

County of Santa Clara
Office of the County Clerk-Recorder
Business Division



County Government Center
 70 West Hedding Street, E. Wing, 1st Floor
 San Jose, California 95110 (408) 299-5665

CEQA DOCUMENT DECLARATION

ENVIRONMENTAL FILING FEE RECEIPT

PLEASE COMPLETE THE FOLLOWING:

1. LEAD AGENCY: CITY OF PALO ALTO
2. PROJECT TITLE: ORDINANCE AMENDMENT TO PLACE A LIMITED PROHIBITION ON PLASTIC BAGS
3. APPLICANT NAME: CITY OF PALO ALTO - CLARE CAMPBELL PHONE: 650-617-3191
4. APPLICANT ADDRESS: 250 HAMILTON AVE, PALO ALTO, CA 94301
5. PROJECT APPLICANT IS A: Local Public Agency School District Other Special District State Agency Private Entity
6. NOTICE TO BE POSTED FOR 20 DAYS.

7. CLASSIFICATION OF ENVIRONMENTAL DOCUMENT

a. PROJECT THAT IS SUBJECT TO DFG FEES

- | | | |
|---|-----------|-------------|
| <input type="checkbox"/> 1. ENVIRONMENTAL IMPACT REPORT (PUBLIC RESOURCES CODE §21152) | \$2768.25 | \$ <u>0</u> |
| <input type="checkbox"/> 2. NEGATIVE DECLARATION (PUBLIC RESOURCES CODE §21080(C)) | \$1993.00 | \$ _____ |
| <input type="checkbox"/> 3. APPLICATION FEE WATER DIVERSION (STATE WATER RESOURCES CONTROL BOARD ONLY) | \$ 886.25 | \$ _____ |
| <input type="checkbox"/> 4. PROJECTS SUBJECT TO CERTIFIED REGULATORY PROGRAMS | \$ 941.25 | \$ _____ |
| <input type="checkbox"/> 5. COUNTY ADMINISTRATIVE FEE (REQUIRED FOR a-1 THROUGH a-4 ABOVE)
Fish & Game Code §711.4(e) | \$ 50.00 | \$ _____ |

b. PROJECT THAT IS EXEMPT FROM DFG FEES

- | | | |
|--|----------|----------|
| <input type="checkbox"/> 1. NOTICE OF EXEMPTION (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED) | \$ 50.00 | \$ _____ |
| <input type="checkbox"/> 2. A COMPLETED "CEQA FILING FEE NO EFFECT DETERMINATION FORM" FROM THE DEPARTMENT OF FISH & GAME, DOCUMENTING THE DFG'S DETERMINATION THAT THE PROJECT WILL HAVE NO EFFECT ON FISH, WILDLIFE AND HABITAT, OR AN OFFICIAL, DATED RECEIPT / PROOF OF PAYMENT SHOWING PREVIOUS PAYMENT OF THE DFG FILING FEE FOR THE *SAME PROJECT IS ATTACHED (\$50.00 COUNTY ADMINISTRATIVE FEE REQUIRED) | | \$ _____ |
| DOCUMENT TYPE: <input type="checkbox"/> ENVIRONMENTAL IMPACT REPORT <input type="checkbox"/> NEGATIVE DECLARATION | \$ 50.00 | \$ _____ |

c. NOTICE THAT IS NOT SUBJECT TO DFG FEES OR COUNTY ADMINISTRATIVE FEES

- | | | | |
|--|--|--------|------------------|
| <input type="checkbox"/> NOTICE OF PREPARATION | <input checked="" type="checkbox"/> NOTICE OF INTENT | NO FEE | \$ <u>NO FEE</u> |
|--|--|--------|------------------|

8. OTHER: _____ FEE (IF APPLICABLE): \$ 0
9. TOTAL RECEIVED..... \$ 0

*NOTE: "**SAME PROJECT**" MEANS **NO** CHANGES. IF THE DOCUMENT SUBMITTED IS NOT THE SAME (OTHER THAN DATES), A "NO EFFECT DETERMINATION" LETTER FROM THE DEPARTMENT OF FISH AND GAME FOR THE **SUBSEQUENT** FILING OR THE APPROPRIATE FEES ARE REQUIRED.

THIS FORM MUST BE COMPLETED AND ATTACHED TO THE FRONT OF ALL CEQA DOCUMENTS LISTED ABOVE (INCLUDING COPIES) SUBMITTED FOR FILING. WE WILL NEED AN ORIGINAL (WET SIGNATURE) AND TWO COPIES. INCLUDE A THIRD COPY IF YOU REQUIRE AN ENDORSED COPY FOR YOUR RECORDS.

CHECKS FOR ALL FEES SHOULD BE MADE PAYABLE TO: SANTA CLARA COUNTY CLERK-RECORDER

PLEASE NOTE: FEES ARE ANNUALLY ADJUSTED (Fish & Game Code §711.4(b)); PLEASE CHECK WITH THIS OFFICE AND THE DEPARTMENT OF FISH AND GAME FOR THE LATEST FEE INFORMATION.

"... NO PROJECT SHALL BE OPERATIVE, VESTED, OR FINAL, NOR SHALL LOCAL GOVERNMENT PERMITS FOR THE PROJECT BE VALID, UNTIL THE FILING FEES REQUIRED PURSUANT TO THIS SECTION ARE PAID." Fish & Game Code §711.4(c)(3)

City of Palo Alto

Department of Planning and Community Environment
 250 Hamilton Avenue, 5th Floor
 Palo Alto, CA 94301
 (650) 329-2441 FAX (650) 329-2154
 www.cityofpaloalto.org



Notice of Intent to Adopt a Mitigated Negative Declaration

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et sec.) that the following project will not have a significant effect on the environment.

File Number	TAZ	APN(s)	Date
N/A	N/A	Multiple	February 3, 2009
Project Name		Project Type (Use)	
Ordinance Amendment to Place a Limited Prohibition on Single-Use Plastic Checkout Bags		Ordinance	
Owner		Applicant	
City of Palo Alto		City of Palo Alto, Planning Division	
Project Location			
All defined Supermarkets within the City of Palo Alto			
Project Description			
<p>The proposed project is an Ordinance that amends the existing Palo Alto Municipal Code Chapter 5.35 and is titled "Retail Sales - Requirement For Recyclable Paper Checkout Bags And Limited Prohibition On Single-Use Plastic Checkout Bags." The existing requirements of the Chapter, requiring retailers to provide a paper bagging option, are not being changed by the proposed Ordinance. The proposed Ordinance adds language that would prohibit Supermarkets, as defined below, from making single use plastic checkout bags (SUPCB) available at checkout stands. The prohibition of SUPCB at Supermarkets in Palo Alto is anticipated to reduce the number of SUPCB that are inappropriately released into the natural environment and disposed of in landfills. Plastic bags would still be allowed in the produce and meat departments of Supermarkets. The proposed Ordinance, if adopted, would take effect on April 22, 2009, Earth Day. It should be noted that three (Piazza's, Whole Foods, Country Sun) of the seven Supermarkets that this proposed Ordinance would affect have already stopped providing plastic checkout bags.</p>			
Purpose of Notice			
<p>The purpose of this notice is to inform you that the City of Palo Alto Planning Staff has recommended that a Mitigated Negative Declaration be approved for this project. City Planning Staff has reviewed the Initial Study for the project, and based upon substantial evidence in the record, finds that although the proposed project could initially have a significant effect on the environment, changes or alterations have been incorporated into the project to avoid or reduce impacts to a point where clearly no significant effects will occur. It should be noted that the approval of a Mitigated Negative Declaration does not constitute approval of the project under consideration. The decision to approve or deny the project will be made separately.</p>			
Public Review Period:	Begins: February 4, 2009	Ends: February 23, 2009	
<p>Public Comments regarding the correctness, completeness, or adequacy of this mitigated negative declaration are invited and must be received on or before the end of the public review period. Such comments should be based on specific environmental concerns. Written comments should be addressed to the City of Palo Alto, Planning Department, 250 Hamilton Avenue, Palo Alto, CA 94301. A file containing additional information on this project may be reviewed at the Planning Department under the file number appearing at the top of this form. For additional information regarding this project and the Mitigated Negative Declaration, please contact Clare Campbell at 650-617-3191.</p>			

The Negative Declaration and Initial Study may be viewed at the following locations:

- (1) Planning Department, 250 Hamilton Avenue, Palo Alto, CA 94301
- (2) Development Center, 285 Hamilton Avenue, Palo Alto, CA 94301
- (3) Santa Clara County Clerks Office, 70 West Heading, San Jose, Ca 95112

Responsible Agencies sent a copy of this document:

Not Applicable.

Mitigation Measures included in the project to reduce potentially significant impacts to a less than significant level:

In order to reduce any potential emissions impacts to a less than significant level, the following mitigations shall be implemented to reduce the use of paper bags:

Air Quality - 1: The City shall continue the promotion of the City sponsored "Bring Your Own Bag" (BYOBag) outreach campaign to educate consumers about the benefits of using reusable checkout bags for the first five years following the implementation of the Ordinance. The outreach campaign may develop and implement other promotional concepts, but shall include the following as a minimum:

- a) Give away reusable bags to residents at special events, as prizes, and to those who pledge to use them.
- b) Give away reusable bags at schools in combination with education about the detrimental effects of single use bags. Enlist school children to help convince their family of the environmental benefits of reusable bags.
- c) Send each Palo Alto utility customer a Utility Bill insert each year emphasizing the need to use reusable bags to help protect the environment.
- d) Utilize newspaper advertisement campaigns at least annually to encourage use of reusable bags and announce special promotional efforts.
- e) Explain the importance of reusable bags on the City Website and on brochures made available at City Offices and events.
- f) Utilize Public Service Announcements (PSAs) on local radio stations annually to remind the community of the need to use reusable bags.
- g) Utilize Palo Alto's Community Environmental Action Partnership (CEAP) and other community-based organizations to distribute the above named materials to community members.
- h) Develop a more detailed Fact Sheet on Reusable Bags explaining the need to use them instead of paper or plastic single use bags and utilize the City's website and other methods to make it available to the community.
- i) Utilize creek cleanup events twice per year to promote the use of reusable bags and explain the detrimental effects of litter on creeks and ecosystems.

Air Quality - 2: The City shall work with the affected stores to help facilitate employee training on the benefits of using reusable checkout bags so the employees can better educate their customers. This effort shall continue during the first five years following the implementation of the ordinance, and shall include the following:

- a) City will develop educational text (60 days before the effective date of the Ordinance) for Supermarket managers who can elect to use or modify the text for presentation to checkers and baggers.
- b) City will make the educational text available in electric and hard copy format so that Supermarket managers can either make the training computer based, oral, or hard-copy based.
- c) The educational text will explain the basis for promoting reusable bags and their benefits. It will explain how residents can obtain reusable bags, ultimately saving stores and consumers money, and helping to protect the environment.
- d) City will contact Supermarkets quarterly during the first year and offer to conduct the training for them, or provide any other needed support.
- e) City will survey bag use at Supermarkets after one year to determine how effective the program has been at minimizing single use bag use. Store training will be modified as needed and results will be discussed with Supermarkets.

Air Quality - 3: The City shall work with affected stores to develop promotional activities to increase the use of reusable bags by their consumers during the first three years following the implementation of the Ordinance. The activities will include:

- a) Supermarkets will continue the current practice of offering "rebates" on reusable bags (typically 3-5¢ per bag). Rebates may take the form of cash discounts from the grocery bill, charitable contributions, or other innovations such as Loyalty Program Points.
- b) City will provide reusable bags free of charge at special events and promotional campaigns to be held periodically.
- c) City will visit Supermarkets quarterly during the first year and encourage stores to:
 - Offer reusable bags free of charge periodically in coordination with City promotional programs
 - Exchange new reusable bags for old ones that are deteriorating
 - Have checkers and baggers offer positive encouragement to those purchasing and bringing reusable bags
 - Add reusable bags free of charge to a customer's transaction if the customer doesn't have a sufficient number of reusable bags.

A reporting or monitoring program must be adopted for measures to mitigate significant impacts at the time the Negative Declaration is approved, in accord with the requirements of section 21081.6 of the Public Resources Code.

Prepared by:
Clare Campbell, Planner



Signature

02-03-09
Date



City of Palo Alto
Department of Planning and Community Environment
California Environmental Quality Act
DRAFT MITIGATED NEGATIVE DECLARATION

I. DESCRIPTION OF PROJECT

Date: February 3, 2009

Project Name: Ordinance Amendment to Place a Limited Prohibition on Single-Use Plastic Checkout Bags

Project Location: All defined Supermarkets within the City of Palo Alto

Applicant: City of Palo Alto
Department of Planning and Community Environment
Clare Campbell, Planner

Owner: City of Palo Alto
250 Hamilton Avenue
Palo Alto, CA 94301

Project Description:

The proposed project is an Ordinance that amends the existing Palo Alto Municipal Code Chapter 5.35 and is titled "Retail Sales - Requirement For Recyclable Paper Checkout Bags And Limited Prohibition On Single-Use Plastic Checkout Bags." The existing requirements of the Chapter, requiring retailers to provide a paper bagging option, are not being changed by the proposed Ordinance. The proposed Ordinance adds language that would prohibit Supermarkets, as defined below, from making single use plastic checkout bags (SUPCB) available at checkout stands. The prohibition of SUPCB at Supermarkets in Palo Alto is anticipated to reduce the number of SUPCB that are inappropriately released into the natural environment and disposed of in landfills. Plastic bags would still be allowed in the produce and meat departments of Supermarkets. The proposed Ordinance, if adopted, would take effect on April 22, 2009, Earth Day. It should be noted that three (Piazza's, Whole Foods, Country Sun) of the seven Supermarkets that this proposed Ordinance would affect have already stopped providing plastic checkout bags.

II. DETERMINATION

In accordance with the City of Palo Alto's procedures for compliance with the California Environmental Quality Act (CEQA), the City has conducted an Initial Study to determine whether the proposed project could have a significant effect on the environment. On the basis of that study, the City makes the following determination:

_____ **The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION is hereby adopted.**

X

Although the project, as proposed, could have a significant effect on the environment, there will not be a significant effect on the environment in this case because mitigation measures have been added to the project and, therefore, a MITIGATED NEGATIVE DECLARATION is hereby adopted.

The attached initial study incorporates all relevant information regarding the potential environmental effects of the project and confirms the determination that an EIR is not required for the project.

In addition, the following mitigation measures have been incorporated into the project:

Mitigation Measures

In order to reduce any potential emissions impacts to a less than significant level, the following mitigations shall be implemented to reduce the use of paper bags:

Air Quality - 1: The City shall continue the promotion of the City sponsored “Bring Your Own Bag” (BYOBag) outreach campaign to educate consumers about the benefits of using reusable checkout bags for the first five years following the implementation of the Ordinance. The outreach campaign may develop and implement other promotional concepts, but shall include the following as a minimum:

- a) Give away reusable bags to residents at special events, as prizes, and to those who pledge to use them.
- b) Give away reusable bags at schools in combination with education about the detrimental effects of single use bags. Enlist school children to help convince their family of the environmental benefits of reusable bags.
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- d) Utilize newspaper advertisement campaigns at least annually to encourage use of reusable bags and announce special promotional efforts.
- e) Explain the importance of reusable bags on the City Website and on brochures made available at City Offices and events.
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- g) Utilize Palo Alto’s Community Environmental Action Partnership (CEAP) and other community-based organizations to distribute the above named materials to community members.
- h) Develop a more detailed Fact Sheet on Reusable Bags explaining the need to use them instead of paper or plastic single use bags and utilize the City’s website and other methods to make it available to the community.
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Air Quality - 2: The City shall work with the affected stores to help facilitate employee training on the benefits of using reusable checkout bags so the employees can better educate their customers. This effort shall continue during the first five years following the implementation of the ordinance, and shall include the following:

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- b) City will make the educational text available in electric and hard copy format so that Supermarket managers can either make the training computer based, oral, or hard-copy based.
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- d) City will contact Supermarkets quarterly during the first year and offer to conduct the training for them, or provide any other needed support.
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 - Have checkers and baggers offer positive encouragement to those purchasing and bringing reusable bags
 - Add reusable bags free of charge to a customer’s transaction if the customer doesn’t have a sufficient number of reusable bags.



Prepared by Project Planner

02-03-09

Date

 Adopted by City Council. Attested by
 Director of Planning and Community Environment

 Date

ENVIRONMENTAL CHECKLIST FORM
City of Palo Alto
Department of Planning and Community Environment

PROJECT DESCRIPTION

1. PROJECT TITLE

Ordinance Amendment to Place a Limited Prohibition on Single-Use Plastic Checkout Bags

2. LEAD AGENCY NAME AND ADDRESS

City of Palo Alto
Department of Public Works
2501 Embarcadero Way
Palo Alto, CA 94303

3. CONTACT PERSON AND PHONE NUMBER

Clare Campbell
Planner, City of Palo Alto
(650) 329-3191

4. PROJECT SPONSOR'S NAME AND ADDRESS

Public Works Department
City of Palo Alto
2501 Embarcadero Way
Palo Alto, CA 94303

5. PROJECT LOCATION

The proposed project would be applicable to Supermarkets located within the City of Palo Alto. For the purposes of this project, Supermarkets are defined as a full-line, self-service grocery store with gross annual sales of two million dollars (\$2,000,000) or more. Currently, there are seven full service grocery stores that meet the Supermarket definition: JJ&F Food Store, Piazza's Fine Foods, Mollie Stone's Supermarkets, Whole Foods Market, Andronico's, Country Sun, and Safeway. If other Supermarkets locate within Palo Alto, or existing full service grocery stores expand in sales to two million dollars or more, those additional stores would be subject to the proposed ordinance.

6. COMPREHENSIVE PLAN DESIGNATION

The proposed citywide project is consistent with the Palo Alto 1998-2010 Comprehensive Plan. The policies most directly supporting are N-21 and N-34. Policy N-21 promotes the reduction of non-point source pollution into waterways. Policy N-34 promotes the reduction of the amount of waste disposed in the City's landfill. The project does not propose to change existing or allowable land uses within the City.

7. ZONING

The proposed citywide project does not include any development or change existing allowable uses and therefore does not conflict with existing development standards and allowable uses outlined in the Zoning Ordinance.

8. PROJECT DESCRIPTION

The City of Palo Alto, with input from the Reusable Bag Task Group, developed a Comprehensive Reusable Bag Program (Program) in mid 2008. The purpose of the Program is two fold; first to reduce plastic bag litter in natural ecosystems and protect wildlife, and second to save energy and resources by encouraging reusable bags in place of any type of single-use bag. As a direct result of the goals of this Program, the proposed Ordinance was developed.

The proposed project is an Ordinance that amends the existing Palo Alto Municipal Code Chapter 5.35 and is titled "Retail Sales - Requirement For Recyclable Paper Checkout Bags And Limited Prohibition On Single-Use Plastic Checkout Bags." The existing requirements of the Chapter, requiring retailers to provide a paper bagging option, are not being changed by the proposed Ordinance. The proposed Ordinance adds language that would prohibit Supermarkets, as defined below, from making single use plastic checkout bags (SUPCB) available at checkout stands. The prohibition of SUPCB at Supermarkets in Palo Alto is anticipated to reduce the number of SUPCB that are inappropriately released into the natural environment and disposed of in landfills. Plastic bags would still be allowed in the produce and meat departments of Supermarkets. The proposed Ordinance, if adopted, would take effect on April 22, 2009, Earth Day. It should be noted that three (Piazza's, Whole Foods, Country Sun) of the seven Supermarkets that this proposed Ordinance would affect have already stopped providing plastic checkout bags.

Definitions (as provided in the proposed Ordinance):

- (a) "Checkout Bag" means a bag that is provided by a Retail Establishment at the checkstand, cash register, point of sale or other point of departure for the purpose of transporting food or merchandise out of the establishment. Checkout Bags do not include bags provided solely for produce, bulk food or meat at a produce, bulk food or meat department within a grocery store, Supermarket, produce or meat market or other similar retail establishment.
- (b) "Recyclable Paper Bag" or "Recyclable Paper Checkout Bag" means a paper bag that meets all of the following requirements: (1) contains no old growth fiber, (2) is 100% recyclable overall and contains a minimum of 40% post-consumer recycled content, and (3) displays the word "Recyclable" on the outside of the bag.
- (c) "Retail Establishment" means any commercial business facility engaged in the sale of goods to consumers for ultimate consumption.
- (d) "Reusable Bag" means a bag with handles that is specifically designed and manufactured for multiple reuse and is either (1) made of cloth or other machine washable fabric, and/or (2) made of durable plastic that is at least 2.25 mils thick and is suitable for reuse.
- (e) "Single-Use Plastic Checkout Bag" means any Checkout Bag made from plastic, excluding Reusable Bags.

- (f) **“Supermarket”** means a full-line, self service grocery store within the City of Palo Alto with gross annual sales of two million dollars (\$2,000,000.00) or more which sells several lines of dry grocery, canned goods, perishable food, produce and meat and some nonfood items. The City shall use the annual updates of the Progressive Grocer Marketing Guidebook and any computer printouts developed in conjunction with the guidebook to determine gross annual sales.

ENVIRONMENTAL CHECKLIST AND DISCUSSION OF IMPACTS

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. **[A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e. g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e. g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).]**
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “(Mitigated) Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, “Earlier Analysis,” may be cross-referenced).
- 5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (C)(3) (D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

DISCUSSION OF IMPACTS

The following Environmental Checklist was used to identify environmental impacts, which could occur if the proposed project is implemented. The left-hand column in the checklist lists the source(s) for the answer to each question. The sources cited are identified at the end of the checklist. Discussions of the basis for each answer and a discussion of mitigation measures that are proposed to reduce potential significant impacts are included.

A. AESTHETICS					
Issues and Supporting Information Resources	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a) Substantially degrade the existing visual character or quality of the site and its surroundings?	1, 2, 3, 4, 5,6, 7, 8, 9, 10,15, 17				X
b) Have a substantial adverse effect on a public view or view corridor?	1,2,3, 4.5, 6, 7, 8, 9, 10,15, 17				X
c) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	17				X
d) Violate existing Comprehensive Plan policies regarding visual resources?	17				X
e) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	17				X
f) Substantially shadow public open space (other than public streets and adjacent sidewalks) between 9:00 a.m. and 3:00 p.m. from September 21 to March 21?	17				X

DISCUSSION:

The proposed Ordinance to prohibit the use of single-use plastic checkout bags (SUPCB) at Supermarkets is being introduced by the City of Palo Alto to help reduce the existing impacts of plastic bag litter. This litter has been found on land and in the marine environment and has a significant existing negative aesthetic impact. By proposing an ordinance that would reduce the use of SUPCB, it is anticipated that less plastic bag litter would be generated in the City and therefore the project would not create additional aesthetic impacts.

Mitigation Measures:

None Required.

B. AGRICULTURAL RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	17				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	17, 18-Map L9				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	17				X

DISCUSSION:

The proposed Ordinance regulates single-use plastic checkout bags. No construction or land use changes are proposed and therefore there are no conflicts with existing or potential agricultural uses.

Mitigation Measures:

None Required.

C. AIR QUALITY

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct with implementation of the applicable air quality plan (1982 Bay Area Air Quality Plan & 2000 Clean Air Plan)?	17				X
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation indicated by the following:					
i. Direct and/or indirect operational emissions that exceed the Bay Area Air Quality	6,7,9,11,13, 17			X	

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Management District (BAAQMD) criteria air pollutants of 80 pounds per day and/or 15 tons per year for nitrogen oxides (NO), reactive organic gases (ROG), and fine particulate matter of less than 10 microns in diameter (PM ₁₀);					
ii. Contribute to carbon monoxide (CO) concentrations exceeding the State Ambient Air Quality Standard of nine parts per million (ppm) averaged over eight hours or 20 ppm for one hour(as demonstrated by CALINE4 modeling, which would be performed when a) project CO emissions exceed 550 pounds per day or 100 tons per year; or b) project traffic would impact intersections or roadway links operating at Level of Service (LOS) D, E or F or would cause LOS to decline to D, E or F; or c) project would increase traffic volumes on nearby roadways by 10% or more)?	6,7,11, 13, 14, 17			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	13, 17		X		
d) Expose sensitive receptors to substantial levels of toxic air contaminants?	17				X
i. Probability of contracting cancer for the Maximally Exposed Individual (MEI) exceeds 10 in one million	17				X
ii. Ground-level concentrations of non-carcinogenic TACs would result in a hazard index greater than one (1) for the MEI	17				X
e) Create objectionable odors affecting a substantial number of people?	17				X
f) Not implement all applicable construction emission control measures recommended in the <i>Bay Area Air Quality Management District CEQA Guidelines</i> ?	17				X

DISCUSSION:

The proposed Ordinance is anticipated to eliminate the use of single-use plastic checkout bags (SUPCB) at Supermarkets in Palo Alto, affecting operations of four businesses (three have already stopped using SUPCB). With the elimination of SUPCB, it is anticipated that a notable increase in paper checkout bag usage could occur, initially and during the early implementation of the Ordinance. It is anticipated that with on-going educational outreach by the City and stores, the paper bag usage will significantly diminish.

Associated air emissions within Palo Alto primarily come from the delivery vehicles transporting the bags to Palo Alto stores. The current practice of shipping checkout bags into Palo Alto via truck would not change with the

implementation of the Ordinance. If an increase in paper bag usage occurs, an associated increase in quantities of paper bags delivered to the stores is anticipated. The increase in the delivery requirements may result in a small amount of increased emissions from the delivery vehicles. In addition, the city speculates that emissions could increase outside Palo Alto from the relatively short term increase in the production of paper bags.

This project is unique in nature and the potential impacts are not clearly understood or agreed upon by the professional in the related fields. The project is intended to protect the environment and Palo Alto is adopting the conservative approach of providing mitigation measures (see below) with respect to any potential air quality impacts related to increased vehicle emissions. Additionally, Palo Alto has and will continue to encourage Supermarkets to incorporate the following actions in their operations:

1. Give away reusable bags at special events and during promotional campaigns.
2. Display reusable bags prominently at checkout stands.
3. Place signs in stores, grocery cart areas and parking lots promoting the use of reusable bags.
4. Encourage customers to pledge to use reusable bags.
5. Distribute fliers to customers not using reusable bags encouraging them to do so.
6. Print messages on single use bags encouraging the use of reusable bags.
7. Have a reusable bag message become part of store newsletters, advertising circulars and other available documents.
8. Have checkers remind customers about reusable bags and encourage their use.

Mitigation Measures:

The City of Palo Alto conducted Reusable Bag Task Force Meetings with the local supermarkets, and together with City Staff have created an outline of promotional programs and infrastructure changes that would further the use of reusable bags.¹² Through the implementation of these programs including positive incentives, public outreach, and store training, City Staff estimates a greater use of reusable bags immediately following the implementation of the Ordinance.

Palo Alto has been conducting an on-going intensive awareness campaign to promote the usage of reusable bags for Palo Alto shoppers. This continuing outreach will result in the greater use of reusable bags and decrease the use of all types of single use checkout bags.

In order to reduce any potential emissions impacts to a less than significant level, the following mitigations shall be implemented to reduce the use of paper bags:

Air Quality - 1: The City shall continue the promotion of the City sponsored “Bring Your Own Bag” (BYOBag) outreach campaign to educate consumers about the benefits of using reusable checkout bags for the first five years following the implementation of the Ordinance. The outreach campaign may develop and implement other promotional concepts, but shall include the following as a minimum:

- a) Give away reusable bags to residents at special events, as prizes, and to those who pledge to use them.
- b) Give away reusable bags at schools in combination with education about the detrimental effects of single use bags. Enlist school children to help convince their family of the environmental benefits of reusable bags.
- c) Send each Palo Alto utility customer a Utility Bill insert each year emphasizing the need to use reusable bags to help protect the environment.
- d) Utilize newspaper advertisement campaigns at least annually to encourage use of reusable bags and announce special promotional efforts.
- e) Explain the importance of reusable bags on the City Website and on brochures made available at City Offices and events.

- f) Utilize Public Service Announcements (PSAs) on local radio stations annually to remind the community of the need to use reusable bags.
- g) Utilize Palo Alto's Community Environmental Action Partnership (CEAP) and other community-based organizations to distribute the above named materials to community members.
- h) Develop a more detailed Fact Sheet on Reusable Bags explaining the need to use them instead of paper or plastic single use bags and utilize the City's website and other methods to make it available to the community.
- i) Utilize creek cleanup events twice per year to promote the use of reusable bags and explain the detrimental effects of litter on creeks and ecosystems.

Air Quality - 2: The City shall work with the affected stores to help facilitate employee training on the benefits of using reusable checkout bags so the employees can better educate their customers. This effort shall continue during the first five years following the implementation of the ordinance, and shall include the following:

- a) City will develop educational text (60 days before the effective date of the Ordinance) for Supermarket managers who can elect to use or modify the text for presentation to checkers and baggers.
- b) City will make the educational text available in electric and hard copy format so that Supermarket managers can either make the training computer based, oral, or hard-copy based.
- c) The educational text will explain the basis for promoting reusable bags and their benefits. It will explain how residents can obtain reusable bags, ultimately saving stores and consumers money, and helping to protect the environment.
- d) City will contact Supermarkets quarterly during the first year and offer to conduct the training for them, or provide any other needed support.
- e) City will survey bag use at Supermarkets after one year to determine how effective the program has been at minimizing single use bag use. Store training will be modified as needed and results will be discussed with Supermarkets.

Air Quality - 3: The City shall work with affected stores to develop promotional activities to increase the use of reusable bags by their consumers during the first three years following the implementation of the Ordinance. The activities will include:

- a) Supermarkets will continue the current practice of offering "rebates" on reusable bags (typically 3-5¢ per bag). Rebates may take the form of cash discounts from the grocery bill, charitable contributions, or other innovations such as Loyalty Program Points.
- b) City will provide reusable bags free of charge at special events and promotional campaigns to be held periodically.
- c) City will visit Supermarkets quarterly during the first year and encourage stores to:
 - Offer reusable bags free of charge periodically in coordination with City promotional programs
 - Exchange new reusable bags for old ones that are deteriorating
 - Have checkers and baggers offer positive encouragement to those purchasing and bringing reusable bags
 - Add reusable bags free of charge to a customer's transaction if the customer doesn't have a sufficient number of reusable bags.

Significance After Mitigation: Less than significant.

D. BIOLOGICAL RESOURCES

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	1,2,3,4,5 6,7,8,10, 15, 17				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, including federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	1,2,3,4,5 6,7,8,10, 15, 17				X
c) 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?	17				X
d) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or as defined by the City of Palo Alto's Tree Preservation Ordinance (Municipal Code Section 8.10)?	17				X
e) Conflict with any applicable Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	17				X

DISCUSSION:

The proposed Ordinance to prohibit the use of single-use plastic checkout bags (SUPCB) at Supermarkets is being introduced by the City of Palo Alto to help reduce the existing impacts of plastic bag litter. Accordingly to the "Analysis of the Issues Regarding Single-Use Retail Carryout Bags" (source references #6 & 7), the findings were made that SUPCB contribute substantially to litter of waterways both in the Bay Area and worldwide and do not degrade in the marine environment for many year, substantially affecting marine life. The proposed Ordinance would reduce the number of SUPCB distributed to the community, which in turn would reduce the number of SUPCB inappropriately discarded into the natural environment. The proposed Ordinance is anticipated to reduce existing biological impacts created by SUPCB.

Mitigation Measures:

None required.

E. CULTURAL RESOURCES

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly destroy a local cultural resource that is recognized by City Council resolution?	17, 18-Map L8				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	17, 18-Map L8				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	17, 18-Map L8				X
d) Disturb any human remains, including those interred outside of formal cemeteries?	17, 18-Map L8				X
e) Adversely affect a historic resource listed or eligible for listing on the National and/or California Register, or listed on the City's Historic Inventory?	17, 18-Map L7				X
f) Eliminate important examples of major periods of California history or prehistory?	17				X

DISCUSSION:

The proposed Ordinance regulates single-use plastic checkout bags in Supermarkets. The proposed project would not impact cultural resources in the City since it does not involve any construction or land use changes.

Mitigation Measures:

None Required.

F. GEOLOGY, SOILS AND SEISMICITY

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	17				X
ii) Strong seismic ground shaking?	17				X
iii) Seismic-related ground failure, including	17				X

liquefaction?					
iv) Landslides?	17				X
b) Result in substantial soil erosion or the loss of topsoil?	17				X
c) Result in substantial siltation?	17				X
d) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	17				X
e) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	17				X
f) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	17				X
g) Expose people or property to major geologic hazards that cannot be mitigated through the use of standard engineering design and seismic safety techniques?	17				X

DISCUSSION:

The proposed Ordinance regulates single-use plastic checkout bags. No construction or land use changes are proposed and therefore the project would not have an impact on Palo Alto’s geology, soils and seismicity.

Mitigation Measures:

None Required.

G. HAZARDS AND HAZARDOUS MATERIALS

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routing transport, use, or disposal of hazardous materials?	17				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	17				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	17				X
d) Construct a school on a property that is subject to hazards from hazardous materials	17				X

contamination, emissions or accidental release?					
e) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	17				X
f) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	17				X
g) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working the project area?	17				X
h) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	17				X
i) Expose people or structures to a significant risk of loss, injury, or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?	17				X
k) Create a significant hazard to the public or the environment from existing hazardous materials contamination by exposing future occupants or users of the site to contamination in excess of soil and ground water cleanup goals developed for the site?	17				X

DISCUSSION:

The proposed Ordinance regulates single-use plastic checkout bags. No construction or land use changes are proposed and therefore the project would not create hazardous impacts or generate hazardous materials.

Mitigation Measures:

None required.

H. HYDROLOGY AND WATER QUALITY

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	17				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local	17				X

groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?					
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	17				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	17				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	17				X
f) Otherwise substantially degrade water quality?	17				X
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	17				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	17				X
i) Expose people or structures to a significant risk of loss, injury or death involve flooding, including flooding as a result of the failure of a levee or dam or being located within a 100-year flood hazard area?	17				X
j) Inundation by seiche, tsunami, or mudflow?	17				X
k) Result in stream bank instability?	17				X

DISCUSSION:

The proposed Ordinance regulates single-use plastic checkout bags. No construction or land use changes are proposed and therefore the project would not negatively impact hydrology or water quality.

Mitigation Measures:

None Required.

I. LAND USE AND PLANNING

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	17				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	17				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	17				X
d) Substantially adversely change the type or intensity of existing or planned land use in the area?	17				X
e) Be incompatible with adjacent land uses or with the general character of the surrounding area, including density and building height?	17				X
f) Conflict with established residential, recreational, educational, religious, or scientific uses of an area?	17				X
g) Convert prime farmland, unique farmland, or farmland of statewide importance (farmland) to non-agricultural use?	17				X

DISCUSSION:

The proposed Ordinance regulates single-use plastic checkout bags. No construction or land use changes are proposed. The proposed project is consistent with the Palo Alto Municipal Code and the Comprehensive Plan policies. The project would enhance the City's sustainability polices with the reduction in use of plastic bags in the City.

Mitigation Measures:

None Required.

J. MINERAL RESOURCES

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	17				X

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	17				X

DISCUSSION:

The City of Palo Alto has been classified by the California Department of Conservation (DOC), Division of Mines and Geology (DMG) as a Mineral Resource Zone 1 (MRZ-1). This designation signifies that there are no aggregate resources in the area. The DMG has not classified the City for other resources. There is no indication in the 2010 Comprehensive Plan that there are locally or regionally valuable mineral resources within the City of Palo Alto.

Mitigation Measures:

None Required.

K. NOISE

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	17				X
b) Exposure of persons to or generation of excessive ground borne vibrations or ground borne noise levels?	17				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	17				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	17				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, would the project expose people residing or working in the project area to excessive noise levels?	17				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	17				X
g) Cause the average 24 hour noise level (Ldn) to increase by 5.0 decibels (dB) or more in an existing residential area, even if the Ldn would remain below 60 dB?	17				X

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
h) Cause the Ldn to increase by 3.0 dB or more in an existing residential area, thereby causing the Ldn in the area to exceed 60 dB?	17				X
i) Cause an increase of 3.0 dB or more in an existing residential area where the Ldn currently exceeds 60 dB?	17				X
j) Result in indoor noise levels for residential development to exceed an Ldn of 45 dB?	17				X
k) Result in instantaneous noise levels of greater than 50 dB in bedrooms or 55 dB in other rooms in areas with an exterior Ldn of 60 dB or greater?	17				X
l) Generate construction noise exceeding the daytime background Leq at sensitive receptors by 10 dBA or more?	17				X

DISCUSSION:

The proposed Ordinance regulates single-use plastic checkout bags within Supermarkets. No construction or land use changes are proposed. The proposed project would have no impact on the noise levels in the community.

Mitigation Measures:

None Required.

L. POPULATION AND HOUSING

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	17				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	17				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	17				X
d) Create a substantial imbalance between employed residents and jobs?	17				X
e) Cumulatively exceed regional or local population projections?	17				X

DISCUSSION:

The proposed Ordinance regulates single-use plastic checkout bags within Supermarkets. No construction or land use changes are proposed. The proposed Ordinance would not add population or induce population growth, nor will it displace housing or people. The proposed Ordinance will result in no impact on population or housing.

Mitigation Measures:

None Required.

M. PUBLIC SERVICES

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection? Police protection? Schools? Parks? Other public facilities?	17				X X X X X

DISCUSSION:

The proposed Ordinance regulates single-use plastic checkout bags within Supermarkets. No construction or land use changes are proposed. The proposed Ordinance would not add population or induce population growth. The proposed Ordinance will not impact existing City public services.

Mitigation Measures:

None Required.

N. RECREATION

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	17				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	17				X

DISCUSSION:

The proposed Ordinance regulates single-use plastic checkout bags within Supermarkets. No construction or land use changes are proposed. The proposed Ordinance would not add population or induce population growth. The proposed Ordinance will not impact existing City recreational facilities.

Mitigation Measures:

None Required.

O. TRANSPORTATION AND TRAFFIC

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	13,14, 17			X	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	17				X
c) Result in change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	17				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible	17				X

Issues and Supporting Information Resources	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
uses (e.g., farm equipment)?					
e) Result in inadequate emergency access?	17				X
f) Result in inadequate parking capacity?	13,14, 17			X	
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian, transit & bicycle facilities)?	17				X
h) Cause a local (City of Palo Alto) intersection to deteriorate below Level of Service (LOS) D and cause an increase in the average stopped delay for the critical movements by four seconds or more and the critical volume/capacity ratio (V/C) value to increase by 0.01 or more?	17				X
i) Cause a local intersection already operating at LOS E or F to deteriorate in the average stopped delay for the critical movements by four seconds or more?	17				X
j) Cause a regional intersection to deteriorate from an LOS E or better to LOS F or cause critical movement delay at such an intersection already operating at LOS F to increase by four seconds or more and the critical V/C value to increase by 0.01 or more?	17				X
k) Cause a freeway segment to operate at LOS F or contribute traffic in excess of 1% of segment capacity to a freeway segment already operating at LOS F?	17				X
l) Cause any change in traffic that would increase the Traffic Infusion on Residential Environment (TIRE) index by 0.1 or more?	17				X
m) Cause queuing impacts based on a comparative analysis between the design queue length and the available queue storage capacity? Queuing impacts include, but are not limited to, spillback queues at project access locations; queues at turn lanes at intersections that block through traffic; queues at lane drops; queues at one intersection that extend back to impact other intersections, and spillback queues on ramps.	17				X
n) Impede the development or function of planned pedestrian or bicycle facilities?	17				X
o) Impede the operation of a transit system as a result of congestion?	17				X
p) Create an operational safety hazard?	17				X

DISCUSSION:

The implementation of the proposed Ordinance would not change the current practice of shipping checkout bags into Palo Alto via truck. Presently, checkout bags, whether plastic, paper or reusable, are shipped by distributors via truck to Palo Alto’s Supermarkets. As discussed above under “Air Quality”, it is anticipated that an increase in paper bag usage will occur in the early implementation of the Ordinance. With the increased demand for paper bags, a slight increase in truck traffic in Palo Alto may result, but is estimated to be on the order of one trip per day within Palo Alto and would be less than significant impact.

Palo Alto is conducting an intensive awareness campaign and promotional programs to encourage the usage of reusable bags for Palo Alto shoppers. It is anticipated that the increase in paper checkout bag demand will taper off as customers convert to reusable checkout bags.

Mitigation Measures:

None Required.

P. UTILITIES AND SERVICE SYSTEMS

Issues and Supporting Information Resources Would the project:	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	17				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	17				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	17				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	17				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?	17				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?	17				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?	17				X
h) Result in a substantial physical deterioration of a public facility due to increased use as a	17				X

Issues and Supporting Information Resources	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
result of the project?					

DISCUSSION:

The proposed Ordinance regulates single-use plastic checkout bags within Supermarkets. No construction or land use changes are proposed. The proposed project is not anticipated to increase the demand on existing utilities and service systems, or use resources in a wasteful or inefficient manner.

Mitigation Measures:

None Required.

Q. MANDATORY FINDINGS OF SIGNIFICANCE

Issues and Supporting Information Resources	Sources	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	17				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	1,2,3,4,5,6,7 8,9,10,11, 13,14,15, 17			X	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	1,2,3,4,5,6,7 8,9,10,11, 13,14,15, 17				X

DISCUSSION:

The proposed Ordinance regulates single-use plastic checkout bags within Supermarkets. No construction or land use changes are proposed. The project will not create any significant impacts to the City and therefore will not degrade the existing environmental quality for wildlife, plants, or human beings.

Global Climate Change Impacts

Global climate change is the alteration of the Earth's weather including its temperature, precipitation, and wind patterns. Global temperatures are affected by naturally occurring and anthropogenic generated atmospheric gases, such as carbon dioxide, methane, and nitrous oxide. These gases allow sunlight into the Earth's atmosphere, but prevent radiative heat from escaping into outer space, which is known as the "greenhouse" effect. The world's leading climate scientists have reached consensus that global climate change is underway and is very likely caused by humans. Agencies at the international, national, state, and local levels are considering strategies to control emissions of gases that contribute to global warming. There is no comprehensive strategy that is being implemented on a global scale that addresses climate change; however, pursuant to Senate Bill 97 the Governor's Office of Planning and Research (OPR) is in the process of developing CEQA guidelines "for the mitigation of greenhouse gas emissions or the effects of greenhouse gas emissions." OPR is required to "prepare, develop, and transmit" the guidelines to the Resources Agency on or before July 1, 2009. The Resources Agency must certify and adopt the guidelines on or before January 1, 2010.

Assembly Bill 32 requires achievement by 2020 of a statewide greenhouse gas emissions limit equivalent to 1990 emissions, and the adoption of rules and regulations to achieve the maximum technologically feasible and cost-effective greenhouse gas emissions reductions. By 2050, the state plans to reduce emissions to 80 percent below 1990 levels. While the state of California has established programs to reduce greenhouse gas emissions, there are no established standards for gauging the significance of greenhouse gas emissions; these standards are required to be in place by 2012. Neither CEQA nor the CEQA Guidelines provide any methodology for analysis of greenhouse gases. Given the "global" scope of global climate change, the challenge under CEQA is for a Lead Agency to translate the issue down to the level of a CEQA document for a specific project in a way that is meaningful to the decision making process. Under CEQA, the essential questions are whether a project creates or contributes to an environmental impact or is subject to impacts from the environment in which it would occur, and what mitigation measures are available to avoid or reduce impacts.

The project would generate greenhouse gases primarily through a minor increase in the generation of vehicle trips. The proposed project would significantly reduce these potential impacts by the implementation of mitigation measures, as described in the Air Quality section of this Initial Study. Given the overwhelming scope of global climate change, it is not anticipated that a single project would have an individually discernable effect on global climate change (e.g., that any increase in global temperature or rise in sea level could be attributed to the emissions resulting from one single development project). Rather, it is more appropriate to conclude that the greenhouse gas emissions generated by the proposed project would combine with emissions across the state, nation, and globe to cumulatively contribute to global climate change.

To determine whether the proposed project would have a significant impact on global climate change is speculative, particularly given the fact that there are no existing numerical thresholds to determine an impact. However, in an effort to make a good faith effort at disclosing environmental impacts and to conform with the CEQA Guidelines [§16064(b)], it is the City's position that based on the nature of this project with its nominal increase in greenhouse gas emissions, the proposed project would not impede the state's ability to reach the emission reduction limits/standards set forth by the State of California by Executive Order S-3-05 and AB 32. For these reasons, this project would not make a cumulatively considerable contribution to global climate change associated with greenhouse gas emissions.

SOURCE REFERENCES

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2. California Integrated Waste Management Board, (Updated 11-17-07) “Recycle Plastic Grocery Bags”,<http://www.zerowaste.ca.gov/PlasticBags/default.htm> Retrieved 02/17/08
3. Brown, Vance & Associates, Inc. & MGM Management (05/18/07); The City of San Francisco STREETS LITTER AUDIT 2007, p.33
4. Santa Clara Valley Urban Runoff Pollution Prevention Program; (September 2007) Trash BMP Tool Box “Proportion of Trash Pieces, by category, observed during Rapid Trash Assessments of San Francisco Bay Creeks” Section 2, Figure 2-2;
<http://www.waterboards.ca.gov/rwqcb2/swamp/swamptrashreport.pdf>
5. California Regional Water Quality Control Board – Surface Water Ambient Monitoring Program; (April 2007)A Rapid Trash Assessment Method Applied to Waters of the San Francisco Bay Region: Trash Measurement in Streams
6. City of Palo Alto City Manager Report:158:08 (March 2008)
7. City of Palo Alto Water Quality Department, (March 2008) Analysis of the Issues Regarding Single-Use Retail Carryout Bags (Attachment A to CMR 158:08)
8. Resolution of the California Ocean Protection Council on Reducing and Preventing Marine Debris, (February 8, 2007) <http://resources.ca.gov/copc/>
9. Resolution 2007-139(Revised), California Integrated Waste Board, Agenda Item 14, attachment 3, Board Meeting, June 12, 2007
10. The Marine Debris Team, Columbia University, (Summer 2005) Marine Debris Research, Prevention and Reduction Act: A Policy Analysis. New York, New York
11. City of Palo Alto Community Profile, (July 2005) In 2000, there were 25,216 households in the City of Palo Alto; <http://www.cityofpaloalto.org/>
12. City of Palo Alto Comprehensive Reusable Bag Program, February 2009
13. Schidlowski, R., Public Works City of San Francisco, Personal Communication February 13, 2008
14. City of Palo Alto Staff Surveys and Discussions with Grocery Store Owners and Pharmacy Staff (February and March, 2008)

15. Barron, Tom (March 3, 2007) Memorandum to Phil Bobel, City of Palo Alto “Comparison of Compostable and HDPE Shopping Bags” (Available from the City of Palo Alto)
16. City of Palo Alto (December 3, 2007) Palo Alto Climate Protection Plan, p. 25, 69
17. Project Manager’s knowledge of the project: Phil Bobel, Manager of Environmental Compliance, Public Works
18. Palo Alto Comprehensive Plan, 1998-2010

DETERMINATION

On the basis of this initial evaluation:

<p>I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.</p>	
<p>I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.</p>	<p>X</p>
<p>I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.</p>	
<p>I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.</p>	
<p>I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.</p>	

Planner

Date