


TO: HONORABLE CITY COUNCIL 

FROM: CITY MANAGER **DEPARTMENT: PUBLIC WORKS**

DATE: APRIL 28, 2008 **CMR:202:08**

SUBJECT: STAFF RECOMMENDATION FOR COUNCIL DIRECTION ON A THREE MONTH STUDY REGARDING A SINGLE-USE PLASTIC BAG REDUCTION PROGRAM INCORPORATING THE INCREASED USE OF REUSABLE BAGS

RECOMMENDATIONS

Staff recommends that Council direct staff to:

1. Work with supermarket and pharmacy representatives during April, May and June 2008 to develop a single-use plastic bag reduction program incorporating the increased use of reusable bags; and
2. Return to Council as soon as practical after June 30, 2008 with recommendations for a comprehensive program and ordinance incorporating those recommendations.

BACKGROUND

The Palo Alto Zero Waste Operational Plan identified the need to control waste associated with single-use carryout bags. In addition, the San Francisco Bay Regional Water Quality Control Board is considering imposing new requirements for cities to control litter which ends up in creeks and San Francisco Bay. On March 17, 2008, staff summarized the problems associated with single-use bags for Council (CMR:158:08).

Single-use plastic carryout bags made from polyethylene consume resources, create waste and litter, and negatively impact natural ecosystems. The fact that polyethylene plastic bags break down slowly in the natural environment makes them the least desirable option among all types of bags for protection of ecosystems. Reusable bags are the preferable alternative and are readily available and currently in use.

Bring Your Own Bag Campaign

The City of Palo Alto Public Works Recycling Program has conducted education campaigns about reusable bags, including their distribution, since the 1990's. The City is coordinating a local Bring Your Own Bag (a.k.a. BYOBag!) campaign with retail stores from April-December 2008 and is collaborating in a Bay Area-wide campaign in April 2008. The BYOBag! Campaign is an outreach and education effort with the goal of increasing shoppers' use of reusable bags whenever and

wherever they shop in Palo Alto. In February 2008, shopping bag preferences of grocery and retail pharmacy shoppers were observed, indicating that shoppers used reusable shopping bags less than 10% of the time. The BYOBAG! Campaign's goal is to increase reusable shopping bag use to 30%, with a concerted effort extending April through December 2008. Community events will include a BYOBAG! Campaign presence (e.g., May Fete Parade, Chili Cook-off). The Campaign is designed so the community works together toward this goal, engaging multiple sectors of the community including residents, businesses, nonprofit organizations, schools, and faith-based groups. For the duration of the Campaign, the BYOBAG! message will be woven into the lives and activities of the Palo Alto community. For example:

- Palo Alto retailers can become BYOBAG! Campaign Partners, at no charge, by committing to actions at their store (e.g., placement of campaign signs/posters, offering incentives, selling reusable bags) to reinforce the BYOBAG! message with shoppers. Retailers are rewarded with a mention in Campaign advertising.
- Shoppers are rewarded with incentives (e.g., cash back, discounted purchases, entry into drawings) when shopping at BYOBAG! Campaign Partner stores.
- Non-retail businesses are becoming Community Partners (e.g., by distributing reusable bags to employees who pledge to use them).
- Nonprofits are volunteering to help with outreach to shoppers and businesses and incorporating the BYOBAG! message into their activities (e.g., children's art activity at the upcoming Palo Alto Festival of the Arts).

Ordinance Development

Palo Alto's first initiative to reduce the use of plastic bags was taken in 1988 when Chapter 5.35 of the Palo Alto Municipal Code (PAMC) was enacted. This Chapter was designed to ensure that stores offered paper bags to customers as an option so that customers were not, in effect, forced to take plastic bags. Staff has developed a draft Ordinance (Attachment A) to replace the existing Chapter 5.35 with new provisions requiring large supermarkets and pharmacies (as defined by the Ordinance) to phase out single-use plastic checkout bags within 6 months. The draft Ordinance would also strongly encourage the promotion of reusable bags. The draft Ordinance would still allow plastic bags at produce and meat departments at the affected supermarkets but would strongly encourage the stores to offer recycling of those bags. The draft Ordinance would only apply to approximately 12 large supermarkets and pharmacies in Palo Alto. However, staff is researching similar restrictions for other stores.

DISCUSSION

Staff has explained the draft Ordinance (Attachment A) to the affected supermarkets and large pharmacies by visiting each store. In addition, the draft Ordinance was discussed at an April 3, 2008 meeting with representatives from almost all affected stores. The meeting participants requested more time to work on a comprehensive approach to transitioning to reusable bags. Most store representatives felt that adopting the Ordinance restricting plastic bags now would result in an undesirable immediate shift to paper bags. Participants expressed the strong desire to establish a stakeholder's group to develop companion programs to the Ordinance to help minimize the shift to paper and maximize the shift to reusable bags. Individuals volunteered for the stakeholder's group and a first meeting time was established.

Staff is therefore recommending that the adoption of the draft Ordinance be deferred to allow the stakeholder's group established on April 3, 2008, to work on a comprehensive approach during April, May, and June, a three-month period. Following that, staff would prepare new recommendations and return to Council as soon as practical.

RESOURCE IMPACT

The recommended series of meetings will not have significant resource impacts.

POLICY IMPLICATIONS

The recommendations are consistent with the City's Zero Waste Operational Plan, Climate Protection Plan, Clean Bay Plan, and the Comprehensive Plan. They help implement policies articulated in those plans.

ENVIRONMENTAL REVIEW

Although the draft Ordinance is not being recommended for adoption at this time, it should be noted that the City of Palo Alto conducted an environmental review under the provisions of the California Environmental Quality Act (CEQA), consisting of an Initial Study followed by a Negative Declaration (Attachment B). The Negative Declaration identified that the adoption of the draft Ordinance would not result in any significant negative environmental impacts. This will be more fully discussed when the draft Ordinance is recommended for adoption.

ATTACHMENTS

- Attachment A: Proposed Ordinance
- Attachment B: Environmental Checklist Form (Negative Declaration)

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