

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA BARBARA MAKING CERTAIN FINDINGS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT CONCERNING THE CITY'S SINGLE-USE BAG ORDINANCE AND DENYING AN APPEAL OF THE CITY PLANNING COMMISSION DECISION TO CERTIFY A FINAL ENVIRONMENTAL IMPACT REPORT FOR THE CITY'S PROPOSED SINGLE-USE CARRYOUT BAG ORDINANCE.

WHEREAS, the City of Santa Barbara's proposed "Single-use Carryout Bag ordinance" would prohibit certain stores which sell food and pharmacies from providing plastic carryout bags, and would also require such stores to charge 10-cents for each recyclable paper bag provided by the stores to their customers at the point of sale;

WHEREAS, as currently proposed, the City's Single-use Carryout Bag Ordinance would apply to two categories of retail establishments that are located within or doing business within the geographic limits of Santa Barbara. The ordinance would both prohibit the free distribution of single use carryout paper and plastic bags and require retail establishments to charge customers for recyclable paper bags provided to those customers at the point of sale. The regulated retail establishments would also be allowed to sell reusable bags or to distribute them free of charge within certain limitations. The Ordinance sets forth that the minimum charge for single use recyclable paper bags would be ten cents (\$0.10). The Ordinance would not apply to restaurants and other food-service providers, thus allowing them to continue to provide plastic bags to customers for prepared take-out food intended for consumption off of the food provider's premises;

WHEREAS, the intent of the City's Single-use Carryout Bag ordinance is to reduce the adverse environmental impacts related to the use of single-use carryout bags, whether paper or plastic, and to promote a shift by grocery store customers towards the greater use of reusable bags. It is anticipated that by prohibiting single use plastic carryout bags and by requiring stores to impose a mandatory charge for each paper bag distributed by stores, the Ordinance will provide a disincentive to customers to request paper bags when shopping at regulated stores and thereby promote a greater use of reusable bags by retail customers;

WHEREAS, the intent of the City in enacting the Single-use Bag Ordinance is to reduce the existing known negative environmental impacts from the widespread manufacture and use of plastic and paper bags, such as those negative impacts which may relate to our local biological and ocean resources (including the Santa

Barbara marine estuary and creek environments), an increase in litter, local water quality (such as storm water quality impacts), and for those negative impacts on City and quasi-public facilities (such as on solid waste disposal facilities) particularly with respect to how these impacts affect a smaller beachfront community such as Santa Barbara;

WHEREAS, the Final Environmental Impact Report (“EIR”), dated as of May 2013, was prepared at the request of the City, as one of the members of the joint powers authority public entity known as the “Beach Erosion and Clean Ocean Nourishment Authority (BEACON), in order to consider the possible environmental effects of the draft Single-use Bag Ordinance;

WHEREAS, the preparation of the EIR by BEACON has resulted in a comprehensive public process for comments on the Draft EIR and for the full public review and disclosure of the potential environmental consequences of a City Single-use Carryout Bag Ordinance within the context of a model Single-use Bag Ordinance for possible enactment within the Santa Barbara and Ventura county areas as required by the California Environmental Quality Act;

WHEREAS, the Single-Use Carryout Bag Ordinance Final EIR has, among other things, thoroughly analyzed such an Ordinance for its potential negative effects associated with air quality, biological resources, greenhouse gas emissions, hydrology and water quality, water, wastewater, solid waste, and storm water systems;

WHEREAS, the final EIR has concluded that no significant adverse environmental effects would result from the adoption of the proposed Single-use Carryout Bag Ordinance and, as a result, no mitigation measures to reduce environmental impacts are necessary or required by CEQA in order to address such impacts and to reduce them to a level of less than significant;

WHEREAS, the Santa Barbara City Planning Commission scheduled a public hearing for the possible City certification of the Final EIR for the Single-use Carryout Bag Ordinance prepared by BEACON on behalf of its member agencies and the City Planning Commission received a full City staff presentation and staff report, including a nine (9) page “Santa Barbara Addition” to the EIR dated as of August 1, 2013 which examines any possible impacts of the proposed Ordinance which might occur within the city of Santa Barbara (attached hereto as Exhibit A), conducted a public hearing, received and responded to comments from members of the public and the Commission considered the certification of the Final Environmental Impact Report as required for CEQA for the proposed Single-Use Carryout Bag Ordinance on August 8, 2013.

WHEREAS, the City Planning Commission duly certified the Final EIR (together with the August 1, 2013 Santa Barbara Addition to the FEIR) on August 8, 2013 – making the certification findings required by CEQA Guideline Section 15090 (as stated in Commission Resolution No. 011-13) and this certification was appealed to the Santa Barbara City Council pursuant to CEQA Guideline Section 15090(b); and

WHEREAS, after receiving and responding to additional public comments and after conducting an October 1, 2013 public hearing “de novo” on the certification of the Final EIR, as supplemented by the Santa Barbara Addition and the Staff Response to

Comments dated as of October 1, 2013, the Santa Barbara City Council has decided to certify the Final EIR and to use it as the appropriate form of environmental review for the enactment of the City's Single-Use Bag Ordinance;

NOW, THEREFORE, be it resolved that the Santa Barbara City Council does find, conclude, and determine as follows:

I. Certification Findings:

1. The Final Environmental Impact Report for the City of Santa Barbara Single-use Carryout Bag Ordinance is comprised of the Draft Environmental Impact Report, the comments on the Draft Environmental Impact Report, the responses to comments on the Draft Environmental Impact Report, and minor changes to the Draft Environmental Impact Report, as well as the City of Santa Barbara Addition (the "Santa Barbara Addition" dated as of August 1, 2013 and attached hereto as Exhibit A) to the Final Environmental Impact Report, and including the City Staff Response to Comments dated as of October 1, 2013 (attached hereto as Exhibit B), and the October 1, 2013 Santa Barbara City Council Agenda Report, all of which were presented to the Santa Barbara City Council as part of a duly-noticed public hearing on the proposed Ordinance and its environmental review of the Ordinance which was held on October 1, 2013.

2. The Santa Barbara City Council reviewed and considered the information contained in the proposed Final Environmental Impact Report, including the Santa Barbara Addition, City Staff Comments, and the City Staff Response, the public comment, and all other responses to comments, and has determined that the Final EIR, (with its attachments, the Santa Barbara Addition and the Staff Response dated as of October 1, 2013) constitutes a complete, accurate, and good faith effort toward full disclosure of the possible environmental impacts which might result from the City's enactment of a Single-use Carryout Bag Ordinance and, as such, is an adequate environmental analysis of the Ordinance as a discretionary City "Project."

3. The Council, upon completion of a "de novo" certification appeal hearing on October 1, 2013, rejects the appeal of the City Planning Commission's August 8, 2013 certification of the Final EIR for the Single-use Bag Ordinance filed by attorney Stephen L. Joseph on behalf of the "Save the Plastic Bag Coalition" and finds that proposed Final Environmental Impact Report for the Single-Use Bag Ordinance (together with the Santa Barbara Addition, the Staff Response to Comments dated as of October 1, 2013, and the other attachments, materials, and documents provided to the Council and available to the public for the October 1, 2013 hearing) have been prepared and completed in full compliance with the California Environmental Quality Act and Guidelines, both with respect to the public procedural and substantive requirements of CEQA and the CEQA Guidelines.

4. The proposed Final Environmental Impact Report (together with the Santa Barbara Addition, the Staff Response to Comments dated October 1, 2013, and

the other EIR attachments and materials in the City Council's record of proceedings) for the City's Single-use Carryout Bag Ordinance reflects the independent judgment and analysis and conclusions of the Santa Barbara City Council, both individually and collectively.

5. The location and custodian of all Environmental Review documents and materials for the City's proposed Single-use Bag Ordinance that constitute the record of proceedings upon which the decision to enact the City's Single-use Bag Ordinance is based is at the City of Santa Barbara Community Development Department, Planning Division, located at 630 Garden Street, Santa Barbara, California, 93101 Attention: Dan Gullet, and Barbara Shelton, Planners and Environmental Analysts.

II. Study of Project Alternatives.

1. As required by CEQA and without pre-determining whether the proposed Single-use Carryout Bag Ordinance had any possible Class I Impacts, the EIR for the Single-use Carryout Bag Ordinance examined a range of reasonable regulatory alternatives to the proposed ordinance that might feasibly attain most of the basic project objectives originally set by the City Council which range of alternatives also included an examination of the "no [ordinance] project" alternative. These alternatives are described and evaluated in Section 6.0 of the EIR, in the "*Alternatives*" portion of the Final EIR. The City Council fully considered and evaluated the relative merits of these possible alternatives in terms of effectuating the goals of the City Council established for this Project, as well as other possible legislative alternatives, as part of the City Council's normal legislative process for the proposed Ordinance within the context of what CEQA refers to as the "rule of reason" under CEQA Guideline Section 15126.6(f.) The Council finds that the EIR, when combined with the Santa Barbara Addition and the Staff Response to Comments, contains sufficient information about each alternative necessary to allow a meaningful evaluation, analysis, and comparison with the proposed Project of the Single-use Carryout Bag Ordinance.

2. Notwithstanding having fully considered a broad range of possible alternatives, the City Council expressly finds that the proposed Single-use Bag Ordinance being enacted concurrently with the adoption of this Resolution is the most appropriate and potentially most effective way to address the concerns apparent to the Council with the commonplace use of plastic and paper carry-out bags within Santa Barbara. This is true despite that the EIR ultimately concluded that the proposed Single-use Bag Ordinance is not actually likely to cause any possible Class I or Class II adverse environmental impacts and, consequently, it was not necessary or legally required that the City consider alternatives which avoid or substantially lessen any potential significant adverse impacts. The Council agrees that the rationale given in the EIR for selecting the Project alternative is appropriate and warranted.

III. Council Findings Concerning Potentially Significant Impacts and Mitigation Measures.

1. Table ES-1 of the Final EIR includes a description of the environmental issues relative to the proposed Single-use Carryout Bag Ordinance, the identified possible environmental impacts, any necessary proposed mitigation measures, and any residual environmental impacts. These impacts are categorized by classes. As Table ES-1 of the FEIR indicates, all possible impacts from the proposed Single-use Bag Ordinance were identified as either Class III Impacts (impacts which are considered less than significant adverse impacts and, as a result, not in need of mitigation), or Class IV Impacts (impacts which are environmentally beneficial.) The Santa Barbara Addition to the FEIR also summarized possible environmental impacts specifically or uniquely within the city of Santa Barbara, which would constitute a fractional portion of the impacts found by the FEIR to be less than significant or beneficial for the entire EIR study area of Santa Barbara and Ventura Counties. The impacts identified within the City's jurisdiction were clearly demonstrated by the Santa Barbara Addition to be less than significant without any potentially necessary mitigation measures or demonstrated to be beneficial to the environment. As a result, the Santa Barbara City Council finds that the impact conclusions shown in Table ES-1 are correct and that it is clear to the Council that that the proposed Single-use Carryout Ordinance will not engender or cause any significant adverse environmental impacts, whether mitigated or unmitigated, within the City.

Consequently, the Council also finds and determines that, pursuant to CEQA Guidelines Section 15097 no mitigation measures are required in connection with the enactment of the proposed Ordinance

IV. Required Environmental Findings:

1. The Council finds that it is not necessary to make changes or alterations in the proposed City project in order to avoid or substantially lessen possible significant environmental effects because the Project's Final EIR (including the Santa Barbara Addition attached hereto as Exhibit A, and the Staff Response to Comments dated as of October 1, 2013 attached hereto as Exhibit B - along with the other supplemental attached materials contained within the Administrative Record herein) readily and convincingly show substantial evidence that the proposed Single -use Bag Ordinance will not, in the Council's opinion, have a potentially significant adverse environmental impact.

2. The City Council also finds that no required mitigation measures are needed nor is any mitigation measure monitoring necessary in order to avoid or lessen potentially significant environmental impacts from the proposed City Single-use Bag Ordinance nor is it necessary for some other public entity to act to mitigate a

potentially adverse environmental impact which might be caused by the proposed Ordinance.

3. The City Council finds that the information and responses contained within the Santa Barbara Addition (Exhibit A hereto) and the Staff Response to Comments (Exhibit B hereto), have also been thoroughly reviewed and considered by the City Planning Commission and the Council prior to the Council's enactment of the proposed Ordinance; for the most part, these additional documents were prepared in response to comments/demands made by the "Save the Plastic Bag Coalition" after the completion of the Final EIR to clarify the EIR's impact analysis and respond to further comments and questions regarding the Final EIR. Taken and considered together with the Final EIR, these supplemental materials constitute an appropriate comprehensive EIR with an Addendum prepared for a Program EIR such as this. This is true, in part, because the City has not been (and is not) proposing substantial changes to the proposed Single-use Carryout Bag Ordinance from the model single-use carryout bag ordinance project which was considered by BEACON in May 2013 in the Final EIR, nor have there been substantial changes to the circumstances under which the proposed City Single-use Carryout Bag Ordinance is being undertaken such that the changes require major revisions of the EIR or the environmental conclusions contained therein or a need to re-circulate the FEIR. For example, nothing in the Santa Barbara Addition warrants a conclusion that there may be a new potentially significant environmental effect or a substantial increase in the severity of a previously identified effect; as a result, there is substantial evidence supporting the City Council's independent judgment and decision to not prepare a subsequent or supplemental EIR and to, instead, prepare an Addendum consisting of clarifying materials (in the form of the Addition) concerning the Ordinance's Final EIR.

4. The City Council finds, determines, and concludes that the above-stated findings are supported by substantial evidence in the record of the Council proceedings on the proposed Single-use Bag Ordinance.

5. The City's Single-use Bag Ordinance, as approved and enacted by the City Council concurrently with the adoption of this Resolution, will not have a significant effect on the environment.

6. The location and custodian of all Environmental Review documents and materials for the City's proposed Single-use Bag Ordinance that constitute the record of proceedings upon which the decision to enact the City's Single-use Bag Ordinance is based is at the City of Santa Barbara Community Development Department, Planning Division, located at 630 Garden Street, Santa Barbara, California, 93101 Attention: Dan Gullet and Barbara Shelton, Planners and Environmental Analysts.



**CITY OF SANTA BARBARA ADDITION TO
FINAL ENVIRONMENTAL IMPACT REPORT
(SCH#2012111093)**

**SINGLE USE CARRYOUT BAG ORDINANCE
August 1, 2013**

INTRODUCTION

This document is a City-prepared addition to the Final Environmental Impact Report (EIR) for the Single-Use Carryout Bag Ordinance (“Study Area Ordinance”) that was prepared for jurisdictions within Santa Barbara and Ventura counties by the Beach Erosion Authority for Clean Ocean and Nourishment (BEACON) in May 2013 (SCH #2012111093).

The City of Santa Barbara is the Lead Agency and proposes an ordinance to ban plastic carryout bags that is consistent with the ordinance analyzed in the Final EIR. This City addition to the Final EIR clarifies environmental effects associated with adoption of the ordinance within the City of Santa Barbara. The City of Santa Barbara Ordinance would prohibit the free distribution of single-use carryout paper and plastic bags and require certain retail establishments to charge customers ten cents (\$0.10) for single-use recyclable paper bags at the point of sale.

The Final EIR evaluation concludes that no substantial adverse environmental effects would result from the Ordinance and no mitigation is required. Beneficial environmental effects were identified in the areas of biological and marine resources, water quality and storm water systems, solid waste, and visual aesthetics. The new information contained in this City addition to the Final EIR involves only minor modifications to the Final EIR to clarify impacts within the City of Santa Barbara jurisdiction. There have been no substantial changes in existing environmental conditions since preparation of the Final EIR (SCH#2012111093).

The EIR was circulated for public review from February 12, 2013 to March 28, 2013. Written responses to comment are provided in the Final EIR. A lead agency recirculates an EIR for comment prior to its certification only when significant new information involving significant impacts is added to the Final EIR (Section 15088.5 of the California Environmental Quality Act (CEQA) Guidelines). New information is not “significant” unless the EIR is changed in such a way that that deprives the public of meaningful opportunity to comment on a substantial adverse environmental effect of the project or a feasible way to mitigate such an effect. Recirculation of

the EIR is not necessary for this City addition to the Final EIR since the new information contained in this addition merely clarifies and makes insignificant modifications to the EIR. The opportunity for public comment is provided prior to and at the City Planning Commission hearing on Final EIR certification.

PROJECT DESCRIPTION

The proposed City of Santa Barbara Single-Use Carryout Bag Ordinance (“City Ordinance”) would prohibit the free distribution of plastic and paper carryout bags and impose a minimum ten cent charge on recyclable paper carryout bags at regulated stores. Reusable bags could be sold or given out by a retailer without charge. The stores that would be affected are located within the City limits and include grocery stores, pharmacies, convenience stores, and other similar retail stores which sell a limited line of grocery items. Restaurants and fast food providers would be exempt from the City Ordinance.

Consistent with the EIR analysis with a ban on single-use plastic carryout bags and a minimum charge of ten cents for recycled paper bags, it is assumed that 65% of plastic bag use would be switched to reusable bags (each assumed to be re-used 52 times), and 30% would switch to recycled paper bags, and 5% of plastic bags would remain to account for exempt retailers. An estimated 47,302,542 plastic bags are currently used annually within the City of Santa Barbara. With the City Ordinance, as shown in Table 1, it is estimated that total single-use carryout bag usage would be reduced to approximately 16,555,890 bags per year.

Table 1: Existing and Proposed Carryout Bag Use

| Area | Existing Total Plastic Bags Used Annually | Proposed Reusable Bags (65% Switch to Reusable) ¹ | Proposed Paper Bags (30% switch to paper) ¹ | Proposed Plastic Bags (5% Remain) ² | Proposed Total Carryout Bags Used Annually |
|-----------------------|---|--|--|--|--|
| BEACON Study Area | 658,241,406 | 8,228,018 | 197,472,422 | 32,912,070 | 238,612,510 |
| City of Santa Barbara | 47,302,542 | 591,282 | 14,190,763 | 2,365,127 | 17,147,172 |

¹ Rates used in the City of San Jose Final EIR, SCH # 2009102095, October 2010.
² Rate used in the City of Sunnyvale Final EIR, SCH # 2011062032, November 2011.
 Source: BEACON Single Use Bag Final EIR, May 2013, Appendix C.

As discussed in Section 6.0 Alternatives, the Final EIR includes an Alternative (Alternative 4) that considers a ban on both single-use plastic and paper bags. Alternative 4 was considered to be “environmentally superior” to the Proposed Study Area Ordinance (with a \$0.10 fee on paper bags), because Alternative 4 is expected to result in the use of fewer recyclable paper bags (and more reusable bags).

Nevertheless, as discussed in Section 6.0 Alternatives of the Final EIR, the Proposed Study Area Ordinance would not have any significant adverse impacts; therefore, adopting an environmentally superior alternative rather than the Proposed Study Area Ordinance would not avoid any significant adverse environmental effects.

The City objectives for the City Ordinance would be the same as the objectives for the Study Area Ordinance as described in the Final EIR:

- Reducing the environmental impacts related to single-use plastic carryout bags, such as impacts to biological resources (including marine environments), water quality, and utilities (solid waste)
- Deterring the use of paper bags by retail customers
- Promoting a shift toward the use of reusable carryout bags by retail customers
- Reducing litter and the associated adverse impacts to storm water systems, aesthetics, and marine and terrestrial environments

ENVIRONMENTAL IMPACTS

This section addresses each of the environmental issues studied in the Final EIR, comparing the effects of the City Ordinance within the City of Santa Barbara with the effects on the larger Study Area evaluated in the Final EIR.

The City Ordinance would not change the level of significance of any of the impacts identified as less than significant or beneficial in the EIR or Initial Study (Appendix A of the Final EIR). Each of those impacts would remain less than significant for the City Ordinance.

Air Quality

The City Ordinance impacts related to air quality would be the same as identified in the Final EIR. The City's existing and proposed bag use was considered in the Final EIR analysis, which analyzed bag use in unincorporated Santa Barbara and Ventura counties and within 16 municipalities in those two counties. The City Ordinance does not involve any construction activities; therefore there would be no regional or localized construction impacts. Operational impacts include emissions associated with bag manufacture, transportation, and use as well as emissions resulting from increased delivery trips.

Emissions from Manufacture, Transportation and Use

As described in Section 4.1 of the Final EIR, the City Ordinance is expected to result in an overall decrease in ozone and atmospheric acidification (AA) emissions.

Table 2 shows the estimated daily emission changes that would result if the Counties of Santa Barbara and Ventura and cities in the Study Area (including Santa Barbara) were to implement a plastic bag ban ordinance similar to the City Ordinance. The emissions related to converting from plastic to paper and reusable bags as a result of the City Ordinance are shown in Table 2. Ozone and atmospheric acidification emissions would be expected to decrease in Santa Barbara. Therefore, as determined in the Final EIR, air quality impacts from the manufacture, transportation, and use of carryout bags would be beneficial compared to existing conditions.

Table 2: Estimated Changes in Ozone and Atmospheric Acidification Emissions

| Ordinance Jurisdiction | Existing Emissions from Carryout Bags | | Change in Emissions from Ordinance | |
|------------------------|---------------------------------------|------------------------|------------------------------------|------------------------|
| | Ozone Emissions (kg/year) | AA Emissions (kg/year) | Ozone Emissions (kg/year) | AA Emissions (kg/year) |
| BEACON Study Area | 15,140 | 713,534 | (8,195) | (244,306) |
| City of Santa Barbara | 1,088 | 51,276 | (589) | (17,556) |

*() Denotes a decrease in emissions compared to existing conditions.
 Source: BEACON Single Use Bag Final EIR, May 2013, Appendix D.*

Emissions Resulting From Increased Delivery Trips

Similar to the effects identified area-wide in the EIR, the City Ordinance would be expected to potentially result in incrementally more delivery truck trips to transport paper and reusable carryout bags to affected stores. The EIR identified an overall increase of approximately 1.87 truck trips per day throughout the Study Area. Using the EIR methodology to determine truck trips, the City of Santa Barbara’s contribution to this increase would be approximately 0.13 truck trips per day.¹

As shown in Table 3, the increase of truck trips expected area-wide would not result in exceeding any air pollution thresholds of impact significance set by the Santa Barbara County Air Pollution Control District (SBCAPCD) and used by local jurisdictions. The City Ordinance would account for approximately 7% of the increase in the number of truck trips from the larger EIR Study Area, resulting in emissions in reactive organic gases (ROG), nitrogen oxides (NO_x), and particulate matter (PM₁₀) emissions much less than SBCAPCDs thresholds. Therefore, impacts related to mobile emissions from the City Ordinance would be less than significant.

Table 3: Study Area Ordinance-Generated Operational Emissions from Truck Deliveries

| Emissions | Emissions (lbs/day) | | |
|---------------------|---------------------|-----------------|------------------|
| | ROG | NO _x | PM ₁₀ |
| BEACON Study Area | 0.08 | 0.41 | 0.04 |
| Thresholds | 25 | 25 | 80 |
| Threshold Exceeded? | No | No | No |

Source: BEACON Single Use Bag Final EIR, May 2013, Appendix D.

Biological Resources

The City of Santa Barbara’s General Plan identifies Mission, Arroyo Burro, San Roque, and Sycamore creeks as the major creek systems within the City that provide drainage from the mountains and hills and states that these creeks are largely natural in appearance. These creeks contribute substantially to the aesthetic quality of the City, function as important ecological resources, provide connecting linear open space links from the hillsides to the shoreline, and aesthetic enhancement of recreational, residential, and commercial areas.

As identified in the Final EIR for the Study Area Ordinance, the City Ordinance would result in a reduction in the use and disposal of plastic carryout bags and an increase in the use and disposal of recycled paper and reusable bags. As such, the City Ordinance would incrementally reduce the amount of single-use plastic bag litter that could enter the marine and terrestrial environments and affect sensitive species. The City Ordinance would also be anticipated to increase consumer

¹ Existing bag use in the City of Santa Barbara is estimated to be 47,302,542 plastic bags per year. Assuming that 30% of existing plastic bag use would switch to paper (14,190,783 paper bags), 65% would switch to reusable bags (591,282 reusable bags assuming 52 uses a year) and 5% would remain (2,365,127 plastic bags) to account for exempt retailers. Assuming 2,080,000 plastic bags per truck load, 217,665 paper bags per truck load, and 108,862 reusable bags per truck load.

use of recycled paper and reusable carryout bags, which, as discussed in the Final EIR, have not been widely noted to have adverse impacts on biological resources. Although reusable bags may eventually be disposed of as solid waste, they are heavier than plastic carryout bags, can be reused multiple times, and the number of reusable bags that would likely end up as litter and impact biological resources would therefore be lower. In addition, because paper bags are not as resistant to biodegradation, paper bags do not persist in the marine environment for as long as plastic bags. For the reasons stated above, consistent with the findings of the Final EIR, the City Ordinance would result in beneficial effects on sensitive wildlife species and habitats.

Greenhouse Gas Emissions

Carryout bags have the potential to contribute to the generation of greenhouse gas emissions (GHGs) either through emissions associated with the manufacturing process of carryout bags, truck trips delivering carryout bags to retailers or through disposal during landfill degradation. The SBACPCD does not have adopted GHG emissions thresholds or a GHG emissions reduction plan.

The City of Santa Barbara's Climate Action Plan was adopted in September 2012. Past, present, and forecasted future citywide greenhouse gas emissions were analyzed in the Plan and associated Addendum to the 2010 Final Program EIR for the Plan Santa Barbara General Plan Update in comparison to the State and City greenhouse gas emissions targets (year 2020 total emissions at 1990 level; 2020 and 2035 per capita vehicle emissions at 2005 level). The analysis demonstrates that citywide emissions are decreasing. With continued implementation of existing State and City legislative measures, citywide emissions associated with growth under the General Plan would meet and surpass these State and City emissions targets. The City Climate Action Plan constitutes a citywide mitigation program for greenhouse gas emissions in accordance with SB 97. Regardless, consistent with the Final EIR analysis, the City Ordinance is evaluated based on the project-level threshold of 4.6 metric tons CO₂e per service population per year based on the County of Santa Barbara's interim approach for evaluating GHG emissions. Based on existing population and employment data provided by the California Department of Finance, the existing population in the City of Santa Barbara used for this analysis is 89,082.²

Manufacturing, Transportation, Washing and Disposal

As discussed in the Final EIR, the manufacture, transport, and disposal of a single-use paper bag generates 3.3 times more GHG emissions than the manufacture, transport, and disposal of a single-use plastic bag. If only used once, the manufacture, use, and disposal of a reusable carryout bag results in 2.6 times the GHG emissions of a single-use HDPE plastic bag. However, reusable carryout bags are intended to be used multiple times. With reuse of carryout bags, the total carryout bags that would be manufactured, transported, and disposed of would be reduced. Washing and cleaning of reusable bags would use electricity or natural gas and therefore would incrementally increase energy production-related GHG emissions.

The Final EIR estimates that the Study Area Ordinance would contribute indirectly to an overall increase of approximately 10,919 metric tons of CO₂e emissions per year for manufacturing, transportation, washing, and disposal, or 0.0088 metric tons CO₂e per person per year, as shown in Table 4. Thus, the Final EIR determined that the Study Area Ordinance would not exceed

² California Department of Finance, "City/County Population and Housing Estimates" (May 2012)

GHG thresholds and therefore impacts related to a shift toward use of paper and reusable bags would be less than significant. Similarly, for the City Ordinance, the shift from plastic carryout bags to paper and reusable bags could be estimated to increase GHG emissions in the City by approximately 785 metric tons per year as shown in Table 4. As such, the City Ordinance would have a less than significant impact related to GHG emissions, consistent with the findings of the Final EIR.

Table 4: Estimated Increase in GHG Emissions from City Ordinance and Study Area Ordinance

| Ordinance Jurisdiction | Total CO ₂ e Emissions (metric tons/year) ¹ | Emissions per Capita (metric tons/year) |
|------------------------|---|---|
| BEACON Study Area | 10,919 | 0.0088 |
| City of Santa Barbara | 785 | 0.0088 |

¹ Represents a net change in GHG emissions compared to existing plastic bag use.
 Source: BEACON Single Use Bag Final EIR, May 2013, Appendix D.

Consistency with Applicable GHG Plans and Policies

The City Ordinance would be consistent with the City of Santa Barbara General Plan climate policies, the City Climate Action Plan, the City Climate Action Team strategies, and measures suggested in the Attorney General’s Greenhouse Gas Reduction Report as discussed in Tables 4.3-4, 4.3-5 and 4.3-6 of the Final EIR. Therefore, the City Ordinance would be consistent with the objectives of AB 32, SB 97, and SB 375. There would not be significant impacts associated with inconsistency with plans and policies.

Hydrology and Water Quality

Hydrology and water quality impacts would be similar to those identified in the Final EIR. The following discusses the impacts related to drainage and surface water quality that would result from implementation of the City Ordinance.

Drainage

Consistent with the findings of the Final EIR, the City Ordinance would not require construction of new structures or additional storm water infrastructure. Consequently, the capacity of existing storm water drainage would remain unchanged and redirecting storm water flows would be unnecessary. Single-use plastic bags that become litter may enter storm drains from surface water runoff or may be blown directly into local waterways by the wind. By banning plastic carryout bags within the City, the City Ordinance is expected to improve the existing drainage capacity by removing a substantial source of trash that can clog features of the system and reduce its capacity. Therefore, consistent with the findings of the Final EIR, the City Ordinance would not result in significant adverse impacts to hydrology and water quality related to drainage.

Surface Water Quality

As noted in the Final EIR, the manufacturing processes for single-use plastic, single-use paper, and reusable bags use various chemicals and materials. The City Ordinance is estimated to reduce plastic bag use by 95% and increase the use of recycled paper and reusable bags.

With implementation of the City Ordinance, approximately 17.1 million carryout bags (including single-use paper, single-use plastic, and reusable bags) would be manufactured for use in the City annually—a decrease of approximately 65% compared to existing conditions. Consequently, the City Ordinance would reduce the overall impacts to water quality associated with bag manufacturing. Furthermore, manufacturing facilities would be required to adhere to existing Federal, State and local regulations. Therefore, impacts to water quality related to the potential change of processing activities as a result of the City Ordinance would not be significant, which is consistent with the Final EIR analysis.

Utilities and Service Systems

Impacts to utilities and service systems as a result of the City Ordinance would be similar to impacts discussed in the Final EIR. The following summarizes the impacts related to water supply, wastewater collection and treatment, and solid waste for the City Ordinance compared to the findings contained in the BEACON Final EIR.

Water Supply

Carryout bags would indirectly result in water use through the manufacturing process of carryout bags. As discussed in the Final EIR, the conversion from plastic bags to paper carryout bags and reusable carryout bags would result in an increase of water use from the manufacturing process of paper and reusable bags. No manufacturing facilities of carryout bags are known to be located within either the County of Santa Barbara or the County of Ventura. Therefore, carryout bag manufacturing facilities would not use water supplies of either county or the City of Santa Barbara.

In addition to water use from manufacturing carryout bags, the City Ordinance may result in increased water use as reusable bags would be washed. The Final EIR determined that the area-wide water demand from washing reusable bags would increase by 470.5 acre-feet per year (AFY) under the assumption that all new reusable carryout bags would require monthly cleaning in either a washing machine or by rinsing.

The City's portion of the expected 470.5 AFY water demand increase would be 44.2 AFY as a result of the City Ordinance. Total average year water demand in the City of Santa Barbara is estimated to be 14,000 AFY³. The estimated increase of water demand associated with the City Ordinance would represent approximately 0.32% of the total City water demand. This increase would not have significant impacts. Any increase in water supply necessary for paper carryout bag manufacturing would not impact Santa Barbara City or County water supplies. Consistent with the findings in the Final EIR, the City Ordinance would not necessitate new or expanded entitlements for water, and water supply impacts would be less than significant.

Wastewater Generation

As noted above and in the Final EIR, no manufacturing facilities for paper carryout bags appear to be located within the Study Area or City of Santa Barbara. Therefore, any increase in wastewater generation due to paper carryout bag manufacturing would not affect local wastewater treatment providers. The Final EIR assumed that 100% of the water used to wash reusable bags would become wastewater, identifying an increase in wastewater of approximately

³ City of Santa Barbara Long-Term Water Supply Plan, 2011

470.5 acre-feet per year (AFY). This is equivalent to 153,300,948 gallons per year, or approximately 420,002 gallons per day. The City's portion would be 44.2 AFY, which is equivalent to 14,402,633 gallons per year, or approximately 39,433 gallons per day.

The El Estero Wastewater Treatment Plant, which serves the City of Santa Barbara, has a remaining capacity of 3.3 million gallons per day (MGD) and therefore has capacity to treat the potential incremental increase in wastewater resulting from the City Ordinance. The estimated increase of wastewater and impacts related to wastewater generation for the City Ordinance would be less than significant.

Solid Waste

The Final EIR provided two analyses for solid waste impacts, using EPA recycling estimates with two separate data sets: Ecobilan (2004) and Boustead (2007). Using the Ecobilan data, it was determined that a single-use plastic bag would generate 0.0065 kilograms (kg) of solid waste per bag per day, a paper bag would generate 0.0087 kg of waste per bag per day, and a reusable bag (used 52 times) would generate 0.001 kg of waste per bag per day. Using the Boustead data, it was determined that a single-use plastic bag would produce 0.004 kg waste per bag per day, while a paper bag would result in 0.021 kg of waste per bag. The Boustead analysis did not estimate the solid waste from reusable bags. Based on the Ecobilan data, the Final EIR estimated that the Study Area Ordinance would reduce solid waste by 2,596 tons per year. Based on the Boustead data, the Final EIR estimated that the Study Area Ordinance would result in an increase of approximately 1,814 tons of solid waste per year.

As shown in Table 5, the Study Area Ordinance would result in a reduction of approximately 2,596 tons of solid waste per year and the City Ordinance would result in a reduction of 222 tons of solid waste per year using the Ecobilan data. Using the Boustead data, the Study Area Ordinance would result in an increase of approximately 1,814 tons of solid waste per year and the City Ordinance would result in an increase of approximately 155.14 tons of solid waste per year, or 0.43 tons per day. As stated in the Final EIR, the permitted daily maximum throughput of the Tajiguas Sanitary Landfill, which serves the City of Santa Barbara, is 1,500 tons per day. Using the worst case scenario (the Boustead data) the potential increase of 0.43 tons of solid waste per day would represent approximately 0.029% of the daily capacity of the landfill. Thus, existing waste disposal facilities could accommodate estimated increases in solid waste related to the City Ordinance, and impacts related to solid waste would be less than significant.

Table 5: Solid Waste Generation Due to Plastic and Paper Carryout Bags

| Ordinance Jurisdiction | Solid Waste Generation (tons/year) | |
|------------------------|------------------------------------|----------|
| | Ecobilan | Boustead |
| BEACON Study Area | -2,596.27 | 1,813.50 |
| City of Santa Barbara | -222.11 | 155.14 |

CONCLUSION

Based on analysis in the Final EIR and discussion in the City of Santa Barbara addition to the Final EIR, impacts from the proposed City of Santa Barbara Single-Use Carryout Bag Ordinance related to air quality, biological resources, greenhouse gas emissions, hydrology and water quality, and utilities and service systems were determined to be less than significant (Class 3) impacts or beneficial (Class 4).

Based on the above review of the project, in accordance with State CEQA Guidelines Section 15088.5, recirculation of the Environmental Impact Report prior to certification is not required, because new information and changes in project description, circumstances, impacts and mitigations are not substantial and do not involve new significant impacts or a substantial increase in the severity of previously identified impacts. The Final EIR (SCH#2012111093), including this City of Santa Barbara addition to the Final EIR constitute adequate environmental documentation in compliance with CEQA for the current project.

Prepared by:  Date: July 24, 13
Daniel Gullett, Associate Planner

Reviewed by:  Date: 7-25-13
Barbara Shelton, Environmental Analyst

Staff Responses to Appeal Issues dated as of October 1, 2013

A1. Save the Plastic Bag Coalition asserts that the EIR should consider post-ban paper bag use trends from Santa Monica High School survey data.

The Santa Monica High School report is based on a survey of five grocery stores before and after implementation of the City of Santa Monica single-use carryout bag ordinance. Like the proposed City of Santa Barbara Ordinance, the Santa Monica Ordinance banned single-use carryout plastic bags and required a 10 cent charge on paper bags. The report shows that paper bag use from Albertsons, Vons, and Ralphs (stores that typically offer plastic carryout bags) increased 23% after the ban, and paper bag use at Whole Foods and Trader Joes (stores that typically do not offer plastic carryout bags) dropped 23% after the ban.

This comment by the appellant was made in a previous letter and was responded to in the Final EIR on page 8-289 (Response 12.1). The EIR response noted that the Santa Monica study supports the EIR analysis that assumes an initial increase in paper carryout bag use following the plastic bag ban. Due to the short duration of the Santa Monica High School survey, it is not clear that the study is indicative of longer-term bag use trends following the plastic bag ban. It is also not clear whether there would be any differences in bag usage by customers in Santa Barbara compared to Santa Monica.

The proposed Santa Barbara Ordinance includes a 10-cent charge for carryout paper bags, intended as a disincentive for their use and an incentive to shift toward use of reusable bags. The proposed City ordinance also requires monitoring and a report to City Council on its effectiveness in reducing the number of plastic and paper bags used at regulated stores. Based on information from the monitoring reports, the City Council would have the opportunity to adjust the regulations as needed, including the amount of the paper bag charge.

A.2 Save the Plastic Bag Coalition asserts that purchases of trash/recycling can liners and other bags to replace plastic carryout bags that are used multiple times should be evaluated.

The appellant has cited an article from the *Irish Examiner* from January 2003 that reports increases in trash can liner and plastic diaper bag sales at various retailers following implementation of a fee on plastic carryout bags by the government of Ireland (see Final EIR page 8-117) and a South Australian report from 2013 that indicates an increase in post-ban purchases of can liners, from 15% of all consumers before the ban to 80% of consumers after the plastic carryout bag ban (see Final EIR page 8-289). The appellant also references a 2007 survey by the American Chemistry Council that asked the question "Do you or does anyone in your household ever reuse plastic shopping bags?" to which 92% of respondents said yes (see Final EIR page 8-118).

This comment by the appellant was made in a previous letter and responded to in the Final EIR on page 8-42 (Response 1.47) and page 8-289 (Response 12.2). The EIR states that some plastic carryout bags are currently used more than once, and that there may be an increase in purchased trash/recycling can liners and other plastic bags to replace the plastic carryout bags currently reused as can liners or for other uses.

Exhibit B to Findings Resolution

The EIR also notes that plastic bags sold to contain waste, including can liners, do not typically end up as litter since they are more often properly disposed of with trash or recycling. Therefore, plastic bags purchased for containing waste are much less likely than plastic carryout bags to impact biological resources, clog storm drains, and enter the marine environment. Increased manufacture and use of plastic waste bags (including can liners, diaper and dog waste bags, etc.) to replace reused plastic carryout bags would, however, partially offset reductions of air quality, solid waste, and greenhouse gas emissions impacts due to the ban on plastic carryout bags.

Following ordinance implementation, paper carryout bags will still be available and some can be expected to be reused for the secondary uses, replacing some plastic bags currently reused. In addition, since much of the volume of material carried out from grocery stores is consumed, the disposal volume of food waste and packaging is much less than the original grocery volume, requiring less plastic or paper to contain the waste than the original product. Substantially less overall plastic material waste and litter is expected when using specific bag types designed for dog waste, diaper disposal, and trash/recycling can liners compared with plastic carryout bags used for these secondary uses. Further analysis is provided below to augment the EIR analysis in response to this comment.

The 2010 United States Census reports that City of Santa Barbara had an average household size of 2.47 persons. With the Final EIR’s estimate for current average annual bag use of 531 plastic carryout bags per person (page 2-7 of the Final EIR), 1,312 plastic bags would be used annually per household on average in the City of Santa Barbara, or approximately 25 plastic carryout bags per household per week for the City’s population of 89,082. A comment letter from Anthony van Leeuwen received following the close of the public comment period suggests that the total number of replacement bags for secondary uses would be the equivalent of 40% of the existing plastic carryout bags, citing the 2011 United Kingdom Environment Agency study “Life cycle assessment of supermarket carrier bags: a review of the bags available in 2006”. For the City of Santa Barbara, 40% of all existing plastic bags would be 10 bags on average per household per week. Using this assumption, no significant environmental impacts would be expected to result, as demonstrated by the discussions below.

Air Emissions: As shown in the table below, estimated ozone emissions would be reduced in comparison with existing emissions, still resulting in a beneficial air quality effect. Estimated Atmospheric Acidification Emissions would slightly increase above existing emissions from plastic carryout bags by 5.76%, a less than significant increase. This increase is primarily related to the increased number of recyclable paper carryout bags that are anticipated to initially result from the Proposed Ordinance.

City of Santa Barbara Estimated Yearly Ground Level Ozone and Atmospheric Acidification (AA) Emissions from Proposed Ordinance with 40% Secondary Use Replacement for Plastic Carryout Bags

| Bag Type | # of Bags Used per Year ¹ | Ozone Emission Rate/ Bag ² | Ozone Emissions (kg) per 1,000 bags ³ | Ozone Emissions/ year (kg) | AA Emission Rate/ Bag ² | AA Emissions (kg)/ 1,000 bags ⁴ | AA Emissions/ year (kg) |
|----------|--------------------------------------|---------------------------------------|--|----------------------------|------------------------------------|--|-------------------------|
| | | | | | | | |

Exhibit B to Findings Resolution

| | | | | | | | |
|--|-------------------|------------|--------------|--------------|-------------------|--------------|---------------|
| Plastic Carryout | 2,365,127 | 1.0 | 0.023 | 54 | 1.0 | 1.084 | 2,564 |
| Paper Carryout | 14,190,763 | 1.3 | 0.03 | 426 | 1.9 | 2.06 | 29,233 |
| Reusable | 591,282 | 1.4 | 0.032 | 19 | 3.0 | 3.252 | 1,923 |
| Replacement for Plastic Carryout | 18,921,017 | 1.0 | 0.023 | 435 | 1.0 | 1.084 | 20,510 |
| Total | | | | 934 | Total | | 54,230 |
| Existing | | | | 1,088 | Existing | | 51,276 |
| Net Change (Total minus Existing) | | | | (154) | Net Change | | 2,954 |

¹ Refer to Appendix C of the Final EIR and discussion in A.2 response above.

² Impact rate per bag as stated in Stephen L. Joseph, 2009; Ecobilan, 2004; FRIDGE, 2002; and Green Cities California MEA, 2010; Santa Monica Single use Carryout Bag Ordinance Final EIR, January 2011.

³ Emissions per 1,000 bags from Ecobilan, 2004; Santa Monica Single use Carryout Bag Ordinance Final EIR, January 2011.

⁴ Emissions per 1,000 bags from FRIDGE, 2002 and Green Cities California MEA, 2010; Santa Monica Single use Carryout Bag Ordinance Final EIR, January 2011.

Water and Wastewater Effects: The Final EIR analyzes the proposed ordinance with two life cycle assessment methods [Ecobilan (2004) and Boustead (2007)] for water and wastewater. In the tables below, the EIR analysis is augmented to include 40% replacement of plastic carryout bags with equivalent purchased bags for secondary uses. The City's water demand increase from the proposed ordinance along with 40% replacement secondary use bags would be 48.3 acre feet per year (AFY). With total average year water demand in the City of Santa Barbara estimated to be 14,000AFY, the estimated increase of water demand associated with the City Ordinance would represent approximately 0.35% of the total City water demand (up from 0.32% from the previous analysis). This increase in water demand would be an insignificant impact. The City's wastewater demand increase from the proposed ordinance and including 40% replacement bags would be approximately 1,889 gallons per day. The El Estero Wastewater Treatment Plant, which serves the City of Santa Barbara, has a remaining capacity of 3.3 million gallons per day and, therefore, has capacity to treat the potential incremental increase in wastewater resulting from the City Ordinance. The estimated increase of wastewater and impacts related to wastewater generation for the City Ordinance would remain less than significant.

Solid Waste Effects. Based on the Ecobilan method and including the 40% secondary use replacement bags, solid waste would decrease in the City of Santa Barbara by 60 tons per year. Based on the Boustead data and including the secondary use replacement bags, solid waste in the City of Santa Barbara would increase by approximately 258 tons of solid waste per year (0.71 tons per day). As stated in the Final EIR, the permitted daily maximum throughput of the Tajiguas Landfill, which serves the City of Santa Barbara, is 1,500 tons per day. Using the higher end of the range (the Boustead data) the potential increase of 0.71 tons of solid waste per day would represent approximately 0.047% of the daily

Exhibit B to Findings Resolution

capacity of the landfill. Thus, the existing waste disposal facility can accommodate estimated increases in solid waste related to the City Ordinance, including secondary effects, and impacts related to solid waste would be less than significant. See additional discussion of the solid waste analysis in the response to appeal issue L below.

See response to appeal issue B below for an analysis of greenhouse gas emissions with an additional 40% replacement bags for secondary plastic carryout bag uses.

Area Wide and City of Santa Barbara Estimated Water, Wastewater, and Solid Waste Impacts With a 40% Secondary Use Replacement for Plastic Carryout Bags Using Ecobilan Method

| Bag Type | Population | Percent of Total Bag Use | Water Use (million gallons per year) | Wastewater Generated (million gallons per year) | Solid Waste (tons per year) |
|-----------------------|------------|--------------------------|--------------------------------------|---|-----------------------------|
| Study Area | 1,041,302 | 100% | 12.73 | 8.11 | (703) |
| City of Santa Barbara | 89,082 | 8.55% | 1.08 | 0.69 | (60) |

Area Wide and City of Santa Barbara Estimated Water and Solid Waste Impacts With a 40% Secondary Use Replacement for Plastic Carryout Bags Using Boustead Method

| Bag Type | Population | Percent of Total Bag Use | Water Use (million gallons per year) | Solid Waste (tons per year) |
|-----------------------|------------|--------------------------|--------------------------------------|-----------------------------|
| Study Area | 1,041,302 | 100% | 184.26 | 3,014 |
| City of Santa Barbara | 89,082 | 8.55% | 15.75 | 258 |

Response to Appellant's Assertion of CEQA Violations: The appellant's comment lists CEQA Statute and Guidelines sections, but does not specify how the EIR is thought to violate the provisions of those sections.

Comments received during the Draft EIR public comment period, including these comments, have been considered and evaluated, and written responses were provided in the Final EIR, as required by CEQA statute §21091 (d), CEQA Guidelines §15088, and judicial decisions including *Flanders Foundation v. City of Carmel by the Sea*. CEQA Guidelines §15088.5, pertaining to recirculation of an EIR prior to certification, does not apply here as there is no new information involving new or substantially increased significant impacts. CEQA Guidelines §§15120 (general content requirements of EIRs), 15124 (project description), 15126 (consideration and discussion of environmental impacts), 15144

(forecasting), and 15151 (standards for adequacy of an EIR), have been met by this EIR. [There is no Guidelines section 15126.1.]

The EIR analysis uses reasonable assumptions on the topics raised in these comments, and the EIR meets the CEQA test of adequacy, completeness, and a good faith effort at full disclosure. As made clear by Guidelines §15151, differing opinions about analytic assumptions used do not make an EIR inadequate. An evaluation of environmental impacts need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. The appellant's opinions are part of the record and available for consideration by decisionmakers and the public.

B. Save the Plastic Bag Coalition asserts that it is improper to assume that lifetime greenhouse gas emissions from Low Density Polyethelene (LDPE) reusable bags are representative of all reusable bags. The appeal states that a reasonable assumption for greenhouse gas emissions would be 104 single-use plastic bag equivalents per reusable bag rather than the 2.6 emissions multiplier used in the Final EIR.

This comment was made previously and responded to in the Final EIR on page 8-209 (Response 4.25). The following are excerpts from the EIR response:

...the Draft EIR utilizes the best available information to disclose environmental impacts associated with the Proposed Ordinance. The analysis uses the LDPE carryout bag as a representation of reusable bags in evaluating GHG impacts. There is no known available Life Cycle Assessment that evaluates all types of reusable bags (canvas, cotton, calico, etc.) with respect to potential GHG emissions. Further, the study that utilizes the 2.6 per bag rate assumption is from the Ecobilan (2004) and the Scottish Report (AEA Technology, 2005) that the commenter references in his previous comments (see Comment # 11 and Comment #24) and recommended for use in the Draft EIR analysis. As described in Response 1.77, this methodology is consistent with the greenhouse gas impact analysis contained in other CEQA documents pertaining to bag ordinances. This rate compared to an HDPE single-use plastic bag (2.6 times) is related to an LDPE bag being used once and then disposed. Given the high rate of reuse for all types of reusable bags (125 times or more as required by the Proposed Ordinance), the greenhouse gas emissions associated with the reusable bags, are expected to be comparable to an LPDE reusable bag or lower. As stated by CEQA Guidelines Section 15144, EIRs are to use the "rule of reason" with respect to content. The analysis contained in the Draft EIR satisfies the rule of reason.

In regard to using a GHG impact rate of 104 times that of a HDPE single-use carryout bag, while this rate appears to be unreasonably exaggerated and unreasonable in comparison to the 2.6 rate (as described above), even if it were used as the rate for GHG impact, as shown in the table below, the net increase of GHG emissions in the Study Area as a result of the Proposed

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Ordinance (approximately 0.0357 metric tons CO₂e per person per year) would not exceed the threshold of significance (4.6 metric tons per person per year) and thus the impact would remain less than significant (the same as in the Draft EIR using the rate of 2.6 for LDPE bags).

This EIR response to comment provides a table using the appellant’s suggested multiplier for the BEACON area-wide study. The EIR analysis is further augmented with the table showing estimated greenhouse gas emissions considering manufacturing, transportation, washing, and disposal for the proposed ordinance in the City of Santa Barbara using the appellant’s suggested 104 multiplier for reusable bags and including the replacement of 40% of plastic carryout bags with equivalent bags for secondary uses as discussed in A.2 above. The resulting greenhouse gas emissions would be 0.290 Carbon Dioxide Equivalents per person, which is substantially below the EIR’s project-level threshold of significance of 4.6 Carbon Dioxide Equivalents per person per year.

City of Santa Barbara Estimated Greenhouse Gas Emissions from Proposed Ordinance with 40% Secondary Use Replacement for Plastic Carryout Bags and a 104 GHG Impact Rate for Reusable Bags

| Manufacture, Use and Disposal | | | | | |
|--|---|--|---|---|---|
| Bag Type | Proposed # of Bags Used per Year ¹ | GHG Impact Rate per Bag | GHG Impact Rate (metric tons CO ₂ E) | CO ₂ E per year (metric tons) | CO ₂ E per Person (metric tons) ⁵ |
| Plastic Carryout | 2,365,127 | 1 | 0.04 per 1,500 bags ² | 63 | 0.0007 |
| Paper Carryout | 14,190,763 | 2.97 | 0.1188 per 1,000 bags ³ | 1,686 | 0.0189 |
| Reusable | 591,282 | 104 | 4.16 per 1,000 bags ⁴ | 2,460 | 0.2762 |
| Replacements for Secondary Uses | 18,921,017 | 1 | 0.04 per 1,500 bags² | 505 | 0.0057 |
| <i>Subtotal</i> | | | | 4,714 | 0.3015 |
| Washing | | | | | |
| Bag Type | # of Loads per Year ⁶ | Electricity Use Per Load (kW) ⁷ | Total Electricity Use Per Year (kW) | CO ₂ E per year (metric tons) ⁸ | CO ₂ E per Person (metric tons) |
| Reusable | 186,721 | 3.825 | 714,208 | 231.6 | 0.0026 |
| <i>Subtotal</i> | | | | 231.6 | 0.0026 |
| Total GHG Emissions from Proposed Ordinance | | | | 4,946 | 0.3041 |
| Existing GHG Emissions | | | | 1,261 | 0.0142 |
| Net Change (Total minus Existing) | | | | 3,685 | 0.290 |

CO₂E = Carbon Dioxide Equivalent units

¹ Refer to Appendix C of the Final EIR and discussion in A.2 response above.

² Based on Boustead Report, 2007; Santa Monica Single use Carryout Bag Ordinance Final EIR, January 2011.

³ 10% reduction (from a rate of 3.3 or 1.32) based on Santa Clara County Negative Declaration, October 2010 based on Environmental Defense Fund's Paper Calculator.

⁴ Based on AEA Technology "Scottish Report, 2005; Santa Monica Single use Carryout Bag Ordinance Final EIR, Jan. 2011.

⁵ Emissions per person are divided by the existing population in the Study Area – 89,082 (Dept. of Finance, May 2012)

⁶ Assumes that half of all reusable bags would be machine washed. Assumes that each bag is washed once a month.

Assumes an average load capacity of 8 pounds per load and 6.8 ounces per bag (as measured on 8/10/2010 by Rincon Consultants, Inc.). See Table 4.5-10 in Section 4.5, Utilities and Service Systems.

⁷ US Department of Energy: *Energy Efficiency and Renewable Energy, 2010.*

⁸ See Appendix D of the Final EIR for calculations

Response to Appellant's Assertion of CEQA Violations: The appellant's comment lists CEQA Statute and Guidelines sections, but does not specify how the EIR is thought to violate the provisions of those sections.

CEQA Statute §21080 (e)(1) and (2) states the following: "(1)...substantial evidence includes facts, a reasonable assumption predicated upon fact, or expert opinion supported by fact. (2) Substantial evidence is not argument, speculation, unsubstantiated opinion or narrative, evidence that is clearly inaccurate or erroneous, or evidence of social or economic impacts that do not contribute to, or are not caused by, physical impacts on the environment." The appellant does not indicate in what way the EIR is thought to violate this section. The EIR analysis was based on facts, and reasonable assumptions and expert opinion supported by fact.

Comments received within the DEIR public review period, including the appellant's comments, were considered and evaluated, and written responses were provided in the FEIR, in accordance with CEQA Statute §21091 (d) and judicial decisions including *Flanders Foundation v. City of Carmel-by-the-Sea*. CEQA Guidelines §15088.5, pertaining to recirculation of an EIR prior to certification, does not apply here as there is no new information involving new or substantially increased significant impacts. CEQA Guidelines §§15120 (general content requirements of EIRs), 15124 (project description), 15126 (consideration and discussion of environmental impacts), 15144 (forecasting), and 15151 (standards for adequacy of an EIR, have been met by this EIR. [There is no Guidelines section 15126.1.]

C. Save the Plastic Bag Coalition asserts that the Final EIR's assumption that each reusable bag will be used 52 times, on average, is unjustified and inappropriate. The appeal states that the assumption should be that each reusable bag will be used two times, on average.

This comment was made previously and was responded to in the Final EIR on page 8-209 (Response 4.26). The Final EIR response states that proposed ordinance requires that reusable bags have a minimum lifetime of 125 uses. Assuming an average of 52 uses for a single reusable bag is a conservative estimate, which results in a higher impact assessment and reasonable worst-case scenario. No substantial evidence has been provided to support the appellant's assertion that reusable bags would on average be used only two times.

Response to Appellant's Assertion of CEQA Violations: The appellant's comment lists CEQA Statute and Guidelines sections, but does not specify how the EIR is thought to violate the provisions of those sections.

Per CEQA Statute §21080 (e)(1) and (2), the Final EIR analysis is based on substantial evidence, including facts, reasonable assumptions predicated on fact, and expert opinion supported by facts. Comments received within the DEIR public review period, including the appellant's comments, were considered and evaluated, and written responses were provided in the FEIR in accordance with CEQA Statute §21091 (d) and judicial decisions, including *Flanders Foundation v. City of Carmel-by-the-Sea*. CEQA Guidelines §15088.5, pertaining to recirculation of an EIR prior to certification, does not apply here as there is no

new information involving new or substantially increased significant impacts. CEQA Guidelines §§15120 (general content requirements of EIRs), 15124 (project description), 15126 (consideration and discussion of environmental impacts), 15144 (forecasting), and 15151 (standards for adequacy of an EIR), have been met by this EIR. [There is no Guidelines section 15126.1.]

D. Save the Plastic Bag Coalition asserts that the statement that non-woven polypropylene reusable bags are recyclable is incorrect.

This comment was made by the appellant in a previous letter and responded to in the Final EIR on page 8-210 (see Response 4.28). The Final EIR analysis of reusable bags assumes as a reasonable worst-case scenario that all reusable bags are landfilled (not recycled). The only reference to the recyclability of non-woven polypropylene is on page 2-6 in the EIR's description of reusable bags where it states that non-woven polypropylene bags are 100% recyclable. Non-woven polypropylene has a recycle code and is recyclable, but is not currently being recycled in Santa Barbara County. This fact does not affect the impact conclusions of the Final EIR.

Response to Appellant's Assertion of CEQA Violations: The appellant's comment lists CEQA Statute and Guidelines sections, but does not specify how the EIR is thought to violate the provisions of those sections.

Per CEQA Statute §21080 (e)(1) and (2), the FEIR analysis is based on substantial evidence, including facts, reasonable assumptions predicated on fact, and expert opinion supported by facts. In accordance with CEQA Statute §21091 (d), comments received within the DEIR public review period, including these comments, were considered and evaluated, and written responses were provided in the FEIR. CEQA Guidelines §15088.5, pertaining to recirculation of an EIR prior to certification, does not apply here as there is no new information involving new or substantially increased significant impacts. CEQA Guidelines §§15120 (general content requirements of EIRs), 15124 (project description), 15126 (consideration and discussion of environmental impacts), 15144 (forecasting), and 15151 (standards for adequacy of an EIR), have been met by this EIR. [There is no Guidelines section 15126.1.]

E. Save the Plastic Bag Coalition asserts that the Final EIR fails to disclose that stormwater capture devices and trash excluders prevent bags from entering waterways.

This comment was made previously and responded to in the Final EIR on page 8-38 (Response 1.28). The Final EIR notes that storm water capture devices and trash excluders help reduce the amount of litter entering storm drains. It also notes that plastic carryout bags that become litter can enter storm drains and watersheds from surface water runoff or may be blown directly into drainages or the ocean by the wind.

The City of Santa Barbara installed storm drain screens on the front of most catch basin inlets within City limits from 2009 to 2011. Since then, monitoring results have shown a reduction in the amount of trash/litter in a sample of catch basins and creek sections. The screens are designed to keep trash/litter from entering the storm drains only during dry weather. The screens keep trash/litter on the street so it can be picked up by street sweeping. In order to avoid the potential for street flooding, the storm drain screens are designed to open during rainstorms to allow stormwater runoff to flow unobstructed into

the catch basins and the storm drain system. Because of this, bags can be carried past the open screens during rainstorms and into the storm drain system. The City of Santa Barbara also installed a CDS (Continuous Deflective Separation) unit on Haley Street at Mission Creek to capture pollutants including trash and street litter before entering Mission Creek. These stormwater devices prevent trash/litter including plastic bags from entering waterways, but they do not capture the trash/litter in places where the storm drain system is made of open swales that drain directly to the waterways, at catch basin inlets where it was infeasible to install the storm drain screens, or outside the City limits.

Response to Appellant's Assertion of CEQA Violations: The appellant's comment lists CEQA Statute and Guidelines sections, but does not specify how the EIR is thought to violate the provisions of those sections.

Per CEQA Statute §21080 (e)(1) and (2), the FEIR analysis is based on substantial evidence, including facts, reasonable assumptions predicated on fact, and expert opinion supported by facts. Comments received within the DEIR public review period, including these comments, were considered and evaluated, and written responses were provided in the FEIR in accordance with CEQA Statute §21091 (d) and judicial decisions including *Flanders Foundation v. City of Carmel-by-the-Sea*.

CEQA Guidelines §15088.5, pertaining to recirculation of an EIR prior to certification, does not apply here as there is no new information involving new or substantially increased significant impacts. CEQA Guidelines §§15120 (general content requirements of EIRs), 15124 (project description), 15126 (consideration and discussion of environmental impacts), 15144 (forecasting), and 15151 (standards for adequacy of an EIR), have been met by this EIR. [There is no Guidelines section 15126.1.]

F. Save the Plastic Bag Coalition asserts that the Final EIR contains misleading statements regarding marine impacts.

This comment was made previously and responded to in the Final EIR on page 8-211 (Response 4.31). The Final EIR demonstrates that single-use plastic bags are more likely to become litter than paper bags or reusable bags and, therefore, have a greater potential for litter that could enter the marine environment, where they could affect marine life through ingestion or entanglement. As such, reducing the potential of plastic bag litter by reducing the number of plastic carryout bags would be expected to result in beneficial impacts to biological resources.

Response to Appellant's Assertion of CEQA Violations:

Per CEQA Statute §21080 (e)(1) and (2), the Final EIR analysis is based on facts, reasonable assumptions predicated on fact, and expert opinion supported by facts. The commenter has not provided substantial evidence to suggest otherwise, but the commenter's opinion is included in the Final EIR as part of the Section 8 Comments and Responses.

Comments received within the DEIR public review period, including these comments, were considered and evaluated, and written responses were provided in the FEIR in accordance with CEQA Statute §21091 (d), and judicial decisions including *Flanders Foundation v. City of Carmel-by-the-Sea* and *Save the Plastic Bag Coalition v. Manhattan Beach*.

CEQA Guidelines §15088.5, pertaining to recirculation of an EIR prior to certification, does not apply here as there is no new information involving new or substantially increased significant impacts. CEQA Guidelines §§15120 (general content requirements of EIRs), 15124 (project description), 15126 (consideration and discussion of environmental impacts), 15144 (forecasting), and 15151 (standards for adequacy of an EIR), have been met by this EIR. [There is no Guidelines section 15126.1.]

G. Save the Plastic Bag Coalition asserts that the definition of Plastic Carryout Bag is inaccurate since it does not state that some bags are derived from waste byproducts of oil and natural gas refining.

This comment was made previously and responded to in the Final EIR on page 8-211 (Response 4.33). The previous version of the draft ordinance did not include reference natural gas as a source of material for some plastic bags. The draft ordinance definition of plastic bag was revised in response to this comment to read as follows:

Any bag made predominantly of plastic derived from either petroleum, natural gas, or a biologically-based source, such as corn or other plant sources, which is provided to a customer at the point of sale. "Plastic carryout bag" includes compostable and biodegradable bags but does not include reusable bags, produce bags, or product bags.

Response to Appellant's Assertion of CEQA Violations: The appellant's comment lists CEQA Statute and Guidelines sections, but does not specify how the EIR is thought to violate the provisions of those sections.

Per CEQA Statute §21080 (e)(1) and (2), the FEIR analysis is based on substantial evidence, including facts, reasonable assumptions predicated on fact, and expert opinion supported by facts. Comments received within the DEIR public review period, including the appellant's comments, were considered and evaluated, and written responses were provided in the FEIR in accordance with CEQA Statute §21091 (d) and judicial decisions including *Flanders Foundation v. City of Carmel-by-the-Sea*.

CEQA Guidelines §15088.5, pertaining to recirculation of an EIR prior to certification, does not apply here as there is no new information involving new or substantially increased significant impacts. CEQA Guidelines §§15120 (general content requirements of EIRs), 15124 (project description), 15126 (consideration and discussion of environmental impacts), 15144 (forecasting), and 15151 (standards for adequacy of an EIR, and judicial decisions, have been met by this EIR. [There is no Guidelines section 15126.1.]

H. Save the Plastic Bag Coalition asserts that the City must prepare and recirculate a revised Draft EIR.

Changes to the Final EIR clarify and amplify, but do not involve new significant impacts, or a substantial increase in the severity of impacts. The public has not been deprived of the opportunity to comment on any significant impacts. All impacts have been identified as less than significant or beneficial. Therefore, there is no requirement to recirculate a revised document.

Response to Appellant's Assertion of CEQA Violations: The City's EIR process complies with CEQA Guidelines §15088.5 regarding criteria for recirculation of an EIR prior to certification. Comments received within the DEIR public review period, including the appellant's comments, were considered and

evaluated, and written responses were provided in the FEIR in accordance with CEQA Statute §21091 (d) and judicial decisions including *Flanders Foundation v. City of Carmel-by-the-Sea*.

I. Save the Plastic Bag Coalition requests that the Save the Plastic Bag Coalition’s correspondence submitted after the close of public review period be attached to the Final EIR.

The appellant’s letters received during the Draft EIR public review period are included in the Final EIR along with responses. The appellant’s letters, including letters received following the Draft EIR public review process and the appeal letter, are part of the public record provided to City Council with the Council Agenda Report and are available to the public. Save the Plastic Bag Coalition’s letters, including this appeal letter and these responses, will also be included in the City’s record of the Final EIR.

Response to Appellant’s Assertion of CEQA Violations: CEQA Statute §21091 (d) provides that public comments on the EIR received after the close of the Draft EIR public comment period *may* be responded to, but there is no requirement for written responses. The City EIR process has provided responses to Save the Plastic Bag Coalition letters, which are part of City record and is compliant with CEQA requirements and judicial decisions including *Flanders Foundation v. City of Carmel-by-the-Sea*.

J. Save the Plastic Bag Coalition asserts that Save the Plastic Bag Coalition and Anthony van Leeuwen were entitled to notice of the Planning Commission EIR certification hearing.

Individual mailed notices for EIR certification hearings are not required by the CEQA statutes, State CEQA Guidelines, City CEQA guidelines, or the Municipal Code, except to public agencies that commented on the Draft EIR, which were provided. The City published a display ad in the Santa Barbara News-Press for the Planning Commission certification hearing, consistent with the CEQA and the City’s practice for noticing projects under consideration that involve citywide issues and effects. It is the City’s practice to provide mailed notices to interested parties for EIR certification hearings when requested and when address information is provided. Notices for the Planning Commission hearing were provided to the addresses included on the mailing list provided by BEACON, including Save the Plastic Bag Coalition. Mr. Leeuwen’s letters did not contain a mailing address, and no request for notification was received from him. Notices were provided to Save the Plastic Bag Coalition and Anthony van Leeuwen for the City Council EIR certification appeal hearing.

Response to Appellant Assertion of CEQA Violations: The City EIR process is compliant with CEQA and case law noticing requirements.

K. Anthony van Leeuwen asserts in his letter dated August 17, 2013 that the EIR should include an alternative that considers a ban on single use plastic bags and no charge for paper bags.

This comment was made previously and responded to as follows in the Final EIR on page 8-60 (Response 1.145):

The commenter suggests that an alternative for a “No Charge for Paper Bags” should have been considered in the Draft EIR, as evaluating this alternative would have provided decision makers

specific information as to how this option differs from the proposed ordinance or other alternatives.

As described in Section 6.0, Alternatives, on page 6-26, a “No Charge for Paper Bags” alternative was considered but ultimately rejected. CEQA Guidelines § 15126.6 requires that an EIR consider a range of reasonable alternatives to a proposed project, which would feasibly obtain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. This alternative was rejected because it would not deter customers from using paper bags, which have greater impacts related to air quality, GHG emissions, and water quality than plastic bags on a per bag basis. Therefore, this alternative would not avoid or substantially lessen any of the impacts from the Proposed Ordinance and may increase certain environmental impacts. In addition, this alternative would not achieve the Proposed Ordinance’s objective of promoting a shift toward the use of reusable carryout bags by retail customers to as great a degree as would occur with the Proposed Ordinance as customers would simply switch from “no fee” plastic bags to “no fee” paper bags as there would be no financial disincentive to utilize reusable bags.

L. Anthony van Leeuwen asserts in his letter dated August 17, 2013 that the solid waste analysis is inaccurate.

This comment was made previously and responded to as follows in the Final EIR on page 8-82 (Response 2.32):

The commenter reiterates that the amount of solid waste associated with reusable bags in Section 4.5 appears to be low and should be reevaluated. The commenter also suggests that the Draft EIR should assume that the weight of all reusable bags (approximately 8.2 million bags at 6.8 ounces per bag) is deposited into a landfill each year. The Draft EIR assumes that a reusable bag is used 52 times per year. Nevertheless, using the commenter’s suggested rate of solid waste from reusable bags (6.8 ounces per bag x 8.2 million reusable bags per year) that would be deposited into a landfill, the Proposed Ordinance would result in an increase of approximately 1,748.45 tons of solid waste per year from reusable bags. Adding this total to the solid waste generated from paper bags (1,900 tons) and the waste from the remaining single use plastic carryout bags in the Study Area (237 tons) as shown in Table 4.5-11, the Proposed Ordinance would result in approximately 3,885 tons per year of solid waste. The current amount of solid waste associated with the approximately 658 million single use plastic carryout bags is estimated at 4,733 tons per year (as shown in Table 4.5-11). Thus, using the commenter’s suggested rate, the Proposed Ordinance would result in a net decrease of approximately 848 tons per year of solid waste compared to existing conditions. This is less than the 2,596 tons per year reduction identified in the Draft EIR, but there would still be a reduction as compared to existing conditions. In addition, the significance determination is based on the Boustead data, which shows an incremental increase in solid waste generation as compared to existing conditions. Even based on this “worst case” scenario, the impact would not be significant.

Exhibit B to Findings Resolution

As shown in the table in A.2 above, the Boustead method’s solid waste impact for the City of Santa Barbara is expected to be approximately 258 tons per year as a reasonable worst case scenario. Adding the approximately 1,748 tons of solid waste per year from reusable bags (since the Boustead analysis does not calculate solid waste from reusable bags) in addition to the approximately 258 tons of solid waste, which included secondary use replacement bags, solid waste in the City of Santa Barbara would increase by approximately 2,006 tons per year or approximately 5.50 tons per day. As discussed above in A.2, the permitted daily maximum throughput of the Tajiguas Landfill, which serves the City of Santa Barbara, is 1,500 tons per day. Using the Boustead data along with the commenter’s reusable bag solid waste assumptions, the potential increase of 5.50 tons of solid waste per day would represent approximately 0.37% of the daily capacity of the landfill. Thus, the existing waste disposal facility can accommodate estimated increases in solid waste related to the City Ordinance, including secondary effects. This incremental increase in solid waste generation would be less than significant.

Further, the commenter previously suggested a separate alternative methodology and assumptions to estimate solid waste generated by the Proposed Ordinance. Under these assumptions, the net increase of solid waste that would be generated by the City’s Proposed Ordinance would be approximately 1,102 tons per year or approximately 3.02 tons per day. Similar to the impacts using either the Ecobilan or the Boustead method, the potential increase of 3.02 tons of solid waste per day would represent approximately 0.20% of the daily capacity of Tajiguas Landfill. Thus, based on the commenter’s suggested alternative methodology, the existing waste disposal facility could accommodate estimated increases in solid waste related to the City Ordinance and impacts related to solid waste would be less than significant.

Solid Waste Generation in the City of Santa Barbara Using Van Leeuwen’s Suggested Methodology and Assumptions

| Bag Type | Weight (lbs/bag) | Current Conditions | | | | With Bag Ordinance | | | |
|------------------------|------------------|--------------------|--------------|--------------------|-------------------|--------------------|--------------|--------------------|-------------------|
| | | Quantity | Weight (lbs) | Weight (tons/year) | Weight (tons/day) | Quantity | Weight (lbs) | Weight (tons/year) | Weight (tons/day) |
| Plastic Carryout Bags | 0.01213 | 47,302,542 | 573,780 | 287 | 0.79 | 2,365,127 | 28,689 | 14.34 | 0.039 |
| Paper Carryout Bags | 0.14875 | - | - | - | | 14,190,763 | 2110876 | 1,055.44 | 2.89 |
| Reusable Carryout Bags | 0.42500 | - | - | - | | 591,282 | 251,295 | 126 | 0.345 |
| Replacement Bags (40%) | 0.01213 | - | - | - | | 19,486,114 | 236,267 | 118 | 0.323 |
| "Other | 0.140708 | - | - | - | | 1,073,685 | 151,076 | 75.5 | 0.207 |

Exhibit B to Findings Resolution

| | | | | | | | | |
|---|--|----------------|------------|-------------|--|--|---------------|--------------|
| Plastic" | | | | | | | | |
| Totals | | 573,780 | 287 | 0.79 | | | 1,389 | 3.81 |
| Net change (with ordinance minus existing) | | | | | | | +1,102 | +3.02 |

M. Anthony van Leeuwen asserts the Final EIR utility data in Appendix E is incorrect and provides alternative solid waste, water, energy and wastewater data and new data on eutrophication in his paper dated September 10, 2013.

Mr. van Leeuwen states that discrepancies exist in the EIR data and provides information without explicitly identifying what the discrepancies were or why the changes were suggested. He suggests increased water and wastewater use for reusable bags and decreased plastic carryout bag waste due to recycling compared to the Final EIR data. Water, wastewater, and solid waste effects using Mr. van Leeuwen’s data are presented in his paper dated September 10, 2013. The tables below were generated from Mr. van Leeuwen’s data and include the additional 40% plastic carryout bag replacement rate discussed in A.2 above. The alternative assumptions result in impacts similar to the impacts identified in the Final EIR, which are less than significant impacts as described below.

Water and Wastewater Effects: Using Mr. van Leeuwen’s suggested assumptions for water use, with an additional 40% secondary use replacement bags, the City’s water demand increase from the proposed ordinance using the worst case analysis (Boustead) would be 48.3 AFY, equal to the analysis in A.2 above. As discussed above, this increase in water demand would constitute an insignificant impact.

Using Mr. van Leeuwen’s suggested assumptions for wastewater, with an additional 40% secondary use replacement bags, the City’s wastewater demand increase from the proposed ordinance would be approximately 2,190 gallons per day (301 more gallons than in A.2 above). The El Estero Wastewater Treatment Plant, which serves the City of Santa Barbara, has a remaining capacity of 3.3 million gallons per day (MGD) and, therefore, has capacity to treat this potential incremental increase in wastewater. The estimated increase of wastewater and impacts related to wastewater generation for the City Ordinance would thus remain a less than significant impact under this scenario.

Solid Waste Effects: Using Mr. van Leeuwen’s Ecobilan solid waste assumptions with an additional 40% secondary use replacement bags, solid waste would decrease in the City of Santa Barbara by 119 tons per year (more beneficial than the 60 ton per year decrease expected with the Final EIR Ecobilan data). Using Mr. van Leeuwen’s data for the worse case Boustead assumptions with an additional 40% secondary use replacement bags, solid waste in the City of Santa Barbara would increase by approximately 254 tons of solid waste per year, slightly less than the 258 tons per year expected with the Final EIR data. The impacts related to solid waste would be less than those identified in A.2 above, and less than significant.

Exhibit B to Findings Resolution

Area Wide and City of Santa Barbara Estimated Water, Wastewater, and Solid Waste Impacts with 40% Secondary Use Replacement for Plastic Carryout Bags Using Ecobilan Method and Van Leeuwen Data

| Bag Type | Population | Percent of Total Bag Use | Water Use (million gallons per year) | Wastewater Generated (million gallons per year) | Solid Waste (tons per year) |
|-----------------------|------------|--------------------------|--------------------------------------|---|-----------------------------|
| Study Area | 1,041,302 | 100% | 13.93 | 9.31 | (1,396) |
| City of Santa Barbara | 89,082 | 8.55% | 1.19 | 0.80 | (119) |

Area Wide and City of Santa Barbara Estimated Water and Solid Waste Impacts with 40% Secondary Use Replacement for Plastic Carryout Bags Using Boustead Analysis and Van Leeuwen Data

| Bag Type | Population | Percent of Total Bag Use | Water Use (million gallons per year) | Solid Waste (tons per year) |
|-----------------------|------------|--------------------------|--------------------------------------|-----------------------------|
| Study Area | 1,041,302 | 100% | 184.26 | 2,974 |
| City of Santa Barbara | 89,082 | 8.55% | 15.75 | 254 |

Energy: Mr. van Leeuwen provides alternative Ecobilan and Boustead data on energy use related to bag manufacturing. The Final EIR estimates energy use in the form of electricity associated with washing reusable bags to calculate greenhouse gas emissions associated with that washing. Those emissions were added to emissions associated with bag manufacturing, including emissions from energy use at manufacturing facilities. Impacts from energy use were analyzed in the Final EIR with regard to greenhouse gas emissions resulting from energy use. As demonstrated in the Final EIR, the impacts from greenhouse gas emissions would be less than significant.

Eutrophication: Mr. van Leeuwen provides new data on eutrophication based on the Ecobilan method. Eutrophication occurs when high levels of nutrients, such as fertilizers, enter a water body and cause excessive growth of plants, such as algae, resulting in a reduction in water quality. Eutrophication is qualitatively discussed on pages 4.4-10 and 11 of the Final EIR. Any direct increase in pollutant discharge from manufacturing plants would be regulated and controlled by local, regional, and federal water quality laws, including National Pollutant Discharge Elimination System requirements and permits, applicable to each manufacturing plant. Therefore, indirect impacts to water quality from eutrophication due to the potential increase in bag manufacturing would be less than significant.