Council directed the City Attorney and City Manager to draft an ordinance duplicating Los Angeles County's adopted ordinance for unincorporated cities, and closely resembling AB 1998 (Brownley), which the City of Long Beach supported in the past legislative session. The Draft Ordinance and Addendum appropriately reflect this direction. 1

We support the Addendum to the Los Angeles County Final Environmental Impact Report to Ban Plastic Carryout Bags. We believe that the Draft Ordinance will not result in any negative environmental impacts, as it will actually lead to an increase in the use of reusable bags that are a more sustainable alternative to single-use bags. The cost associated with paper bags should avoid an increase in their usage. Thus we agree with staff's conclusion that there will be less than significant impacts. In fact if anything, the Addendum errs on the conservative side and evaluates impacts that would be nonexistent with the implementation of the Draft Ordinance.

Plastic bags are the most ubiquitous consumer item designed to last for minutes but persist in our marine environment for hundreds of years. Approximately 60 to 80% of all marine debris and 2

Heal the Bay

1444 9th Street
Santa Monica CA 90401

ph 310 451 1550
fax 310 496 1902

info@healthebay.org
www.healthebay.org

90% of floating debris is plastic and comes from mostly land-based sources.[1] This plastic pollution poses a persistent threat to marine life. Over 267 species worldwide have been impacted by plastic litter.[2]

Los Angeles County residents use an estimated 6 billion single-use plastic bags every year. As proven by failed attempts throughout the state, we cannot recycle our way out of this problem and urgent action is needed to help reduce this pollution. Despite efforts to expand recycling programs, less than 5% of single-use plastic bags are currently being recycled.[3] The rest of these bags inevitably end up in our landfills or as litter, clogging stormdrain systems, and make their way to our waterways and ocean.

The cleanup of litter from single-use bags puts an additional strain on our economy. One study has estimated that the taxpayer cost to subsidize the recycling, collection, and disposal of plastic and paper bags could amount to as much as 17 cents per bag.[4] This figure does not include the additional costs that local governments incur annually for cleaning littered streets, beaches and installing trash control devices to comply with total maximum daily load limits (TMDLs) for trash under the Clean Water Act. Also, plastic bags can clog catch basin inserts and screens thereby increasing local flood risks. According to City documents, Long Beach spends approximately $2.2 million per year in maintenance costs associated with marine debris such as plastic bags. In addition, the City has spent more than $18 million on capital projects designed to catch litter and debris before they are discharged to our rivers and beaches. 2

The City made the commitment at the December 2010 hearing to move forward with the proposed approach, and we urge you to finalize this policy. The City of Long Beach has a critical role to play in becoming a true leader in eliminating plastic bag waste and preventing the proliferation of plastic pollution in our communities. The passage of the Draft Ordinance will be a major step in breaking our addiction to single-use bags. 3

Thank you for your leadership on this critical environmental issue,

Kirsten James

Kirsten James
Water Quality Director

---

[1] M. Gordon (2006) "Eliminating Land-based Discharges of Marine Debris in California: A Plan of Action from The Plastic Debris Project;" Prepared by the California Coastal Commission (Available at: www.plasticdebris.org/CA_Action_Plan_2006.pdf).

[2] D.W. Laist (1997) "Impacts of marine debris: entanglement of marine life in marine debris including a comprehensive list of species with entanglement and ingestion records" In Coe, J.M., Rogers, D.B. (Eds.), Marine Debris—Sources, Impacts, and Solutions: Springer-Verlag, New York, 99-139.

[3] U.S. Environmental Protection Agency, 2005 Characterization of Municipal Solid Waste, Table 7; California Assembly Bill 2449 (Levine), statutes of 2007.

[4] City of San Francisco Dept of the Environment "Bag Cost Analysis" (Nov.18, 2004).

Letter 1

COMMENTER: Kirsten James, Water Quality Director, Heal the Bay®

DATE: April 22, 2011

Response 1.1

The commenter states her support for the proposed Ordinance and the Addendum. The commenter further states her agreement with the Addendum's findings that the Draft Ordinance will not result in any negative environmental impacts.

These comments are noted and are consistent with the determination of the Addendum that the proposed Ordinance would not result in any significant impacts.

Response 1.2

The commenter lists statistics related to plastics and plastic bag use in Los Angeles County and states that cleanup of litter from plastic bags strains the economy since local governments are required to clean littered streets, beaches and install trash control devices to comply with total maximum daily load limits (TMDLs) for trash under the Clean Water Act. The commenter also notes that plastic bags can clog catch basin inserts and screens, thereby increasing local flood risks. The commenter also states that according to City documents, Long Beach spends approximately $2.2 million per year in maintenance costs associated with marine debris such as plastic bags. Finally, the commenter notes that the City has spent more than $18 million on capital projects designed to catch litter and debris before they are discharged to our rivers and beaches.

This comment is noted and will be forwarded to City staff and decision-makers for their consideration. These comments are consistent with the analysis contained in the *Hydrology & Water Quality* and *Utilities & Service Systems* sections of the Addendum.

Response 1.3

The commenter states that the proposed Ordinance would be a major step in "breaking the addiction" to use plastic bags and the City has a critical role in eliminating plastic bag waste and preventing the proliferation of plastic pollution in our communities.

This comment is noted and will be forwarded to City decision-makers for their consideration. As discussed in the Addendum, the City's objectives for the proposed Ordinance include the following:

- *Reduce the Citywide consumption of plastic carryout bags from the estimated 1,600 plastic carryout bags per household in 2007 to fewer than 800 plastic bags per household in 2013*
- *Reduce the Citywide contribution of plastic carryout bags to litter that blights public spaces Citywide by 50 percent by 2013*
- *Assist the County in the reduction of the County's, City's, and Flood Control District's costs for prevention, clean-up, and enforcement efforts to reduce litter in the City and the County by $4 million*
- *Substantially increase awareness of the negative impacts of plastic carryout bags and the benefits of reusable bags, and reach at least 24,736 residents (5 percent of Long Beach's population) with an environmental awareness message*
- *Reduce citywide disposal of plastic carryout bags in landfills by 50 percent from 2007 annual amounts*

7th GENERATION Advisors

April 27, 2011

Long Beach Development Services
Jill Griffiths, Planning Officer
333 W. Ocean Boulevard, 5th Floor
Long Beach, CA 90802
Jill.Griffiths@longbeach.gov

RE: Support of Proposed Single-use Bag Ordinance and Addendum to Los Angeles County Final Environmental Impact Report to Ban Plastic Carryout Bags

Dear Ms. Griffiths:

On behalf of Seventh Generation Advisors, an environmental nonprofit organization working on sustainability for future generations, I write in strong support of the Proposed Single-use Bag Ordinance (Draft Ordinance) and Addendum to Los Angeles County Final Environmental Impact Report to Ban Plastic Carryout Bags released on April 8, 2011. The Draft Ordinance offers a comprehensive approach to address single-use bag pollution and will deter consumption of all single-use bags distributed at the point of sale at supermarkets, large retail pharmacies, food marts and farmer's markets.

As you know, after several years of discussion, on December 7, 2010 the Long Beach City Council provided clear direction on how Long Beach should address the issue of single-use bag pollution. Specifically, Council directed the City Attorney and City Manager to draft an ordinance duplicating Los Angeles County's adopted ordinance for unincorporated cities, and closely resembling AB 1998 (Brownley), which the City of Long Beach supported in the past legislative session. The Draft Ordinance and Addendum appropriately reflect this direction. 1

We support the Addendum to the Los Angeles County Final Environmental Impact Report to Ban Plastic Carryout Bags. We believe that the Draft Ordinance will not result in any negative environmental impacts, as it will actually lead to an increase in the use of reusable bags (a more sustainable alternative to single-use bags). The cost associated with paper bags should avoid an increase in their usage. We therefore agree with staff's conclusion that there will be less than significant impacts.

Plastic bags are made from fossil fuels – typically natural gas and petroleum. In 2009, the Guinness Book of World Records named plastic bags the most common product—worldwide, it is produced by the trillions.[1] If everyone in the United States tied their 2

[1] Guinness Book of World Records (2010) "Top 100 Records of the Decade: Most Ubiquitous Consumer Item." Available at http://2010_guinnessworldrecords.com (Accessed on 1/7/10).

annual consumption of plastic bags together in a giant chain, the chain would reach around the Earth's equator 776 times![2] Approximately 60 to 80% of all marine debris and 90% of floating debris is plastic and comes from mostly land-based sources.[3] This plastic pollution poses a persistent threat to marine life. Over 267 species worldwide have been impacted by plastic litter.[4]

Los Angeles County residents use an estimated 6 billion single-use plastic bags every year. As proven by failed attempts throughout the state, we cannot recycle our way out of this problem and urgent action is needed to help reduce this pollution. Despite efforts to expand recycling programs, less than 5% of single-use plastic bags are currently being recycled.[5] The rest of these bags inevitably end up in our landfills or as litter, clogging stormdrain systems, and make their way to our waterways and ocean.

The cleanup of litter from single-use bags puts an additional strain on our economy. One study has estimated that the taxpayer cost to subsidize the recycling, collection, and disposal of plastic and paper bags could amount to as much as 17 cents per bag.[6] This figure does not include the additional costs that local governments incur annually for cleaning littered streets, beaches and installing trash control devices to comply with total maximum daily load limits (TMDLs) for trash under the Clean Water Act. Also, plastic bags can clog catch basin inserts and screens thereby increasing local flood risks. According to City documents, Long Beach spends approximately $2.2 million per year in maintenance costs associated with marine debris such as plastic bags. In addition, the City has spent more than $18 million on capital projects designed to catch litter and debris before they are discharged to our rivers and beaches. 2

California's own state policy has clearly called for the ban of items that are likely to become plastic pollution where there are readily available alternatives (like reusable bags), as well as the establishment of fees for those items that are likely to become plastic pollution and do not have readily available alternatives. (See California Ocean Protection Council, "An Implementation Strategy for the California Ocean Protection Council Resolution to Reduce and Prevent Ocean Litter," Adopted November 20, 2008. http://www.opc.ca.gov/webmaster/ftp/pdf/opc_ocean_litter_final_strategy.pdf). Recognizing that trash costs CA money, this policy prioritizes state efforts for source reduction—not recycling—of frequently littered "worst offender" plastics like plastic pre-production resin pellets, cigarette butts, plastic bottle caps, plastic bags and 3

---

[2] U.S. International Trade Commission. *Polyethylene Retail Carrier Bags from Indonesia, Taiwan, and Vietman.* Publication 4080. May 2009, pg. IV-7. *Calculation is based on the following: 2008 bag consumption, according to U.S. International Trade Commission = 102,105,637,000. Earth's Circumference = 131,480,184 feet, Average bag length = 1ft.

[3] M. Gordon (2006) "Eliminating Land-based Discharges of Marine Debris in California: A Plan of Action from The Plastic Debris Project;" Prepared by the California Coastal Commission (Available at: www.plasticdebris.org/CA_Action_Plan_2006.pdf).

[4] D.W. Laist (1997) "Impacts of marine debris: entanglement of marine life in marine debris including a comprehensive list of species with entanglement and ingestion records" In Coe, J.M., Rogers, D.B. (Eds.), Marine Debris—Sources, Impacts, and Solutions: Springer-Verlag, New York, 99-139.

[5] U.S. Environmental Protection Agency, 2005 Characterization of Municipal Solid Waste, Table 7; California Assembly Bill 2449 (Levine), statutes of 2007.

[6] City of San Francisco Dept of the Environment "Bag Cost Analysis" (Nov.18, 2004).

polystyrene.

The City made the commitment at the December 2010 hearing to move forward with the proposed approach, and we urge you to finalize this policy. The City of Long Beach has a critical role to play in becoming a true leader in eliminating plastic bag waste and preventing the proliferation of plastic pollution in our communities. In order to protect our environment, and our economy, it is imperative to move away from recycling and towards source reduction of single-use plastics. The passage of the Draft Ordinance will be a major step forward. 3

Thank you for your leadership,
Sincerely,

Leslie Tamminen
Seventh Generation Advisors
Ocean Program Director
(310) 780-3344
Leslie.Tamminen@gmail.com

Letter 2

COMMENTERS: Leslie Tamminen, Ocean Program Director, Seventh Generation Advisors

DATE: April 27, 2011

Response 2.1

The commenter states her support for the proposed Ordinance and the Addendum. The commenter further states her agreement with the Addendum's findings that the Draft Ordinance will not result in any negative environmental impacts.

These comments are noted and are consistent with the determination of the Addendum that the proposed Ordinance would not result in any significant impacts.

Response 2.2

The commenter lists statistics related to plastics and plastic bag use in Los Angeles County. Please see Response 1.2.

Response 2.3

The commenter states that the proposed Ordinance would be a major step in eliminating plastic bag waste and preventing the proliferation of plastic pollution in our communities and that in order to protect our environment, and our economy, it is imperative to move away from recycling and towards source reduction of single-use plastics.

This comment is noted. Please see Response 1.3.

SAVE THE PLASTIC BAG COALITION

350 Bay Street, Suite 100-328
San Francisco, CA 94133
Phone: (415) 577-6660
Fax: (415) 869-5380
E-mail: savetheplasticbag@earthlink.net
Website: www.savetheplasticbag.com

April 27, 2011

Long Beach Development Services
Jill Griffiths, Planning Officer
333 W. Ocean Boulevard, 5th Floor
Long Beach, CA 90802

VIA E-MAIL
Jill.Griffiths@longbeach.gov

OBJECTIONS TO PROPOSED ORDINANCE TO BAN PLASTIC BAGS

INTRODUCTION

Pursuant to Pub. Res. Code §21177(b), Save the Plastic Bag Coalition ("STPB") hereby objects to the approval of the project/ordinance to ban plastic carryout bags based on (i) the CEQA objections herein; and (ii) preemption by AB 2449.

Exhibits are submitted herewith via e-mail for inclusion in the administrative record in support of these objections.

CEQA OBJECTIONS

The numbered title headings herein are part of the objections.

1. STPB OBJECTS TO THE USE OF AN INAPPROPRIATE, INAPPLICABLE, AND IRRELEVANT GHG THRESHOLD OF SIGNIFICANCE IN THE ADDENDUM TO THE COUNTY EIR

At page 9 of the Addendum, the City states as follows:

> For this analysis, the City has determined to select its own GHG significance threshold rather than relying on the County's threshold as used in the County's Final EIR. For this analysis, the City's proposed Ordinance is evaluated based on a plan-based threshold of 6.6 metric tons CO2e per service population (defined to include both residents and employees) per year. The City does not recommend adoption of that threshold for any other purpose at this time, but that numeric threshold is recommended for this analysis for the following reasons. First, the 6.6 metric tons CO2e per service population threshold was recently adopted by the Bay Area Air Quality Management District (BAAQMD) as a quantitative GHG emissions thresholds for plan-level projects (BAAQMD, "California Environmental Quality Act: Air Quality

1

> Guidelines" (June 2010).) Second, the BAAQMD derived that "efficiency" metric from statewide compliance with AB 32, and so that metric may be appropriately applied in regions other than the Bay Area. Finally, although SCAQMD has not yet acted on the proposal, staff of the SCAQMD are proposing the same efficiency metric for use in the South Coast region (SCAQMD, "Proposed Tier 4 Performance Standards, September 2010). Thus, the City finds that a 6.6 metric ton CO2e per service population per year threshold is appropriately used in this analysis at this time. Therefore, the City's proposed Ordinance would have a significant impact related to GHG emissions if the GHG emissions would result in more than 6.6 metric tons of CO2e per service population (residents and employees) per year.

STPB objects to the application of the proposed threshold. The BAAQMD CEQA Guidelines (June 2010) ("BAAQMD Guidelines") apply only to land-use driven emission sectors. (Exh. LB5.) The BAAQMD Guidelines state at page 1-1 as follows:

> Land development plans and projects have the potential to generate harmful air pollutants that degrade air quality and increase local exposure. The Guidelines contain instructions on how to evaluate, measure, and mitigate air quality impacts generated from ***land development construction and operation activities***.

1

(Emphasis added.) According to the BBAQMD Guidelines at page D-14:

> Land use-driven emission sectors include Transportation (On-Road Passenger Vehicles; On- Road Heavy Duty), Electric Power (Electricity; Cogeneration), Commercial and Residential (Residential Fuel Use; Commercial Fuel Use) and Recycling and Waste (Domestic Waste Water Treatment).

(See also Table 3-1 at pages 3-1 to 3-2 of the BAAQMD Guidelines which lists only land-use projects.)

Further, even as to land-use projects, the BAAQMD ***project***-level threshold of significance for GHGs is ***not*** 6.6 metric tons of CO2e per service population. (See BAAQMD Guidelines at page 2-4.)

The SCAQMD recognizes that the BAAQMD thresholds are applicable to land-use projects only. In the minutes of the stakeholder meeting on the SCAQMD proposed thresholds of significance, the Deputy Executive Officer of SCAQMD's Planning Rule Development and Area Sources Division stated:

> To derive the project level efficiency threshold of 4.6, it appears that BAAQMD took the 2020 statewide GHG reduction target ***for land use only***....

(Exh. LB6, page 2.) 1

Obviously, the regulation of carryout bags is not a land-use project. Far greater allowances must be made for buildings and other land-based uses, because economic development would otherwise be stymied. STPB strongly objects to the use of land-use thresholds for determining the significance of GHG emissions from carryout bag life cycles.

The County made the following finding in its EIR:

> The EIR determined that the recommended County ordinance (analyzed as Alternative 5), based on the County's assumption of a conservative number of plastic bags used in its analysis and a conservative scenario of 50 percent conversion to paper carryout bags, when applying the threshold "generate greenhouse gas emissions, either directly or indirectly that may have a significant effect on the environment," that GHG emissions due to the end of life of paper carryout bags in landfills would be cumulatively considerable.

(County EIR at I-18, Exh LB1.) 2

CEQA Guidelines §15065(a)(3) states that a lead agency ***shall*** find that a project may have a significant effect on the environment when "the project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals." In the context of the regulation of carryout bags, that is the appropriate and applicable threshold of significance. Accordingly, the County adopted a ***goal-oriented*** approach to determining the threshold of significance for this project based on the following two County objectives for the project:

- Sustainability (as it relates to the County's energy and environmental goals)
- Landfill disposal reduction.

(County Findings of Fact and Statement of Overriding Considerations at page I-3; Exh. LB1.)

Further, a measurement based on a annual per capita approach fails to take into account the cumulative and aggregate impacts of replacing billions of plastic bags with paper bags for the all of the years that the ordinance remains in effect. That is a massive amount of additional CO2e. STPB objects on this ground too.

The City of Long Beach must accept the County GHG threshold of significance as no other threshold could be valid for this project.

3

2. STPB OBJECTS TO THE ASSUMPTION IN THE ADDENDUM TO THE EIR THAT REUSABLE BAGS WILL BE USED 125 TIMES

> In addition to increasing the use of paper bags, by banning the use of plastic carryout bags the proposed Ordinance would be expected to result in increased use of reusable bags which may also increase emissions. However, as described in the County's Final EIR, because reusable bags must be designed to have a minimum lifespan of at least 125 uses, air quality impacts due to the life cycle of a reusable bag would be expected to be lower than those of a plastic or paper carryout bag when considered on a per-bag basis. Thus, consistent with the findings of the County's Final EIR, any conversion from the use of plastic carryout bags to reusable bags would reasonably be expected to result in an environmental benefit.

3

Just because a reusable bag can be used 125 times does not mean that it will be used 125 times. Therefore, STPB objects to this invalid assumption in the Addendum.

3. STPB OBJECTS TO ANY DEVIATION FROM THE DEFINITION OF REUSABLE BAGS IN THE COUNTY ORDINANCE

The Addendum states at page 2 as follows:

> With respect to reusable bags, the Ordinance would require that the reusable bag be designed for a minimum lifetime of 125 uses, be machine washable, and not contain lead, cadmium, or any other heavy metal in toxic amounts, among other criteria....
>
> Plastic bags that are a minimum of 2.25 mils thick and are used by many stores are considered to be reusable bags, per the definition in the ordinance.

4

The above language is ambiguous in that it is not clear whether the City is proposing to require that all reusable bags be machine washable. The County ordinance states that reusable bags must be "machine washable or... made from a material that can be cleaned or disinfected." (Exh. LB3.)

If the County is planning to require that reusable bags be machine washable, then polyethylene reusable bags would fall outside the definition. If that is what the City is proposing, STPB objects and demands that corresponding changes to the EIR be made.

The County determined in the EIR that reusable bags made from polyethylene must be used at least three times before delivering environmental benefits compared to plastic carryout bags. (County EIR at 4-49 to 50, 12-52 to 53.) This is far better than the 104 times that polypropylene or cotton reusable bags must be used to deliver environmental benefits. (Table at

EIR at 12-21 and repeated in text throughout EIR.) Excluding polyethylene reusable bags from the definition by requiring that reusable bags be machine washable would result in significant negative environmental impacts that must be disclosed in an EIR. 4

4. STPB HEREBY REASSERTS ALL OF ITS OBJECTIONS TO THE COUNTY EIR

STPB made the decision not to challenge the County's Final EIR. However, the City of Long Beach is proposing to change the EIR as it applies to Long Beach. Therefore, STPB hereby reasserts all of its objections to the County EIR and reserves the right to litigate all such objections against the City of Long Beach. All such objections to the County EIR are contained in Exhibit LB2 that is submitted herewith. Said objections are incorporated herein by reference as objections to the City's proposed ordinance, as if fully stated herein. 5

OBJECTION TO PROPOSED ORDINANCE BASED ON PREEMPTION

In 2006, the Legislature enacted AB 2449. (Pub. Res. Code §§42250-57.) The Legislature declared its intent in AB 2449 as follows:

> It is the intent of the Legislature, in enacting Chapter 5.1 (commencing with section 42250) Part 3 of Division 30 of the Public Resources Code, to encourage the use of reusable bags by consumers and retailers and to reduce the consumption of single-use bags.

The Governor's signing statement is part of the legislative history. The signing statement includes the following language:

> I am signing Assembly Bill 2449 that implements a statewide plastic bag recycling program. 6
>
> While this bill may not go as far as some local environmental groups and cities may have hoped, this program will make progress to reduce plastics in our environment. This measure requires every retail establishment that provides its customers plastic bags to have an in store plastic bag recycling program, a public awareness program promoting bag recycling, post recycling requirements, record keeping and penalties.
>
> Because this is a statewide program the bill precludes locals from implementing more stringent local requirements. The bill sunsets in six years and this will allow locals time to develop additional programs or the legislature to consider a more far reaching solution.

(Exh. LB8.)

AB 2449 sunsets and expires on January 1, 2013 (Pub. Res. Code §42257), one year after the Ordinance takes effect on January 1, 2012.

AB 2449 only applies to "stores." (Pub. Res. Code §42251.) A "store" is defined as a supermarket or large retail store "that provides plastic carryout bags to its customers." (Pub. Res. Code §42250(e).) If plastic bags are banned by local ordinances, then stores in those localities will not be subject to AB 2449 and the statewide statutory scheme of AB 2449 would be defeated.

The definition of "stores" in the City's proposed ordinance includes retail establishments that are defined as "stores" in AB 2449.

Under AB 2449, stores that provide plastic bags to customers must install plastic bag collection bins "for the purpose of collecting and recycling plastic carryout bags." Pub. Res. Code §42252(b). Any member of the public may use those bins to deposit any discarded plastic carryout bags. If stores in the City are prohibited from handing out plastic bags, then all such stores would be permitted to remove their plastic bag recycling bins. Such bins are used to collect and recycle all types of plastic bags, including bags that would not be prohibited under the proposed ordinance, including but not limited to retail bags, produce bags, newspaper bags, and dry cleaning bags. The statewide statutory scheme of AB 2449 would be defeated. There would be no way to recycle such bags as they are not accepted in curbside recycling programs in the City. 6

AB 2449 states that "[t]he operator of the store shall make reusable bags available to customers within the store, which may be purchased and used in lieu of using a plastic carryout bag or paper bag." (Pub. Res. Code §42252(e).) If plastic bags are banned by local ordinances, such stores will not be subject to the state law requirement to make reusable bags available to customers in lieu of paper bags. Therefore, the declared legislative intent of AB 2449 "to encourage the use of reusable bags by consumers and retailers and to reduce the consumption of single-use bags," including paper bags, would be defeated. Although an ordinance banning plastic bags may require such stores to make reusable bags available in lieu of paper bags, there is no guarantee that a city or county will include such a requirement in an ordinance.

Based on the foregoing, if cities and counties may enact plastic bag bans that take effect before AB 2449 sunsets on January 1, 2013, the comprehensive and integrated statewide plastics reduction, recycling, and reusable bag scheme of AB 2449 would be defeated.

It is the intent of the Legislature in enacting AB 2449 that it precludes and preempts local plastic bag ban ordinances that take effect prior to January 1, 2013. Therefore, the City's proposed ordinance will invalid if it takes effect prior to January 1, 2013.

NOTICE OF INTENT TO LITIGATE

STPB hereby notifies the City of Long Beach that STPB ***will*** file a petition for writ of mandate in the Los Angeles County Superior Court or other appropriate court to enforce CEQA in the public interest, based on the points and objections herein, if the proposed ordinance or a similar ordinance is adopted.

STPB further notifies the City of Long Beach that STPB ***will*** file a complaint in the Los Angeles County Superior Court or other appropriate court to invalidate the proposed ordinance if it adopted, based on preemption.

PROPOSED SOLUTION

STPB proposes that the City of Long Beach adopt the Los Angeles County Findings of Fact and Statement of Overriding Considerations, without amendment. The appropriate model is the City of Calabasas ordinance. (Exh. LB7).

ADMINISTRATIVE RECORD

STPB is submitting herewith, by e-mail, copies of documents cited herein or which otherwise support the objections herein. STPB requests that all such documents be made part of the administrative record.

REQUEST FOR NOTICES

I request that you send me by e-mail and regular mail any future public notices regarding the proposed ordinance and any public hearings, including but not limited to any and all CEQA documents.

CONTACT PERSON

I am the designated contact person for the Save The Plastic Bag Coalition.

RESERVATION OF RIGHTS

No rights or duties are waived by any statement or omission herein. All rights are reserved. Strict compliance with all the applicable provisions of CEQA is hereby demanded.

Dated: April 27, 2011

STEPHEN L. JOSEPH
Counsel, Save The Plastic Bag Coalition

Letter 3

COMMENTER: Stephen L. Joseph, Counsel, Save the Plastic Bag Coalition

DATE: April 27, 2011

Response 3.1

The commenter states an opinion that the greenhouse gas threshold utilized in the Addendum is inappropriate, inapplicable, and irrelevant since the Bay Area Air Quality Management District (BAAQMD) threshold is intended for land use projects. Further the commenter claims that the Addendum used the wrong "project- level threshold" of 6.6 metric tons of CO_2e per service population per year as displayed in the Bay Area Air Quality Management District's (BAAQMD) Guidelines at page 2-4.

In regard to the proposed Ordinance not being a land use project, the BAAQMD Guidelines are designed "to assist lead agencies in evaluating air quality impacts of projects and plans" (BAAQMD Guidelines, page 1-1, 2010). As stated in the BAAQMD Guidelines on page 1-1, the Guidelines provides BAAQMD-recommended procedures for evaluating potential air quality impacts during the environmental review process consistent with CEQA requirements. Although the proposed Ordinance is not a physical land use project as the commenter suggests, the proposed Ordinance is similar to a plan and thus a "plan-level" analysis was conducted in the Addendum which is allowed under the BAAQMD Guidelines and under CEQA. The Ordinance would have "operational" impacts from GHG emissions related to transportation (truck trips to deliver carryout bags), the manufacturing process, and landfill degradation (as discussed in the *Greenhouse Gas Emissions* section of the Addendum), all of which are GHG emission sources. In addition, although the proposed Ordinance is not a physical development project, the proposed Ordinance is a "project" under CEQA. As stated in the *CEQA Guidelines* Section 15064.4,

> *A lead agency shall have discretion to determine, in the context of a particular project, whether to:*
>
> *(1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use. The lead agency has discretion to select the model or methodology it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use; and/or*
>
> *(2) Rely on a qualitative analysis or performance based standards.*

A lead agency should consider the following factors, among others, when assessing the significance of impacts from greenhouse gas emissions on the environment:

(1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;
(2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.

The Addendum utilizes the City of Long Beach's preferred GHG methodology for projects under CEQA and has selected a reasonable GHG threshold of significance to apply to the proposed Ordinance. The methodology and significance criteria are consistent with analysis performed in CEQA documents throughout the State and have been utilized in numerous EIRs in the County and for projects located within the City of Long Beach. Therefore the threshold utilized in the Addendum is appropriate for use in this analysis.

In regard to using the wrong "project-level" threshold, as stated on page 9 of the Addendum, for this analysis the City's proposed Ordinance is evaluated based on a plan-based threshold of 6.6 metric tons CO_2e per service population (defined to include both residents and employees) per year. The "plan-based" threshold of 6.6 metric tons CO_2e per service population was recently adopted by the BAAQMD as a quantitative GHG emissions thresholds for plan-level projects (BAAQMD, "California Environmental Quality Act: Air Quality Guidelines" page 2-8, June 2010). Since the proposed Ordinance is not a physical development project but rather a citywide ordinance, the BAAQMD's "project-level" threshold of 4.6 metric tons CO_2e per service population per year (which the commenter refers to on page 2-4 of the BAAQMD's Guidelines) is not applicable. Rather, the "plan-level" threshold is more appropriate for this analysis. Nevertheless, regardless of which of the two thresholds were selected, the increase in GHG emissions associated with implementation of the City's proposed Ordinance would be less than 0.02 metric tons per service population per year which would not come close to exceeding either threshold (see Tables 4-6 in the Addendum).

Response 3.2

The commenter states an opinion that the Addendum should use the County's goal-oriented approach to determining the threshold of significance related to GHG emissions. The comment further states that a measurement based on an annual per capita approach fails to take into account the cumulative and aggregate impacts of replacing billions of plastic bags with paper bags for the all of the years that the Ordinance remains in effect.

As stated on page 3.3-15 of the County's Final EIR, there are two relevant significance criteria:

- *Inconsistency with laws and regulations in managing GHG emissions*
- *Inconsistency with the goal to reduce GHG emissions to 1990 levels (approximately 427 million metric tons or 9.6 metric tons of CO2e per capita) by 2020 as required by AB 32*

As stated in Response 3.1, the Addendum determined that the increase in GHG emissions associated with the City's proposed Ordinance would be less than 0.02 metric tons per service population per year. This would not come close to exceeding the County's threshold of 9.6 metric tons of CO_2e per capita (see Tables 4-6 in the Addendum). The County's Final EIR also determined that emissions would not exceed the numerical threshold of 9.6 metric tons of CO_2e per capita. Nevertheless, the County determined on page 12-52 that:

> *"the indirect impacts to GHG emissions from the end of life of paper carryout bags may have the potential to be cumulatively considerable, depending on the actual percentage increase in conversion to paper carryout bags, the number of stores affected, the actual bag usage per day, the size of the fee or charge, and other relevant factors that are specific to each of the 88 incorporated cities within the County. In the development of this EIR, the County has recognized and acknowledged that each city has the authority to render an independent decision regarding implementation of its own ordinance. For the purposes of this EIR, the County has extended the worst-case scenario for the County ordinance and alternatives to a scenario where all 88 cities adopt comparable ordinances. However, an individual determination, including for cumulative impacts, for each city would be contingent on the exact parameters of the city's proposed ordinance, consideration of the above-identified factors, the city's adopted thresholds of significance, and its projected AB 32 GHG emissions target.*

Although the County's GHG analysis determined that emissions would not exceed the numerical threshold of 9.6 .6 metric tons of CO_2e per capita, the County's Final EIR "conservatively" assumed that all 88 cities in the County would adopt similar ordinances to conclude that there may be significant impacts. The City of Long Beach is one of the 88 cities included in the County's EIR and as such the City is under no obligation to adopt the exact findings made by the County. The City of Long Beach, in the Addendum, has made its own cumulative significance determination of GHG emissions related to the City's proposed Ordinance using the most reasonably available methodology and significance criteria.

Further, in regard to cumulative and aggregate impacts, the analysis of GHGs is by its nature a cumulative analysis since the vast majority of individual projects do not generate sufficient GHG emissions to create a project-specific impact through a direct influence to global climate change. Therefore, the issue of climate change as discussed

in the Addendum involves an analysis of whether the proposed Ordinance's contribution towards an impact would be cumulatively considerable. As stated in the Addendum, impacts related to GHG emissions were determined to be less than significant.

Response 3.3

The commenter objects to the assumption in the Addendum that reusable bags will be used 125 times. The proposed Ordinance would require that a reusable bag be designed for a minimum lifetime of 125 uses. However, different customers of Long Beach retail stores may use reusable bags with different frequency (some more than 125 times, some less than 125). Similar to the County's Final EIR, the Addendum conservatively assumes that reusable carryout bags would be used at least 125 times. The Addendum preparers believe that this is a reasonable assumption and the commenter does not provide any evidence suggesting otherwise. Therefore, this comment is speculative.

Response 3.4

The commenter states concern that the proposed Ordinance neglects to include language that requires reusable bags to be "machine washable...or made from a material that can be cleaned or disinfected."

The proposed Ordinance definition of a reusable bag does contain the language the commenter describes above. The Addendum does list every definition of the Ordinance since the Draft Ordinance is provided as an attachment. However, as shown on page 3 or the Draft Ordinance, a reusable bag is defined as follows and contains the language described by the commenter (see (3)):

> *"Reusable bag" means a bag with handles that is specifically designed and manufactured for multiple reuse and meets all of the following requirements: (1) has a minimum lifetime of one hundred twenty-five (125) uses, which for purposes of this Section, means the capability of carrying a minimum of twenty-two (22) pounds one hundred twenty-five (125) times over a distance of at least one hundred seventy-five (175) feet; (2) has a minimum volume of fifteen (15) liters; (3) is machine washable or is made from a material that can be cleaned or disinfected; (4) does not contain lead, cadmium, or any other heavy metal in toxic amounts, as defined by applicable state and federal standards and regulations for packaging or reusable bags; (5) has printed on the bag, or on a tag that is permanently affixed to the bag, the name of the manufacturer, the location where the bag was manufactured, a statement that the bag does not contain lead, cadmium, or any other heavy metal in toxic amounts, and the percentage of postconsumer recycled material used, if any; and (6) if made of plastic, is a minimum of at least 2.25 mils thick.*

Response 3.5

The commenter states that he reasserts all of his previous objections to the County's EIR. This comment is noted. The County of Los Angeles responded to the commenter's previous objections in its Final EIR (see page 13-37 of the County's Final EIR).

Response 3.6

The commenter states concern that if the proposed Ordinance is implemented, AB 2449 would be preempted in Long Beach and therefore the proposed Ordinance would result in the loss of plastic bag recycling bins at stores, which also are used for the collection of other recyclable products such as newspaper bags, dry cleaning bags, and other plastic bags. He further states a concern that if these bins are removed, recyclable material will be sent to landfills. In addition, he states a concern that if the proposed Ordinance is enacted, there is no guarantee that stores/retailers would make reusable bags available for customers.

This comment is speculative. As discussed on page 1 of the Addendum, the proposed Ordinance would ban plastic bags and would therefore eliminate the need for customers to return plastic bags to the stores for recycling. In regard to the concern about other recyclable materials being sent to the landfill, the AB 2449 plastic bag recycle bins are intended for plastic carryout bag recycling, but are not the only recycling infrastructure in the City. The City provides curbside recycling in private recycling bins for both residents and businesses. In addition, the City provides dropoff centers where the public can recycle products such as newspaper bags, dry cleaning bags, and other plastic bags. The proposed ordinance would not eliminate recycling of other materials. The commenter has provided no evidence to support the contention that bins for recyclable materials other than plastic bags would be removed or that higher amounts of such materials would be sent to landfills as a result of the proposed ordinance.

In regard to not providing reusable bags, as stated on page 2 of the Addendum, the Ordinance would require a store to provide or make available to a customer only recyclable paper carryout bags or reusable bags. The Ordinance would also encourage a store to educate its staff to promote reusable bags and to post signs encouraging customers to use reusable bags. The comment is speculative as it provides no evidence to suggest that stores/retailers would not provide reusable bags for sale.

American Chemistry Council

Ms. Jill Griffiths, Planning Officer
City of Long Beach
Long Beach Development Services
333 West Ocean Boulevard, 5th Floor
Long Beach, CA 90802

April 29, 2011

Via email: Jill.Griffiths@longbeach.gov

Re: Scoping Comments of the American Chemistry Council's Progressive Bag Affiliates on Long Beach's Proposed Single-Use Carryout Bag Ordinance

Dear Ms. Griffiths:

I write on behalf of the American Chemistry Council ("ACC")'s Progressive Bag Affiliates with respect to the public review period offered by the City of Long Beach, Department of Development Services ("City") for the addendum to the Los Angeles County Final Environmental Impact Report on the proposed single-use carryout bag ordinance. As proposed, the ordinance would prohibit the distribution of plastic carryout bags at the point of sale (i.e., check-out) for most commercial food service businesses in Long Beach except restaurants. Although the ordinance would purportedly restrict certain paper bags as well, paper bags with more than 40% recycled content would be exempted from restrictions.

ACC believes that a comprehensive approach based on reduce, reuse and recycle is the best method to reduce bag waste. In fact, ACC has supported a number of programs using this approach and promoting bag recycling including Keep California Beautiful's new "Got Your Bags" program. This initiative encourages consumers to bring their bags back to the grocery store whether they are reusable bags or recyclable plastic bags. Recycling and reusing plastic bags is one of the simplest things consumers can do to contribute to a better environment. In fact, surveys show that 92 percent of consumers reuse their plastic shopping bags. Should a ban on plastic bags be adopted by the city, the environmental burden of manufacturing other bags to replace those bags must also be considered. 1

Environmental reviews conducted in other jurisdictions of similar restrictions on plastic bags have consistently demonstrated that there are adverse environmental impacts from such restrictions stemming largely from a consumer shift from plastic bags to paper. In addition, environmental impacts may occur from a shift from plastic bags to reusable bags. The scope of the review should address all the environmental consequences of behavioral shifts fully. 2

We appreciate the opportunity to provide comments to the scoping process. For additional information, please feel free to contact me at 703-741-5102 or via email at shari_jackson@americanhmistry.com.

Sincerely,

Shari Jackson

Shari Jackson
Director, Progressive Bag Affiliates

Letter 4

COMMENTER: Shari M. Jackson, Director, Progressive Bag Affiliates, American Chemistry Council

DATE: April 29, 2011

Response 4.1

The commenter states that a comprehensive approach based on reduce, reuse and recycle is the best method to reduce bag waste and that recycling and reusing plastic bags is the simplest thing consumers can do to contribute to a better environment. The commenter further states that if the proposed Ordinance were adopted by the City, the environmental burdens associated with the manufacturing of other carryout bags to replace plastic bags should be considered.

This comment regarding recycling and reusing plastic bags is noted and will be forwarded to City staff and decision-makers for their consideration. In regard to the environmental burdens associated with the manufacturing of other carryout bags to replace plastic bags, the environmental impacts associated with the manufacturing process of both paper and reusable bags is discussed in the County's Final EIR and in the City's Addendum. Please see the *Air Quality, Greenhouse Gas Emissions, Hydrology & Water Quality,* and *Utilities & Service Systems* sections of the Addendum for discussions of the proposed Ordinance's impacts related to the manufacturing process of paper and reusable bags.

Response 4.2

The commenter states that other environmental reviews have determined that there may be environmental impacts related to shifting from plastic bags to paper and/or reusable bags and that the environmental review for the proposed Ordinance should address all environmental consequences of behavioral shifts.

The Addendum addresses each of the environmental issues studied in the Final EIR, comparing the effects of the proposed Long Beach Plastic Carryout Bag Ordinance with the effects of the County of Los Angeles Plastic Carryout Bag Ordinance that was the subject of the adopted Final EIR. In addition to stating the County's finding for each impact, the analysis includes a discussion of the City's impact related to adopting its own plastic carryout bag ban ordinance and the impacts associated with implementation of such an ordinance citywide. Further, as stated on page 4, the City's proposed Ordinance would not change any of the impacts identified as less than significant in the County's Final EIR Initial Study (Volume II: Section D of the Final EIR). Each of those impacts would remain less than significant for the City's proposed

Ordinance. The commenter does not specify what additional "environmental consequences" should be addressed.

COMMENTS and RESPONSES

CEQA does not require public circulation of an EIR Addendum. Nevertheless the City of Long Beach provided a 20-day "courtesy" public circulation period. During that time, the City received four comment letters. Although not required, the City has provided responses to each of the comment letters. The comment letters that the City received are listed below. The letters and responses follow.

Commenter		Page
1.	Kirsten James, Water Quality Director, Heal the Bay®	2
2.	Leslie Tamminen, Ocean Program Director, Seventh Generation Advisors	6
3.	Stephen L. Joseph, Counsel, Save the Plastic Bag Coalition	10
4.	Shari M. Jackson, Director, Progressive Bag Affiliates, American Chemistry Council	22

Heal the Bay

1444 9th Street
Santa Monica CA 90401

ph 310 451 1550
fax 310 496 1902

info@healthebay.org
www.healthebay.org

Letter 1

April 22, 2011

Long Beach Development Services
Jill Griffiths, Planning Officer
333 W. Ocean Boulevard, 5th Floor
Long Beach, CA 90802
Jill.Griffiths@longbeach.gov

RE: Support of Proposed Single-use Bag Ordinance and Addendum to Los Angeles County Final Environmental Impact Report to Ban Plastic Carryout Bags

Dear Ms. Griffiths:

On behalf of Heal the Bay I write in strong support of the Proposed Single-use Bag Ordinance (Draft Ordinance) and Addendum to Los Angeles County Final Environmental Impact Report to Ban Plastic Carryout Bags released on April 8, 2011. The Draft Ordinance offers a comprehensive approach to address single-use bag pollution and will deter consumption of all single-use bags distributed at the point of sale at supermarkets, large retail pharmacies, food marts and farmer's markets.

As you know after several years of discussion on December 7, 2010, the Long Beach City Council provided clear direction on how Long Beach should address the issue of single-use bag pollution. Specifically, Council directed the City Attorney and City Manager to draft an ordinance duplicating Los Angeles County's adopted ordinance for unincorporated cities, and closely resembling AB 1998 (Brownley), which the City of Long Beach supported in the past legislative session. The Draft Ordinance and Addendum appropriately reflect this direction. 1

We support the Addendum to the Los Angeles County Final Environmental Impact Report to Ban Plastic Carryout Bags. We believe that the Draft Ordinance will not result in any negative environmental impacts, as it will actually lead to an increase in the use of reusable bags that are a more sustainable alternative to single-use bags. The cost associated with paper bags should avoid an increase in their usage. Thus we agree with staff's conclusion that there will be less than significant impacts. In fact if anything, the Addendum errs on the conservative side and evaluates impacts that would be nonexistent with the implementation of the Draft Ordinance.

Plastic bags are the most ubiquitous consumer item designed to last for minutes but persist in our marine environment for hundreds of years. Approximately 60 to 80% of all marine debris and 2

Heal the Bay

1444 9th Street
Santa Monica CA 90401

ph 310 451 1550
fax 310 496 1902

info@healthebay.org
www.healthebay.org

90% of floating debris is plastic and comes from mostly land-based sources.[1] This plastic pollution poses a persistent threat to marine life. Over 267 species worldwide have been impacted by plastic litter.[2]

Los Angeles County residents use an estimated 6 billion single-use plastic bags every year. As proven by failed attempts throughout the state, we cannot recycle our way out of this problem and urgent action is needed to help reduce this pollution. Despite efforts to expand recycling programs, less than 5% of single-use plastic bags are currently being recycled.[3] The rest of these bags inevitably end up in our landfills or as litter, clogging stormdrain systems, and make their way to our waterways and ocean.

The cleanup of litter from single-use bags puts an additional strain on our economy. One study has estimated that the taxpayer cost to subsidize the recycling, collection, and disposal of plastic and paper bags could amount to as much as 17 cents per bag.[4] This figure does not include the additional costs that local governments incur annually for cleaning littered streets, beaches and installing trash control devices to comply with total maximum daily load limits (TMDLs) for trash under the Clean Water Act. Also, plastic bags can clog catch basin inserts and screens thereby increasing local flood risks. According to City documents, Long Beach spends approximately $2.2 million per year in maintenance costs associated with marine debris such as plastic bags. In addition, the City has spent more than $18 million on capital projects designed to catch litter and debris before they are discharged to our rivers and beaches. 2

The City made the commitment at the December 2010 hearing to move forward with the proposed approach, and we urge you to finalize this policy. The City of Long Beach has a critical role to play in becoming a true leader in eliminating plastic bag waste and preventing the proliferation of plastic pollution in our communities. The passage of the Draft Ordinance will be a major step in breaking our addiction to single-use bags. 3

Thank you for your leadership on this critical environmental issue,

Kirsten James

Kirsten James
Water Quality Director

---

[1] M. Gordon (2006) "Eliminating Land-based Discharges of Marine Debris in California: A Plan of Action from The Plastic Debris Project;" Prepared by the California Coastal Commission (Available at: www.plasticdebris.org/CA_Action_Plan_2006.pdf).

[2] D.W. Laist (1997) "Impacts of marine debris: entanglement of marine life in marine debris including a comprehensive list of species with entanglement and ingestion records" In Coe, J.M., Rogers, D.B. (Eds.), Marine Debris—Sources, Impacts, and Solutions: Springer-Verlag, New York, 99-139.

[3] U.S. Environmental Protection Agency, 2005 Characterization of Municipal Solid Waste, Table 7; California Assembly Bill 2449 (Levine), statutes of 2007.

[4] City of San Francisco Dept of the Environment "Bag Cost Analysis" (Nov.18, 2004).

Letter 1

COMMENTER: Kirsten James, Water Quality Director, Heal the Bay®

DATE: April 22, 2011

Response 1.1

The commenter states her support for the proposed Ordinance and the Addendum. The commenter further states her agreement with the Addendum's findings that the Draft Ordinance will not result in any negative environmental impacts.

These comments are noted and are consistent with the determination of the Addendum that the proposed Ordinance would not result in any significant impacts.

Response 1.2

The commenter lists statistics related to plastics and plastic bag use in Los Angeles County and states that cleanup of litter from plastic bags strains the economy since local governments are required to clean littered streets, beaches and install trash control devices to comply with total maximum daily load limits (TMDLs) for trash under the Clean Water Act. The commenter also notes that plastic bags can clog catch basin inserts and screens, thereby increasing local flood risks. The commenter also states that according to City documents, Long Beach spends approximately $2.2 million per year in maintenance costs associated with marine debris such as plastic bags. Finally, the commenter notes that the City has spent more than $18 million on capital projects designed to catch litter and debris before they are discharged to our rivers and beaches.

This comment is noted and will be forwarded to City staff and decision-makers for their consideration. These comments are consistent with the analysis contained in the *Hydrology & Water Quality* and *Utilities & Service Systems* sections of the Addendum.

Response 1.3

The commenter states that the proposed Ordinance would be a major step in "breaking the addiction" to use plastic bags and the City has a critical role in eliminating plastic bag waste and preventing the proliferation of plastic pollution in our communities.

This comment is noted and will be forwarded to City decision-makers for their consideration. As discussed in the Addendum, the City's objectives for the proposed Ordinance include the following:

- *Reduce the Citywide consumption of plastic carryout bags from the estimated 1,600 plastic carryout bags per household in 2007 to fewer than 800 plastic bags per household in 2013*
- *Reduce the Citywide contribution of plastic carryout bags to litter that blights public spaces Citywide by 50 percent by 2013*
- *Assist the County in the reduction of the County's, City's, and Flood Control District's costs for prevention, clean-up, and enforcement efforts to reduce litter in the City and the County by $4 million*
- *Substantially increase awareness of the negative impacts of plastic carryout bags and the benefits of reusable bags, and reach at least 24,736 residents (5 percent of Long Beach's population) with an environmental awareness message*
- *Reduce citywide disposal of plastic carryout bags in landfills by 50 percent from 2007 annual amounts*

April 27, 2011

Long Beach Development Services
Jill Griffiths, Planning Officer
333 W. Ocean Boulevard, 5th Floor
Long Beach, CA 90802
Jill.Griffiths@longbeach.gov

RE: Support of Proposed Single-use Bag Ordinance and Addendum to Los Angeles County Final Environmental Impact Report to Ban Plastic Carryout Bags

Dear Ms. Griffiths:

On behalf of Seventh Generation Advisors, an environmental nonprofit organization working on sustainability for future generations, I write in strong support of the Proposed Single-use Bag Ordinance (Draft Ordinance) and Addendum to Los Angeles County Final Environmental Impact Report to Ban Plastic Carryout Bags released on April 8, 2011. The Draft Ordinance offers a comprehensive approach to address single-use bag pollution and will deter consumption of all single-use bags distributed at the point of sale at supermarkets, large retail pharmacies, food marts and farmer's markets.

As you know, after several years of discussion, on December 7, 2010 the Long Beach City Council provided clear direction on how Long Beach should address the issue of single-use bag pollution. Specifically, Council directed the City Attorney and City Manager to draft an ordinance duplicating Los Angeles County's adopted ordinance for unincorporated cities, and closely resembling AB 1998 (Brownley), which the City of Long Beach supported in the past legislative session. The Draft Ordinance and Addendum appropriately reflect this direction. 1

We support the Addendum to the Los Angeles County Final Environmental Impact Report to Ban Plastic Carryout Bags. We believe that the Draft Ordinance will not result in any negative environmental impacts, as it will actually lead to an increase in the use of reusable bags (a more sustainable alternative to single-use bags). The cost associated with paper bags should avoid an increase in their usage. We therefore agree with staff's conclusion that there will be less than significant impacts.

Plastic bags are made from fossil fuels – typically natural gas and petroleum. In 2009, the Guinness Book of World Records named plastic bags the most common product—worldwide, it is produced by the trillions.[1] If everyone in the United States tied their 2

[1] Guinness Book of World Records (2010) "Top 100 Records of the Decade: Most Ubiquitous Consumer Item." Available at http://2010_guinnessworldrecords.com (Accessed on 1/7/10).

annual consumption of plastic bags together in a giant chain, the chain would reach around the Earth's equator 776 times![2] Approximately 60 to 80% of all marine debris and 90% of floating debris is plastic and comes from mostly land-based sources.[3] This plastic pollution poses a persistent threat to marine life. Over 267 species worldwide have been impacted by plastic litter.[4]

Los Angeles County residents use an estimated 6 billion single-use plastic bags every year. As proven by failed attempts throughout the state, we cannot recycle our way out of this problem and urgent action is needed to help reduce this pollution. Despite efforts to expand recycling programs, less than 5% of single-use plastic bags are currently being recycled.[5] The rest of these bags inevitably end up in our landfills or as litter, clogging stormdrain systems, and make their way to our waterways and ocean.

The cleanup of litter from single-use bags puts an additional strain on our economy. One study has estimated that the taxpayer cost to subsidize the recycling, collection, and disposal of plastic and paper bags could amount to as much as 17 cents per bag.[6] This figure does not include the additional costs that local governments incur annually for cleaning littered streets, beaches and installing trash control devices to comply with total maximum daily load limits (TMDLs) for trash under the Clean Water Act. Also, plastic bags can clog catch basin inserts and screens thereby increasing local flood risks. According to City documents, Long Beach spends approximately $2.2 million per year in maintenance costs associated with marine debris such as plastic bags. In addition, the City has spent more than $18 million on capital projects designed to catch litter and debris before they are discharged to our rivers and beaches. 2

California's own state policy has clearly called for the ban of items that are likely to become plastic pollution where there are readily available alternatives (like reusable bags), as well as the establishment of fees for those items that are likely to become plastic pollution and do not have readily available alternatives. (See California Ocean Protection Council, "An Implementation Strategy for the California Ocean Protection Council Resolution to Reduce and Prevent Ocean Litter," Adopted November 20, 2008. http://www.opc.ca.gov/webmaster/ftp/pdf/opc_ocean_litter_final_strategy.pdf). Recognizing that trash costs CA money, this policy prioritizes state efforts for source reduction—not recycling—of frequently littered "worst offender" plastics like plastic pre-production resin pellets, cigarette butts, plastic bottle caps, plastic bags and 3

[2] U.S. International Trade Commission. *Polyethylene Retail Carrier Bags from Indonesia, Taiwan, and Vietman.* Publication 4080. May 2009, pg. IV-7. *Calculation is based on the following: 2008 bag consumption, according to U.S. International Trade Commission = 102,105,637,000. Earth's Circumference = 131,480,184 feet, Average bag length = 1ft.

[3] M. Gordon (2006) "Eliminating Land-based Discharges of Marine Debris in California: A Plan of Action from The Plastic Debris Project;" Prepared by the California Coastal Commission (Available at: www.plasticdebris.org/CA_Action_Plan_2006.pdf).

[4] D.W. Laist (1997) "Impacts of marine debris: entanglement of marine life in marine debris including a comprehensive list of species with entanglement and ingestion records" In Coe, J.M., Rogers, D.B. (Eds.), Marine Debris—Sources, Impacts, and Solutions: Springer-Verlag, New York, 99-139.

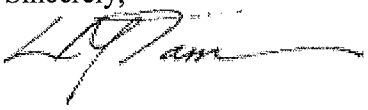
[5] U.S. Environmental Protection Agency, 2005 Characterization of Municipal Solid Waste, Table 7; California Assembly Bill 2449 (Levine), statutes of 2007.

[6] City of San Francisco Dept of the Environment "Bag Cost Analysis" (Nov.18, 2004).

polystyrene.

The City made the commitment at the December 2010 hearing to move forward with the proposed approach, and we urge you to finalize this policy. The City of Long Beach has a critical role to play in becoming a true leader in eliminating plastic bag waste and preventing the proliferation of plastic pollution in our communities. In order to protect our environment, and our economy, it is imperative to move away from recycling and towards source reduction of single-use plastics. The passage of the Draft Ordinance will be a major step forward. 3

Thank you for your leadership,
Sincerely,



Leslie Tamminen
Seventh Generation Advisors
Ocean Program Director
(310) 780-3344
Leslie.Tamminen@gmail.com

Letter 2

COMMENTERS: Leslie Tamminen, Ocean Program Director, Seventh Generation Advisors

DATE: April 27, 2011

Response 2.1

The commenter states her support for the proposed Ordinance and the Addendum. The commenter further states her agreement with the Addendum's findings that the Draft Ordinance will not result in any negative environmental impacts.

These comments are noted and are consistent with the determination of the Addendum that the proposed Ordinance would not result in any significant impacts.

Response 2.2

The commenter lists statistics related to plastics and plastic bag use in Los Angeles County. Please see Response 1.2.

Response 2.3

The commenter states that the proposed Ordinance would be a major step in eliminating plastic bag waste and preventing the proliferation of plastic pollution in our communities and that in order to protect our environment, and our economy, it is imperative to move away from recycling and towards source reduction of single-use plastics.

This comment is noted. Please see Response 1.3.

SAVE THE PLASTIC BAG COALITION

350 Bay Street, Suite 100-328
San Francisco, CA 94133
Phone: (415) 577-6660
Fax: (415) 869-5380
E-mail: savetheplasticbag@earthlink.net
Website: www.savetheplasticbag.com

April 27, 2011

Long Beach Development Services
Jill Griffiths, Planning Officer
333 W. Ocean Boulevard, 5th Floor
Long Beach, CA 90802

VIA E-MAIL
Jill.Griffiths@longbeach.gov

OBJECTIONS TO PROPOSED ORDINANCE TO BAN PLASTIC BAGS

INTRODUCTION

Pursuant to Pub. Res. Code §21177(b), Save the Plastic Bag Coalition ("STPB") hereby objects to the approval of the project/ordinance to ban plastic carryout bags based on (i) the CEQA objections herein; and (ii) preemption by AB 2449.

Exhibits are submitted herewith via e-mail for inclusion in the administrative record in support of these objections.

CEQA OBJECTIONS

The numbered title headings herein are part of the objections.

1. STPB OBJECTS TO THE USE OF AN INAPPROPRIATE, INAPPLICABLE, AND IRRELEVANT GHG THRESHOLD OF SIGNIFICANCE IN THE ADDENDUM TO THE COUNTY EIR

At page 9 of the Addendum, the City states as follows:

> For this analysis, the City has determined to select its own GHG significance threshold rather than relying on the County's threshold as used in the County's Final EIR. For this analysis, the City's proposed Ordinance is evaluated based on a plan-based threshold of 6.6 metric tons CO2e per service population (defined to include both residents and employees) per year. The City does not recommend adoption of that threshold for any other purpose at this time, but that numeric threshold is recommended for this analysis for the following reasons. First, the 6.6 metric tons CO2e per service population threshold was recently adopted by the Bay Area Air Quality Management District (BAAQMD) as a quantitative GHG emissions thresholds for plan-level projects (BAAQMD, "California Environmental Quality Act: Air Quality

1

> Guidelines" (June 2010).) Second, the BAAQMD derived that "efficiency" metric from statewide compliance with AB 32, and so that metric may be appropriately applied in regions other than the Bay Area. Finally, although SCAQMD has not yet acted on the proposal, staff of the SCAQMD are proposing the same efficiency metric for use in the South Coast region (SCAQMD, "Proposed Tier 4 Performance Standards, September 2010). Thus, the City finds that a 6.6 metric ton CO2e per service population per year threshold is appropriately used in this analysis at this time. Therefore, the City's proposed Ordinance would have a significant impact related to GHG emissions if the GHG emissions would result in more than 6.6 metric tons of CO2e per service population (residents and employees) per year.

STPB objects to the application of the proposed threshold. The BAAQMD CEQA Guidelines (June 2010) ("BAAQMD Guidelines") apply only to land-use driven emission sectors. (Exh. LB5.) The BAAQMD Guidelines state at page 1-1 as follows:

> Land development plans and projects have the potential to generate harmful air pollutants that degrade air quality and increase local exposure. The Guidelines contain instructions on how to evaluate, measure, and mitigate air quality impacts generated from ***land development construction and operation activities***.

1

(Emphasis added.) According to the BBAQMD Guidelines at page D-14:

> Land use-driven emission sectors include Transportation (On-Road Passenger Vehicles; On- Road Heavy Duty), Electric Power (Electricity; Cogeneration), Commercial and Residential (Residential Fuel Use; Commercial Fuel Use) and Recycling and Waste (Domestic Waste Water Treatment).

(See also Table 3-1 at pages 3-1 to 3-2 of the BAAQMD Guidelines which lists only land-use projects.)

Further, even as to land-use projects, the BAAQMD ***project***-level threshold of significance for GHGs is ***not*** 6.6 metric tons of CO2e per service population. (See BAAQMD Guidelines at page 2-4.)

The SCAQMD recognizes that the BAAQMD thresholds are applicable to land-use projects only. In the minutes of the stakeholder meeting on the SCAQMD proposed thresholds of significance, the Deputy Executive Officer of SCAQMD's Planning Rule Development and Area Sources Division stated:

> To derive the project level efficiency threshold of 4.6, it appears that BAAQMD took the 2020 statewide GHG reduction target ***for land use only***....

(Exh. LB6, page 2.)

1

Obviously, the regulation of carryout bags is not a land-use project. Far greater allowances must be made for buildings and other land-based uses, because economic development would otherwise be stymied. STPB strongly objects to the use of land-use thresholds for determining the significance of GHG emissions from carryout bag life cycles.

The County made the following finding in its EIR:

> The EIR determined that the recommended County ordinance (analyzed as Alternative 5), based on the County's assumption of a conservative number of plastic bags used in its analysis and a conservative scenario of 50 percent conversion to paper carryout bags, when applying the threshold "generate greenhouse gas emissions, either directly or indirectly that may have a significant effect on the environment," that GHG emissions due to the end of life of paper carryout bags in landfills would be cumulatively considerable.

(County EIR at I-18, Exh LB1.)

2

CEQA Guidelines §15065(a)(3) states that a lead agency ***shall*** find that a project may have a significant effect on the environment when "the project has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals." In the context of the regulation of carryout bags, that is the appropriate and applicable threshold of significance. Accordingly, the County adopted a ***goal-oriented*** approach to determining the threshold of significance for this project based on the following two County objectives for the project:

- Sustainability (as it relates to the County's energy and environmental goals)
- Landfill disposal reduction.

(County Findings of Fact and Statement of Overriding Considerations at page I-3; Exh. LB1.)

Further, a measurement based on a annual per capita approach fails to take into account the cumulative and aggregate impacts of replacing billions of plastic bags with paper bags for the all of the years that the ordinance remains in effect. That is a massive amount of additional CO2e. STPB objects on this ground too.

The City of Long Beach must accept the County GHG threshold of significance as no other threshold could be valid for this project.

3

2. STPB OBJECTS TO THE ASSUMPTION IN THE ADDENDUM TO THE EIR THAT REUSABLE BAGS WILL BE USED 125 TIMES

> In addition to increasing the use of paper bags, by banning the use of plastic carryout bags the proposed Ordinance would be expected to result in increased use of reusable bags which may also increase emissions. However, as described in the County's Final EIR, because reusable bags must be designed to have a minimum lifespan of at least 125 uses, air quality impacts due to the life cycle of a reusable bag would be expected to be lower than those of a plastic or paper carryout bag when considered on a per-bag basis. Thus, consistent with the findings of the County's Final EIR, any conversion from the use of plastic carryout bags to reusable bags would reasonably be expected to result in an environmental benefit.

3

Just because a reusable bag can be used 125 times does not mean that it will be used 125 times. Therefore, STPB objects to this invalid assumption in the Addendum.

3. STPB OBJECTS TO ANY DEVIATION FROM THE DEFINITION OF REUSABLE BAGS IN THE COUNTY ORDINANCE

The Addendum states at page 2 as follows:

> With respect to reusable bags, the Ordinance would require that the reusable bag be designed for a minimum lifetime of 125 uses, be machine washable, and not contain lead, cadmium, or any other heavy metal in toxic amounts, among other criteria....
>
> Plastic bags that are a minimum of 2.25 mils thick and are used by many stores are considered to be reusable bags, per the definition in the ordinance.

4

The above language is ambiguous in that it is not clear whether the City is proposing to require that all reusable bags be machine washable. The County ordinance states that reusable bags must be "machine washable or... made from a material that can be cleaned or disinfected." (Exh. LB3.)

If the County is planning to require that reusable bags be machine washable, then polyethylene reusable bags would fall outside the definition. If that is what the City is proposing, STPB objects and demands that corresponding changes to the EIR be made.

The County determined in the EIR that reusable bags made from polyethylene must be used at least three times before delivering environmental benefits compared to plastic carryout bags. (County EIR at 4-49 to 50, 12-52 to 53.) This is far better than the 104 times that polypropylene or cotton reusable bags must be used to deliver environmental benefits. (Table at

EIR at 12-21 and repeated in text throughout EIR.) Excluding polyethylene reusable bags from the definition by requiring that reusable bags be machine washable would result in significant negative environmental impacts that must be disclosed in an EIR. 4

4. STPB HEREBY REASSERTS ALL OF ITS OBJECTIONS TO THE COUNTY EIR

STPB made the decision not to challenge the County's Final EIR. However, the City of Long Beach is proposing to change the EIR as it applies to Long Beach. Therefore, STPB hereby reasserts all of its objections to the County EIR and reserves the right to litigate all such objections against the City of Long Beach. All such objections to the County EIR are contained in Exhibit LB2 that is submitted herewith. Said objections are incorporated herein by reference as objections to the City's proposed ordinance, as if fully stated herein. 5

OBJECTION TO PROPOSED ORDINANCE BASED ON PREEMPTION

In 2006, the Legislature enacted AB 2449. (Pub. Res. Code §§42250-57.) The Legislature declared its intent in AB 2449 as follows:

> It is the intent of the Legislature, in enacting Chapter 5.1 (commencing with section 42250) Part 3 of Division 30 of the Public Resources Code, to encourage the use of reusable bags by consumers and retailers and to reduce the consumption of single-use bags.

The Governor's signing statement is part of the legislative history. The signing statement includes the following language:

> I am signing Assembly Bill 2449 that implements a statewide plastic bag recycling program. 6
>
> While this bill may not go as far as some local environmental groups and cities may have hoped, this program will make progress to reduce plastics in our environment. This measure requires every retail establishment that provides its customers plastic bags to have an in store plastic bag recycling program, a public awareness program promoting bag recycling, post recycling requirements, record keeping and penalties.
>
> Because this is a statewide program the bill precludes locals from implementing more stringent local requirements. The bill sunsets in six years and this will allow locals time to develop additional programs or the legislature to consider a more far reaching solution.

(Exh. LB8.)

AB 2449 sunsets and expires on January 1, 2013 (Pub. Res. Code §42257), one year after the Ordinance takes effect on January 1, 2012.

AB 2449 only applies to "stores." (Pub. Res. Code §42251.) A "store" is defined as a supermarket or large retail store "that provides plastic carryout bags to its customers." (Pub. Res. Code §42250(e).) If plastic bags are banned by local ordinances, then stores in those localities will not be subject to AB 2449 and the statewide statutory scheme of AB 2449 would be defeated.

The definition of "stores" in the City's proposed ordinance includes retail establishments that are defined as "stores" in AB 2449.

Under AB 2449, stores that provide plastic bags to customers must install plastic bag collection bins "for the purpose of collecting and recycling plastic carryout bags." Pub. Res. Code §42252(b). Any member of the public may use those bins to deposit any discarded plastic carryout bags. If stores in the City are prohibited from handing out plastic bags, then all such stores would be permitted to remove their plastic bag recycling bins. Such bins are used to collect and recycle all types of plastic bags, including bags that would not be prohibited under the proposed ordinance, including but not limited to retail bags, produce bags, newspaper bags, and dry cleaning bags. The statewide statutory scheme of AB 2449 would be defeated. There would be no way to recycle such bags as they are not accepted in curbside recycling programs in the City. 6

AB 2449 states that "[t]he operator of the store shall make reusable bags available to customers within the store, which may be purchased and used in lieu of using a plastic carryout bag or paper bag." (Pub. Res. Code §42252(e).) If plastic bags are banned by local ordinances, such stores will not be subject to the state law requirement to make reusable bags available to customers in lieu of paper bags. Therefore, the declared legislative intent of AB 2449 "to encourage the use of reusable bags by consumers and retailers and to reduce the consumption of single-use bags," including paper bags, would be defeated. Although an ordinance banning plastic bags may require such stores to make reusable bags available in lieu of paper bags, there is no guarantee that a city or county will include such a requirement in an ordinance.

Based on the foregoing, if cities and counties may enact plastic bag bans that take effect before AB 2449 sunsets on January 1, 2013, the comprehensive and integrated statewide plastics reduction, recycling, and reusable bag scheme of AB 2449 would be defeated.

It is the intent of the Legislature in enacting AB 2449 that it precludes and preempts local plastic bag ban ordinances that take effect prior to January 1, 2013. Therefore, the City's proposed ordinance will invalid if it takes effect prior to January 1, 2013.

NOTICE OF INTENT TO LITIGATE

STPB hereby notifies the City of Long Beach that STPB ***will*** file a petition for writ of mandate in the Los Angeles County Superior Court or other appropriate court to enforce CEQA in the public interest, based on the points and objections herein, if the proposed ordinance or a similar ordinance is adopted.

STPB further notifies the City of Long Beach that STPB ***will*** file a complaint in the Los Angeles County Superior Court or other appropriate court to invalidate the proposed ordinance if it adopted, based on preemption.

PROPOSED SOLUTION

STPB proposes that the City of Long Beach adopt the Los Angeles County Findings of Fact and Statement of Overriding Considerations, without amendment. The appropriate model is the City of Calabasas ordinance. (Exh. LB7).

ADMINISTRATIVE RECORD

STPB is submitting herewith, by e-mail, copies of documents cited herein or which otherwise support the objections herein. STPB requests that all such documents be made part of the administrative record.

REQUEST FOR NOTICES

I request that you send me by e-mail and regular mail any future public notices regarding the proposed ordinance and any public hearings, including but not limited to any and all CEQA documents.

CONTACT PERSON

I am the designated contact person for the Save The Plastic Bag Coalition.

RESERVATION OF RIGHTS

No rights or duties are waived by any statement or omission herein. All rights are reserved. Strict compliance with all the applicable provisions of CEQA is hereby demanded.

Dated: April 27, 2011

STEPHEN L. JOSEPH
Counsel, Save The Plastic Bag Coalition

Letter 3

COMMENTER: Stephen L. Joseph, Counsel, Save the Plastic Bag Coalition

DATE: April 27, 2011

Response 3.1

The commenter states an opinion that the greenhouse gas threshold utilized in the Addendum is inappropriate, inapplicable, and irrelevant since the Bay Area Air Quality Management District (BAAQMD) threshold is intended for land use projects. Further the commenter claims that the Addendum used the wrong "project- level threshold" of 6.6 metric tons of CO_2e per service population per year as displayed in the Bay Area Air Quality Management District's (BAAQMD) Guidelines at page 2-4.

In regard to the proposed Ordinance not being a land use project, the BAAQMD Guidelines are designed "to assist lead agencies in evaluating air quality impacts of projects and plans" (BAAQMD Guidelines, page 1-1, 2010). As stated in the BAAQMD Guidelines on page 1-1, the Guidelines provides BAAQMD-recommended procedures for evaluating potential air quality impacts during the environmental review process consistent with CEQA requirements. Although the proposed Ordinance is not a physical land use project as the commenter suggests, the proposed Ordinance is similar to a plan and thus a "plan-level" analysis was conducted in the Addendum which is allowed under the BAAQMD Guidelines and under CEQA. The Ordinance would have "operational" impacts from GHG emissions related to transportation (truck trips to deliver carryout bags), the manufacturing process, and landfill degradation (as discussed in the *Greenhouse Gas Emissions* section of the Addendum), all of which are GHG emission sources. In addition, although the proposed Ordinance is not a physical development project, the proposed Ordinance is a "project" under CEQA. As stated in the *CEQA Guidelines* Section 15064.4,

> *A lead agency shall have discretion to determine, in the context of a particular project, whether to:*
>
> *(1) Use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use. The lead agency has discretion to select the model or methodology it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should explain the limitations of the particular model or methodology selected for use; and/or*
>
> *(2) Rely on a qualitative analysis or performance based standards.*

> *A lead agency should consider the following factors, among others, when assessing the significance of impacts from greenhouse gas emissions on the environment:*
>
> *(1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;*
> *(2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project.*

The Addendum utilizes the City of Long Beach's preferred GHG methodology for projects under CEQA and has selected a reasonable GHG threshold of significance to apply to the proposed Ordinance. The methodology and significance criteria are consistent with analysis performed in CEQA documents throughout the State and have been utilized in numerous EIRs in the County and for projects located within the City of Long Beach. Therefore the threshold utilized in the Addendum is appropriate for use in this analysis.

In regard to using the wrong "project-level" threshold, as stated on page 9 of the Addendum, for this analysis the City's proposed Ordinance is evaluated based on a plan-based threshold of 6.6 metric tons CO_2e per service population (defined to include both residents and employees) per year. The "plan-based" threshold of 6.6 metric tons CO_2e per service population was recently adopted by the BAAQMD as a quantitative GHG emissions thresholds for plan-level projects (BAAQMD, "California Environmental Quality Act: Air Quality Guidelines" page 2-8, June 2010). Since the proposed Ordinance is not a physical development project but rather a citywide ordinance, the BAAQMD's "project-level" threshold of 4.6 metric tons CO_2e per service population per year (which the commenter refers to on page 2-4 of the BAAQMD's Guidelines) is not applicable. Rather, the "plan-level" threshold is more appropriate for this analysis. Nevertheless, regardless of which of the two thresholds were selected, the increase in GHG emissions associated with implementation of the City's proposed Ordinance would be less than 0.02 metric tons per service population per year which would not come close to exceeding either threshold (see Tables 4-6 in the Addendum).

Response 3.2

The commenter states an opinion that the Addendum should use the County's goal-oriented approach to determining the threshold of significance related to GHG emissions. The comment further states that a measurement based on an annual per capita approach fails to take into account the cumulative and aggregate impacts of replacing billions of plastic bags with paper bags for the all of the years that the Ordinance remains in effect.

As stated on page 3.3-15 of the County's Final EIR, there are two relevant significance criteria:

- *Inconsistency with laws and regulations in managing GHG emissions*
- *Inconsistency with the goal to reduce GHG emissions to 1990 levels (approximately 427 million metric tons or 9.6 metric tons of CO2e per capita) by 2020 as required by AB 32*

As stated in Response 3.1, the Addendum determined that the increase in GHG emissions associated with the City's proposed Ordinance would be less than 0.02 metric tons per service population per year. This would not come close to exceeding the County's threshold of 9.6 metric tons of CO_2e per capita (see Tables 4-6 in the Addendum). The County's Final EIR also determined that emissions would not exceed the numerical threshold of 9.6 metric tons of CO_2e per capita. Nevertheless, the County determined on page 12-52 that:

> *"the indirect impacts to GHG emissions from the end of life of paper carryout bags may have the potential to be cumulatively considerable, depending on the actual percentage increase in conversion to paper carryout bags, the number of stores affected, the actual bag usage per day, the size of the fee or charge, and other relevant factors that are specific to each of the 88 incorporated cities within the County. In the development of this EIR, the County has recognized and acknowledged that each city has the authority to render an independent decision regarding implementation of its own ordinance. For the purposes of this EIR, the County has extended the worst-case scenario for the County ordinance and alternatives to a scenario where all 88 cities adopt comparable ordinances. However, an individual determination, including for cumulative impacts, for each city would be contingent on the exact parameters of the city's proposed ordinance, consideration of the above-identified factors, the city's adopted thresholds of significance, and its projected AB 32 GHG emissions target.*

Although the County's GHG analysis determined that emissions would not exceed the numerical threshold of 9.6 .6 metric tons of CO_2e per capita, the County's Final EIR "conservatively" assumed that all 88 cities in the County would adopt similar ordinances to conclude that there may be significant impacts. The City of Long Beach is one of the 88 cities included in the County's EIR and as such the City is under no obligation to adopt the exact findings made by the County. The City of Long Beach, in the Addendum, has made its own cumulative significance determination of GHG emissions related to the City's proposed Ordinance using the most reasonably available methodology and significance criteria.

Further, in regard to cumulative and aggregate impacts, the analysis of GHGs is by its nature a cumulative analysis since the vast majority of individual projects do not generate sufficient GHG emissions to create a project-specific impact through a direct influence to global climate change. Therefore, the issue of climate change as discussed

in the Addendum involves an analysis of whether the proposed Ordinance's contribution towards an impact would be cumulatively considerable. As stated in the Addendum, impacts related to GHG emissions were determined to be less than significant.

Response 3.3

The commenter objects to the assumption in the Addendum that reusable bags will be used 125 times. The proposed Ordinance would require that a reusable bag be designed for a minimum lifetime of 125 uses. However, different customers of Long Beach retail stores may use reusable bags with different frequency (some more than 125 times, some less than 125). Similar to the County's Final EIR, the Addendum conservatively assumes that reusable carryout bags would be used at least 125 times. The Addendum preparers believe that this is a reasonable assumption and the commenter does not provide any evidence suggesting otherwise. Therefore, this comment is speculative.

Response 3.4

The commenter states concern that the proposed Ordinance neglects to include language that requires reusable bags to be "machine washable...or made from a material that can be cleaned or disinfected."

The proposed Ordinance definition of a reusable bag does contain the language the commenter describes above. The Addendum does list every definition of the Ordinance since the Draft Ordinance is provided as an attachment. However, as shown on page 3 or the Draft Ordinance, a reusable bag is defined as follows and contains the language described by the commenter (see (3)):

> *"Reusable bag" means a bag with handles that is specifically designed and manufactured for multiple reuse and meets all of the following requirements: (1) has a minimum lifetime of one hundred twenty-five (125) uses, which for purposes of this Section, means the capability of carrying a minimum of twenty-two (22) pounds one hundred twenty-five (125) times over a distance of at least one hundred seventy-five (175) feet; (2) has a minimum volume of fifteen (15) liters; (3) is machine washable or is made from a material that can be cleaned or disinfected; (4) does not contain lead, cadmium, or any other heavy metal in toxic amounts, as defined by applicable state and federal standards and regulations for packaging or reusable bags; (5) has printed on the bag, or on a tag that is permanently affixed to the bag, the name of the manufacturer, the location where the bag was manufactured, a statement that the bag does not contain lead, cadmium, or any other heavy metal in toxic amounts, and the percentage of postconsumer recycled material used, if any; and (6) if made of plastic, is a minimum of at least 2.25 mils thick.*

Response 3.5

The commenter states that he reasserts all of his previous objections to the County's EIR. This comment is noted. The County of Los Angeles responded to the commenter's previous objections in its Final EIR (see page 13-37 of the County's Final EIR).

Response 3.6

The commenter states concern that if the proposed Ordinance is implemented, AB 2449 would be preempted in Long Beach and therefore the proposed Ordinance would result in the loss of plastic bag recycling bins at stores, which also are used for the collection of other recyclable products such as newspaper bags, dry cleaning bags, and other plastic bags. He further states a concern that if these bins are removed, recyclable material will be sent to landfills. In addition, he states a concern that if the proposed Ordinance is enacted, there is no guarantee that stores/retailers would make reusable bags available for customers.

This comment is speculative. As discussed on page 1 of the Addendum, the proposed Ordinance would ban plastic bags and would therefore eliminate the need for customers to return plastic bags to the stores for recycling. In regard to the concern about other recyclable materials being sent to the landfill, the AB 2449 plastic bag recycle bins are intended for plastic carryout bag recycling, but are not the only recycling infrastructure in the City. The City provides curbside recycling in private recycling bins for both residents and businesses. In addition, the City provides dropoff centers where the public can recycle products such as newspaper bags, dry cleaning bags, and other plastic bags. The proposed ordinance would not eliminate recycling of other materials. The commenter has provided no evidence to support the contention that bins for recyclable materials other than plastic bags would be removed or that higher amounts of such materials would be sent to landfills as a result of the proposed ordinance.

In regard to not providing reusable bags, as stated on page 2 of the Addendum, the Ordinance would require a store to provide or make available to a customer only recyclable paper carryout bags or reusable bags. The Ordinance would also encourage a store to educate its staff to promote reusable bags and to post signs encouraging customers to use reusable bags. The comment is speculative as it provides no evidence to suggest that stores/retailers would not provide reusable bags for sale.

American Chemistry Council℠

Ms. Jill Griffiths, Planning Officer
City of Long Beach
Long Beach Development Services
333 West Ocean Boulevard, 5th Floor
Long Beach, CA 90802

April 29, 2011

Via email: Jill.Griffiths@longbeach.gov

Re: Scoping Comments of the American Chemistry Council's Progressive Bag Affiliates on Long Beach's Proposed Single-Use Carryout Bag Ordinance

Dear Ms. Griffiths:

I write on behalf of the American Chemistry Council ("ACC")'s Progressive Bag Affiliates with respect to the public review period offered by the City of Long Beach, Department of Development Services ("City") for the addendum to the Los Angeles County Final Environmental Impact Report on the proposed single-use carryout bag ordinance. As proposed, the ordinance would prohibit the distribution of plastic carryout bags at the point of sale (i.e., check-out) for most commercial food service businesses in Long Beach except restaurants. Although the ordinance would purportedly restrict certain paper bags as well, paper bags with more than 40% recycled content would be exempted from restrictions.

ACC believes that a comprehensive approach based on reduce, reuse and recycle is the best method to reduce bag waste. In fact, ACC has supported a number of programs using this approach and promoting bag recycling including Keep California Beautiful's new "Got Your Bags" program. This initiative encourages consumers to bring their bags back to the grocery store whether they are reusable bags or recyclable plastic bags. Recycling and reusing plastic bags is one of the simplest things consumers can do to contribute to a better environment. In fact, surveys show that 92 percent of consumers reuse their plastic shopping bags. Should a ban on plastic bags be adopted by the city, the environmental burden of manufacturing other bags to replace those bags must also be considered. 1

Environmental reviews conducted in other jurisdictions of similar restrictions on plastic bags have consistently demonstrated that there are adverse environmental impacts from such restrictions stemming largely from a consumer shift from plastic bags to paper. In addition, environmental impacts may occur from a shift from plastic bags to reusable bags. The scope of the review should address all the environmental consequences of behavioral shifts fully. 2

We appreciate the opportunity to provide comments to the scoping process. For additional information, please feel free to contact me at 703-741-5102 or via email at shari_jackson@americanhmistry.com.

Sincerely,

Shari Jackson

Shari Jackson
Director, Progressive Bag Affiliates

Letter 4

COMMENTER: Shari M. Jackson, Director, Progressive Bag Affiliates, American Chemistry Council

DATE: April 29, 2011

Response 4.1

The commenter states that a comprehensive approach based on reduce, reuse and recycle is the best method to reduce bag waste and that recycling and reusing plastic bags is the simplest thing consumers can do to contribute to a better environment. The commenter further states that if the proposed Ordinance were adopted by the City, the environmental burdens associated with the manufacturing of other carryout bags to replace plastic bags should be considered.

This comment regarding recycling and reusing plastic bags is noted and will be forwarded to City staff and decision-makers for their consideration. In regard to the environmental burdens associated with the manufacturing of other carryout bags to replace plastic bags, the environmental impacts associated with the manufacturing process of both paper and reusable bags is discussed in the County's Final EIR and in the City's Addendum. Please see the *Air Quality, Greenhouse Gas Emissions, Hydrology & Water Quality,* and *Utilities & Service Systems* sections of the Addendum for discussions of the proposed Ordinance's impacts related to the manufacturing process of paper and reusable bags.

Response 4.2

The commenter states that other environmental reviews have determined that there may be environmental impacts related to shifting from plastic bags to paper and/or reusable bags and that the environmental review for the proposed Ordinance should address all environmental consequences of behavioral shifts.

The Addendum addresses each of the environmental issues studied in the Final EIR, comparing the effects of the proposed Long Beach Plastic Carryout Bag Ordinance with the effects of the County of Los Angeles Plastic Carryout Bag Ordinance that was the subject of the adopted Final EIR. In addition to stating the County's finding for each impact, the analysis includes a discussion of the City's impact related to adopting its own plastic carryout bag ban ordinance and the impacts associated with implementation of such an ordinance citywide. Further, as stated on page 4, the City's proposed Ordinance would not change any of the impacts identified as less than significant in the County's Final EIR Initial Study (Volume II: Section D of the Final EIR). Each of those impacts would remain less than significant for the City's proposed

Ordinance. The commenter does not specify what additional "environmental consequences" should be addressed.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH APPROVING AND CERTIFYING AN ADDENDUM TO THE LOS ANGELES COUNTY FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) "ORDINANCES TO BAN PLASTIC CARRYOUT BAGS IN LOS ANGELES COUNTY" AND MAKING CERTAIN CEQA FINDINGS AND DETERMINATIONS RELATIVE THERETO

The City Council of the City of Long Beach does hereby find, determine and resolve:

Section 1. The City of Long Beach ("City") has proposed a project ("Project") that would regulate the use of plastic carryout bags and promote the use of reusable bags.

Section 2. On November 16, 2010, the "Ordinances to Ban Plastic Carryout Bags in Los Angeles County" Final Environmental Impact Report ("FEIR") was adopted by the County of Los Angeles Board of Supervisors. As one of the 88 incorporated cities within Los Angeles County, the City has proposed an ordinance to ban plastic carryout bags consistent with the ordinance analyzed in the County's FEIR and adopted by the Board of Supervisors.

Section 3. Pursuant to Section 15164 of the California Environmental Quality Act (CEQA) Guidelines, an addendum to a previously adopted Final EIR is the appropriate environmental document in instances when only minor technical changes or additions are necessary and when the new information does not involve new significant environmental effects beyond those identified in an adopted FEIR.

Section 4. An Addendum prepared by the City of Long Beach in accordance with CEQA was completed April 2011, and includes a description of the

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

currently proposed Ordinance in Long Beach and a comparison of the impacts of the proposed Ordinance to those identified for the County's approved Ordinance.

Section 5. Attached hereto and incorporated herein by this reference as Exhibit "A" are "CEQA Findings" which have been prepared in connection with the approval of the Addendum. Said CEQA Findings made in this Resolution are based on the information and evidence set forth in the Los Angeles County EIR, the EIR Addendum, and the oral and written documentation submitted to the City Council in connection with the hearing giving rise to the adoption of this resolution.

Section 6. Decision.

A. The City Council hereby approves and adopts the Addendum to the Final Environmental Impact Report for the Project, which Addendum is incorporated herein by this reference.

B. The City Council hereby adopts the CEQA Findings as set forth in Exhibit "A" to this Resolution.

Section 7. This Resolution shall take effect immediately on its adoption by the City Council, and the City Clerk shall certify the vote adopting this Resolution.

///

///

///

///

///

///

///

///

///

///

///

///

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 20___ by the following vote:

Ayes: Councilmembers: _____

_____

_____

_____

Noes: Councilmembers: _____

_____

Absent: Councilmembers: _____

_____

_____

City Clerk

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

EXHIBIT "A"

SECTION 1: INTRODUCTION

Statutory Requirements for Findings

According to Section 21166 of CEQA and Section 15162 of State CEQA Guidelines, a subsequent EIR is not required for the proposed changes unless the City determines on the basis of substantial evidence that one or more of the following conditions are met:

1. Substantial changes are proposed in the project that require major revisions of the previous EIR due to involvement of new significant environmental effects or a substantial increase in severity of previously identified significant effects;

2. Substantial changes have occurred with respect to circumstances under which the project is undertaken that will require major revisions of the previous EIR due to involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

3. New information of substantial importance, which was not known and could not have been known with exercise of reasonable diligence at the time the previous EIR was certified, shows any of the following:

    - The project will have one or more significant effects not discussed in the previous EIR;
    - Significant effects previously examined will be substantially more severe than identified in the previous EIR;
    - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponent declines to adopt the mitigation measures or alternatives; or
    - Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measures or alternatives.

Under State CEQA Guidelines, Section 15163, if any of the conditions noted above are present but only minor additions or changes would be necessary to make the previous EIR adequate to apply to the project in the changed situation, a supplemental EIR may be prepared.

Section 15164 of State CEQA Guidelines states that an Addendum to an EIR shall be prepared "if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." Thus, if none of the above conditions are met, the City may not require preparation of a subsequent or supplemental EIR. Rather, the City can decide that no further environmental documentation is necessary or can require an Addendum be prepared. Therefore, the City finds that an Addendum to the previously certified Final EIR is appropriate. The rationale and the facts for this finding are provided in the body of this Addendum.

This addendum reviews changes to the Ordinances to Ban Plastic Carryout Bags in Los Angeles County Final Environmental Impact Report (EIR) that was adopted and certified by the County of Los Angeles Board of Supervisors on November 16, 2010 (SCH #2009111104). As one of the 88 incorporated cities within Los Angeles County, the City of Long Beach proposes an ordinance to ban plastic carryout bags consistent with the ordinance analyzed in the County's Final EIR and adopted by the Board of Supervisors. The addendum examines the possible environmental effects associated with adoption of such an ordinance within Long Beach. It further examines whether, as a result of any changes or any new information, a subsequent or supplemental EIR may be required. This examination includes an analysis of provisions of Section 21166 of CEQA and Section 15162 of the State CEQA Guidelines and their applicability to the project.

Record of Proceedings

For purposes of CEQA and the findings set forth herein, the record of proceedings for the City of Long Beach City Council's decision on the proposed City Ordinance consists of the following matters and documents for the County's certified Final EIR (2010):

- Notice of Preparation, Notice of Availability, and Notice of Completion, which were issued by the County in conjunction with the proposed Ordinances (see the Final EIR for the Notice of Preparation, Notice of Availability, and Notice of Completion)
- The County's Final EIR ((SCH #2009111104), dated November 2010, which includes all written comments submitted by agencies or members of the public during the public comment period on the Draft EIR and responses to those comments and all of the documents referenced therein
- The Mitigation Monitoring and Reporting Program
- All findings, statements of overriding consideration, and resolutions adopted by the County in connection with the County's adopted Ordinances, and all documents cited or referred to therein

On November 16, 2010 the County of Los Angeles Board of Supervisors approved the Ordinances to Ban Plastic Carryout Bags in Los Angeles County, including the following actions:

- Approve and adopt an Ordinance
- Certification of the Final EIR
- Adoption of a Mitigation Monitoring and Reporting Program
- Adoption of Findings
- Adoption of a Statement of Overriding Considerations

SECTION 2: LONG BEACH PLASTIC CARRYOUT BAG ORDINANCE (PROPOSED PROJECT)

Project Description and Objectives

The proposed Plastic Carryout Bag Ordinance ("Ordinance") would ban the issuance of plastic carryout bags and impose a ten (10) cent charge on the issuance of recyclable paper carryout bags at all supermarkets and other grocery stores, pharmacies, drug stores, convenience stores, foodmarts, and Long Beach farmers markets. The Ordinance would require a store to provide or make available to a customer only recyclable paper carryout bags or reusable bags. The Ordinance would also encourage a store to educate its staff to promote reusable bags and to post signs encouraging customers to use reusable bags. The stores that would be affected are located within the City limits and include the following:

1. A full-line, self-service retail store with gross annual sales of two million dollars ($2,000,000), or more, that sells a line of dry grocery, canned goods, or non-food items and some perishable items; or
2. 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) and that has a pharmacy licensed pursuant to Chapter 9 (commencing with Section 4000) of Division 2 of the Business and Professions Code; or
3. A drug store, pharmacy, supermarket, grocery store, convenience store, food mart, of other entity engaged in the retail sale of a limited line of goods that includes milk, bread, soda, and snack foods, including those stores with a Type 20 or 21 license issued by the Department of Alcoholic Beverage Control.

The Ordinance includes compostable and biodegradable plastic carryout bags in the definition of plastic carryout bags, and, as a result, these types of plastic bags would be banned as well. The Ordinance would impose a ten (10) cent charge on the recyclable paper carryout bag and requires that the paper bags be one hundred percent (100%) recyclable overall, contain a minimum of forty percent (40%) post-consumer recycled material, and be accepted for recycling in curbside programs in the City/County, among other criteria. With respect to reusable bags, the Ordinance would require that the reusable bag be designed for a minimum lifetime of 125 uses, be machine washable, and not contain lead, cadmium, or any other heavy metal in toxic amounts, among other criteria.

The Ordinance would exempt from the ten (10) cent charge those customers who are participating either in the California Special Supplemental Food Program for the Women, Infants, and Children or the Supplemental Food Program. Stores must provide at the point of sale, free of charge, either reusable bags or recyclable paper carryout bags or both, to these customers, at the store's option. Plastic bags that are a minimum of 2.25 mils thick and are used by many stores are considered to be reusable bags, per the definition in the ordinance. Customers may also opt to use their own reusable bags or not use any bag.

The differences between the City's proposed Ordinance and the ordinance adopted by the County include the following:

- Under the City's Ordinance the plastic bag ban would also apply to farmers markets, whereas the County's Ordinance does not specify farmer's markets.

- Under the County's Ordinance stores affected by the ordinance must provide quarterly reports to the Director of Public Works that summarize the money collected for recyclable paper carryout bags and the efforts undertaken to promote the use of reusable bags. Under the City's Ordinance, affected stores are required to keep complete and accurate records of the money collected for recyclable paper carryout bags for a minimum of three years. The record shall be available for inspection at no cost to the City during regular business hours by any City employee authorized to enforce the Ordinance.
- The City's Ordinance would take effect for stores with gross annual sales of $2 million or more and stores of at least 10,000 square feet on August 1, 2011. This date is one month later than the July 1, 2011 operative date in the County's Ordinance. For stores of less than 10,000 square feet, the City's Ordinance would take effect on February 1, 2012, which is one month later than the County's Ordinance for stores of that size.

The differences between the City and County Ordinances as listed above are minor changes that would not result in any changes to the environmental impacts that were analyzed in the County's Final EIR (adopted November 2010). As such, the City's proposed Ordinance is consistent with the County's Ordinance but would be specific to the City of Long Beach.

The City's objectives for the proposed Ordinance would be similar to the County's objectives for the countywide ordinance. The objectives as described in the County's Final EIR include:

- *Conduct outreach to all 88 incorporated cities of the County to encourage adoption of comparable ordinances*
- *Reduce the Countywide consumption of plastic carryout bags from the estimated 1,600 plastic carryout bags per household in 2007, to fewer than 800 plastic bags per household in 2013*
- *Reduce the Countywide contribution of plastic carryout bags to litter that blights public spaces Countywide by 50 percent by 2013*
- *Reduce the County's, Cities', and Flood Control District's costs for prevention, clean-up, and enforcement efforts to reduce litter in the County by $4 million*
- *Substantially increase awareness of the negative impacts of plastic carryout bags and the benefits of reusable bags, and reach at least 50,000 residents (5 percent of the population) with an environmental awareness message*
- *Reduce Countywide disposal of plastic carryout bags in landfills by 50 percent from 2007 annual amounts*

Similarly the objectives of the City's Ordinance would include:

- *Reduce the Citywide consumption of plastic carryout bags from the estimated 1,600 plastic carryout bags per household in 2007 to fewer than 800 plastic bags per household in 2013*
- *Reduce the Citywide contribution of plastic carryout bags to litter that blights public spaces Citywide by 50 percent by 2013*

- *Assist the County in the reduction of the County's, City's, and Flood Control District's costs for prevention, clean-up, and enforcement efforts to reduce litter in the City and the County by $4 million*
- *Substantially increase awareness of the negative impacts of plastic carryout bags and the benefits of reusable bags, and reach at least 24,736 residents (5 percent of Long Beach's population) with an environmental awareness message*
- *Reduce citywide disposal of plastic carryout bags in landfills by 50 percent from 2007 annual amounts*

Evaluation of Environmental Impacts

This Addendum addresses each of the environmental issues studied in the County's Final EIR, comparing the effects of the proposed Long Beach Plastic Carryout Bag Ordinance with the effects of the County of Los Angeles Plastic Carryout Bag Ordinance that was the subject of the adopted Final EIR. In addition to stating the County's finding for each impact statement, the analysis includes a discussion of the City's impact related to adopting its own plastic carryout bag ban ordinance and the impacts associated with implementation of such an ordinance citywide. Potential environmental effects of the proposed Long Beach Plastic Carryout Bag Ordinance are addressed for each of the following areas:

- Air Quality
- Biological Resources
- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Utilities and Service Systems

Please note that the City's proposed Ordinance would not change any of the impacts identified as less than significant in the County's Final EIR Initial Study (Volume II: Section D of the Final EIR). Each of those impacts would remain less than significant for the City's proposed Ordinance. As such, further discussion of these issues in this addendum is not warranted. The analyses provide the City with a basis for its determination that no subsequent or supplemental EIR will be required for the proposed Ordinance.

SECTION 3: FINDINGS OF THIS ADDENDUM

The City is the Lead Agency for the proposed Ordinance. The City has determined that analyses of project environmental effects are best provided through use of an Addendum because none of the conditions set forth in Public Resource Code Section 21166 or Section 15162 of the State CEQA Guidelines requiring preparation of a subsequent or supplemental EIR has been met. According to Section 15164 of the CEQA Guidelines, an addendum to a previously adopted Final EIR is the appropriate environmental document in instances when "only minor technical changes or additions are necessary" and when the new information does not involve new significant environmental effects beyond those identified in an adopted Final EIR. The change being contemplated involves adopting a Plastic Carryout Bag Ban Ordinance in the City of Long Beach that is similar to the County's adopted Ordinance. The City is one of the 88 incorporated cities that were included in the EIR analysis for the County's Ordinance. The City would adopt

the County's Plastic Carryout Bag Ordinance with a few minor changes that are specific to Long Beach. As discussed in the Addendum, the City's proposed Ordinance would have no new significant environmental effects beyond those identified in the County's Certified EIR. Since the proposed Ordinance does not require substantial changes to the County's Ordinance, major revisions of the EIR analysis are not warranted. Thus, the City makes the following findings:

1. There are no substantial changes to the County's Ordinance that would require major revisions of the County's certified Final EIR due to new significant environmental effects or a substantial increase in severity of impacts identified in the County's Final EIR;

2. No substantial changes have occurred in the circumstance under which the City's proposed Ordinance is being undertaken that will require major revisions to the County's Final EIR to disclose new significant environmental effects or that would result in a substantial increase in severity of impacts identified in the County's Final EIR; and

3. There is no new information of substantial importance, which was not known at the time the County's Final EIR was certified, indicating that:

    - The City's proposed Ordinance will have one or more significant effects not discussed in the County's Final EIR;
    - The City's proposed Ordinance will result in impacts that were determined to be significant in the County's Final EIR that would be substantially more severe;
    - There are additional mitigation measures or alternatives to the project that would substantially reduce one or more significant effects identified in the County's Final EIR; or
    - There are additional mitigation measures or alternatives that were rejected by the project proponent considerably different from those analyzed in the County's Final EIR that would substantially reduce any significant impact identified in that EIR.

As such, a subsequent EIR pursuant to Section 15162 of the CEQA Guidelines would not be warranted and an addendum is the appropriate environmental document under CEQA. The complete evaluation of potential environmental effects of the City's proposed Ordinance, including rationale and facts supporting City findings, is contained in the "Environmental Impacts" section of the Addendum.