

# County of Santa Clara

Recycling and Waste Reduction Commission  
Integrated Waste Management Division

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**DATE:** January 5, 2010  
**TO:** Santa Clara Cities Association Board of Directors  
**FROM:** Jamie McLeod, Chair, Recycling and Waste Reduction Commission  
**SUBJECT:** Single-Use Carryout Bags

Over the past two years, both the Recycling and Waste Reduction Commission (RWRC) of Santa Clara County and the Cities Association have wanted to address the issue of single-use carryout bags. With the support of the Cities Association, the RWRC had worked to come up with a regional policy that can be adopted by all jurisdictions within Santa Clara County.

As you likely know, the City of Palo Alto enacted an ordinance banning grocery stores from distributing single-use carry out bags effective September 18, 2009. The San Jose City Council directed staff to develop an ordinance that would ban plastic and paper bags at all retailers with an exemption for "green" paper bags that have a minimum of 40% post consumer waste.

In an effort to have a consistent regional approach for managing single-use carryout bags, the Recycling and Waste Reduction Commission respectfully request that the Officers of the Cities Association forward to member jurisdictions the following recommendations for review and consider action:

- Establish a ban on plastic bags and a ban or fee on paper bags at all retailers;
- Exempt non-profit reuse stores (e.g. Goodwill Industries and The Salvation Army) from the ban and/or fee for one year if they have a reusable bag credit program; and
- Adopt such an ordinance with an effective date no sooner than December 31, 2010.

The City of San Jose is in the process of completing a full Environmental Impact Report (EIR) on this issue. Additionally, Green Cities California is preparing a Master Environmental Assessment for use by California jurisdictions. Both of these tools should be completed by March 2010 and will be made available to other jurisdictions to assist them in preparing their own CEQA documents, saving other jurisdictions time and money while providing consistent information.

The RWRC recognizes that each jurisdiction has unique philosophy, demography and priorities. Recommending either a ban or fee provides flexibility to jurisdictions while still providing guidance to jurisdictions for a regional approach. Having an enactment date no earlier than December 31, 2010 allows all jurisdictions time to employ outreach and education efforts and go through CEQA review prior to developing an ordinance. While jurisdictions may want to customize their plan to address their unique qualities, it is important to note that countywide consistency offers the greatest potential to reduce the environmental impacts of single-use carryout bags.

Thank you for requesting that the RWRC develop these recommendations for your consideration.

**Commissioners:** Jamie McLeod, Chair; Ronit Bryant, Kansen Chu, Patrick Kwok, Evan Low, Cat Tucker, Kris Wang, Curtis Wright, Ken Yeager