

## Los Angeles Times

Date: 6/5/13

Submitted in 510 Committee

Council File No. 1

TUESDAY, APRIL 30, 2013

Item No.: 11-1531

Deputy: RUBI

### SLAP A FEE ON CARRY-OUT BAGS

#### BY THE TIMES EDITORIAL BOARD

*Charging for both plastic and paper would encourage people to switch to reusable bags while providing convenience and choice for the times they forget to bring them.*

The most sensible solution to the ocean and stream pollution caused by carry-out plastic bags would be to charge a small fee for them. People will do almost anything to avoid even a tiny levy — tote their own reusable bags, toss their loose groceries into the trunk. Unfortunately, none of the three bills in the Legislature to address the plastic bag problem would work that way.

Consumers already pay for carry-out bags; they just don't realize it because the cost is rolled into the price of the goods they buy, creating the illusion that the bags are free. Where they've been made explicit, fees of just 5 cents have cut plastic bag use 75% to 90%.

Still, people occasionally need or want the convenience of a plastic bag and would pay a little extra for one, so why not? The goal should be to greatly reduce the number of bags floating around as trash — the flimsy bags with handles are the second most common trash item found along California's beaches, and they contribute to the giant floating garbage patch in the Pacific Ocean — but not to make people live without them entirely. People who pay for the bags are more likely to reuse them. (For unknown reasons, the plastic bags that grocery shoppers use for their vegetables — and those used to wrap this newspaper — do not tend to end up as trash in or near waterways.)

Although a 2006 California law prohibits cities from adopting fees on plastic bags, it hasn't stopped municipalities from taking action. More than 70 have banned the bags outright, including Los Angeles, whose ban will take effect later this year. The patchwork of laws around the state — some cities and counties ban both paper and plastic bags, some ban plastic but levy a fee on paper, some have no law at all — is confusing for retail chains and consumers, and the bans eliminate consumer choice.

Legislation to bring some coherence to this situation has consistently failed. This year three bills have been introduced, two of which are nearly identical, and none of them gets it right. Two would ban plastic and place a fee on paper bags. At first glance, the third looks closer to the mark — it would place a 5-cent tax on both kinds of bags and use the proceeds for parks and litter removal — but it contains a spoiler provision that would allow municipalities to opt out. Its effect would be negligible, even though cities that didn't participate wouldn't be eligible to receive the money for their parks.

Lawmakers could do better. A fee on both plastic and paper would encourage people to switch to reusable bags while providing convenience and choice for the times they forget to bring them. As with existing law on bottles and cans, people could pay a redemption fee that could be reclaimed when the bags were returned for recycling. A reasonable law shouldn't be this hard.

# THE WALL STREET JOURNAL.

FRIDAY, MAY 21, 2013

## PROGRESSIVES VS. MINORITIES

A little told story is how minorities in California are helping moderate the most destructive impulses of the Democratic Party's progressive wing. Just consider how Hispanic and black Democratic legislators Thursday banded together with Republicans to kill fracking and plastic bag bans.

Of the three fracking moratoriums that Democratic lawmakers introduced this session, only one made it to the Assembly floor for a vote. The moratorium received merely 24 votes. It needed 41 to pass. Since Democrats hold 54 of the Assembly's 80 seats, the ban failed solely because its coastal Democratic supporters couldn't sell it to their peers representing inland regions—many of whom are Hispanics from the Central Valley which overlays the Monterey Shale deposit. Some Democratic legislators even held hearings to explore the economic benefits of fracking. Also noteworthy is that the bill failed despite a resolution that the California Democratic Party passed at its April convention.


Meanwhile, the state Senate shot down a plastic bag ban favored by environmentalists. San Francisco and more than a dozen other coastal cities already disallow plastic bags and require stores to charge customers for paper ones. Only 18 of 27 Democratic senators voted for the ban. It needed at least 21 to pass. Leading the opposition were Hispanic and black Democrats representing economically depressed inland and urban areas.

"This bill is an attack on low economic areas," noted Sen. Ron Calderon of Montebello (located in the Southland's San Gabriel Valley). "It's an attack on minority-owned small business."

"If you think plastic bags are single use, you haven't met my mother," added Sen. Ricardo Lara of Los Angeles. Plastic bag manufacturers are concentrated in Los Angeles's fringes, which have been devastated by the state's green policies.

Democrats hold a supermajority in both legislative chambers and control all statewide offices. However, it may be some small consolation to Republicans (and voters) that the Democratic Party still has some internal checks.

<http://online.wsj.com/article/SB10001424127887324412604578517120896899536.html>




CITY OF LOS ANGELES  
 SANITATION  
 DEPARTMENT OF  
 PUBLIC WORKS

**City of Los Angeles  
 Reusable Bag Program**

**Single-Use Carryout  
 Bag Ordinance**


Bureau of Sanitation  
 Enrique C. Zaldivar, Director

Proposed in \_\_\_\_\_ Committee  
 Council File No. \_\_\_\_\_



**What is the Issue?**

- Each year billions of single-use plastic bags are consumed in the City of Los Angeles
- Discarded single-use plastic bags that end up in the litter stream impact communities and the environment
- The City spends millions of dollars each year on prevention, cleanup and other activities to reduce litter



Date: 6/5/13  
 Submitted in E-78 Committee  
 Council File No: 1  
 Item No.: 11-1021  
 By: POS

## City Policy Actions on the Issue

- 2004 – Created a Los Angeles River Plastics Industry Task Force to clean up litter
- 2008 – Adopted a policy statement that the City would ban single-use plastic carryout bags in 2010 if the State had not acted; 2010 State measures failed
- 2011 – Sanitation directed to begin environmental process and prepare an implementation plan; BPW approves plan
- 2012 – Council direction to conduct CEQA and prepare ordinance
- 2013 – State measures fail



## Project Objectives

- Reduce billions of single-use plastic carryout bags currently consumed in the City of Los Angeles each year
- Reduce adverse environmental impacts associated with single-use plastic carryout bags
- Deter the use of single-use paper carryout bags by retail customers in the City
- Promote the use of reusable carryout bags
- Reduce plastic bag litter and the associated adverse impacts



## Bureau of Sanitation Discarded Bag Anti-Litter Efforts

- ✓ Added recycling of paper and plastic bags in the residential and multifamily blue bin programs
- ✓ Worked with supermarkets to provide bins for customers to recycle plastic bags
- ✓ Participated in many outreach events: Earth Day, Day Without a Bag, and America Recycles Day
- ✓ Distributed over 300,000 reusable bags in the last five years to assist the public in moving from single-use carryout bags



## Draft Ordinance

- ❖ City Attorney has prepared an ordinance to:
  - Ban the distribution of plastic single-use carryout bags by a set category of retail establishments
  - Regulate the distribution of single-use carryout paper bags by those same retailers
  - Promote the use of reusable bags in the City

## Who would be regulated or not?

- Grocery Stores (Vons, Ralphs, Albertsons)
- Large stores with a pharmacy (CVS, RiteAid)
- Large Retail Stores that sell groceries (Target, Walmart)
- Convenience stores that sell milk, bread, soda, and snack foods (7-11, mini-marts)
- Not regulated: Restaurants, Retail that do not sell a line of perishable groceries (Home Depot, Lowe's, Macy's, Sears)

## Draft Ordinance Key Provisions

- Single-use plastic bags banned
- Charge a \$0.10 store fee on single-use carryout paper bags
- Provide reusable bags for sale or free
- Customers on supplemental food programs receive free paper bags
- Reusable bags must meet durability and safety standards
- Stores must report back to the City

## Timing of Ordinance

- 1<sup>st</sup> 6 months grace period in large stores, 12 months in small stores: date dependent on effective date of ordinance
- After 6 months: single-use plastic bags banned and paper bags are \$0.10 each at large stores (10,000 square feet or more) with grocery items
- After 12 months: All regulated stores charge a \$0.10 fee on single-use carryout paper bags, and single-use plastic bags are banned

## FEIR Public Review and Input

Public input was received and considered at each step of the EIR process:

- Initial Study
  - 30-day public review, five public meetings, notice in newspapers in multiple languages, available on Bureau's website, and in all major libraries
- Draft EIR
  - 45-day public review, seven public meetings, notice in newspapers in multiple languages, available on Bureau's website, and in all major libraries
- Final EIR
  - Notice in newspaper and available on Bureau's website

## Final EIR

Completed in compliance with the California Environmental Quality Act (CEQA) to:

- Evaluate potential environmental impacts of the proposed ordinance
- Provide responses to comments received during public review period on the Draft EIR
- Provide this information to the decision-makers and the public

## Alternatives in the Final EIR

As required under CEQA, FEIR considered alternatives to the project. The alternatives included:

1. No Project
2. Ban Both Plastic and Paper Single-Use Carryout Bags
3. Ban Plastic Single-Use Carryout Bags and Impose Higher Fee on Paper Single-Use Carryout Bags
4. Proposed Ordinance Without a Grace Period (no free paper bags after ban)
5. Impose a Fee on Single-Use Plastic Carryout Bags



## Alternatives in the Final EIR (cont.)

- The alternatives, other than No Project Alternative could achieve the project objectives more rapidly or to a greater extent
- The Proposed Ordinance (after one year) as well as Alternative 4, are consistent with actions taken in other jurisdictions in Los Angeles County
- Consistency will allow business to provide the same shopping experience within the City

## Public Education Plan

- Notify all residents and stakeholders about the new ordinance, how impacted stores are defined, which stores are exempt, and what the timelines are using a comprehensive email database developed from the City's elected offices, Sanitation programs, DONE, and neighborhood councils
- Press conference and press release

## Outreach at Grocery Stores

- Meet with Big-3 grocery stores for permission to staff information tables at Big-3 supermarkets (30 stores) and independent grocery stores (60 stores) in 15 City Council District areas for a total of 90 locations across the City. The targeted stores will include:
  - Albertsons & Fresh and Easy markets (10)
  - Ralphs & Food 4 Less markets (10)
  - Vons & Safeway markets (10)
  - Independent grocery stores
    - Spanish markets (20)
    - Armenian markets (5)
    - Chinese markets (5)
    - Ethiopian markets (5)
    - Filipino markets (5)
    - Japanese markets (5)
    - Korean markets (5)
    - Persian markets (5)
    - Thai markets (5)

## EDUCATIONAL MATERIALS

- Reusable bags (500,000 free bags to be distributed citywide)
- Speaking points for Sanitation outreach staff, 311 Citywide Service Directory and Sanitation Call Center
- One page fact sheet in multiple languages
- Notification email letter to stakeholders citywide
- Press release on proposed reusable bag policy (Los Angeles Times and Los Angeles Daily News)
- Ordinance description for City, Mayor, City Council and Sanitation websites
- Powerpoint presentation for neighborhood council and community meetings
- Educational poster in multiple languages
  - Educational flyer in multiple languages

## Questions or Direction

- Any Questions or Comments?

