



# MINUTES

## REGULAR MEETING OF THE ENVIRONMENTAL QUALITY COMMITTEE

Tuesday, July 9, 2013, 7:00 p.m.

El Cerrito City Hall – Council Chambers  
10890 San Pablo Avenue

**This Meeting Place Is Wheelchair Accessible**

Goudey called the meeting to order at 7:05 pm.

### **Roll Call:**

Vice-Chair Goudey, Members Benjamin, Krueger, Dandridge, Spitalnik, Pavel, Weinstein, Doan and Wildenberg

Absent: Miner, Solari

Also Present: Garth Schultz, Environmental Analyst & Staff Liaison; Janet Abelson, Council Liaison; Maria Sanders, Environmental Analyst; Melanie Mintz, Acting Community Development Director

### **1. Comments from the public on non-agenda items**

Patricia Jones, tenant at El Cerrito Plaza, inquired about getting commercial green waste service at the Plaza.

### **2. Approval of the Minutes**

Wildenberg made the motion to adopt the minutes of the Regular Committee meeting from June 11, 2013. Seconded by Weinstein. Motion passed unanimously.

### **3. Public Comment on and Recommendation of Council Adoption of Draft Single-Use Bag and Food Ware Ordinances**

Garth Schultz presented a draft ordinance for a single-use bag ban and a food ware ban, announcing that the public comment period on these bans will run from May 15<sup>th</sup> through July 15<sup>th</sup> at 4pm. More details, including the text of the Draft Ordinances are online at [www.el-cerrito.org/bagsandfoam](http://www.el-cerrito.org/bagsandfoam). After Schultz completed the presentation, he received clarifying questions and public comment. These comments are recorded as Attachment 1-Summary of Public Comments to these minutes.

Upon closing of public comment, Weinstein commented that he felt the ordinances were very good and made a motion that the EQC recommend approval of these ordinances by the City Council. Motion seconded by Wildenberg. Krueger opens discussion saying plastic bags, by virtue of their light weight, are an inherent litter problem, regardless of people's behavior.

### **COMMUNICATION ACCESS INFORMATION**

*To request a meeting agenda in large print, Braille, or on cassette, or to request a sign language interpreter for the meeting, call Garth Schultz, Staff Liaison at 559-7684 (voice) at least FIVE (5) WORKING DAYS NOTICE PRIOR TO THE MEETING to ensure availability.*

They blow out of trash cans. He supports both ordinances. Goudey voiced his appreciation for responsible use and re-use of plastic bags, but felt that single-use plastic bag litter is a systemic problem requiring a systemic response. Sometimes putting a value on a product, as the bag ban would do, changes people's appreciation of how they use the bag. In addition, he noted that being prepared by taking reusable bags when shopping demonstrates personal responsibility just as much as not littering. Vote on motion: 8 Yes, 1 abstains (Doan), 0 No; Motion passed.

#### **4. Potential City Purchase of 7-Acre Parcel Adjacent to the Hillside Natural Area**

Acting Community Development Director, Melanie Mintz, gave a presentation on the City's consideration of purchasing a 7-acre parcel currently known as the "Busby/ Madera" property. The owner of the property indicated earlier this year that they would need to sale the property this year. Purchasing this property would help implement the City's 2007 *Circulation Plan for Bicyclists and Pedestrians*, which identified purchasing underdeveloped properties bordering the Hillside Natural Area in order to enhance trail connections between the northern and southern sections of the Hillside Natural Area. On March 5, the City Council authorized the Trust for Public Land (TPL) to work with City staff to engage the seller on the City's behalf. As a result of that process, the City Council will consider at its July 16<sup>th</sup> meeting an agreement with TPL to provide the necessary due diligence, to purchase the property, to hold it for 17 months while the City and citizens raise sufficient funds, and to assist the City in raising these funds. Mintz also pointed out that community groups such as Trail Trekkers and the Green Teams will need to be involved in both the fundraising and the preparation of the land for use by the public. Several members of the public expressed their support of the purchase. Weinstein, also a member of El Cerrito Trail Trekkers, said that the Hillside Natural Area is one of the most important assets in the City, stating that this purchase could help transform it into a well-used gem. Trail Trekkers currently has a grant to create way-finding signs throughout the Hillside Natural area. He noted that informal fundraising efforts for the property so far have been successful. Pavel suggested inviting TPL to discuss the role of urban greening in creating places ("placemaking") in El Cerrito. Gary Hill, resident of El Cerrito, discussed the history of trail use and recreation use in the Hillside Natural Area. He mentioned the important role of the proposed property in closing a connectivity gap. He also mentioned that as the San Pablo Avenue Corridor gets more developed, there will be more demand for access to high quality open space. Benjamin is excited by the opportunity and its connection to the new Recycling and Environmental Resource Center. Pavel pointed out the need to create good connections to the Regional Parks nearby. Raphael Boniello from the City's Tree Committee expressed support for the purchase, saying it is a once in a generation opportunity for the City. Jenny Hammer, resident, also expressed support for the property purchase. Pavel said it gives us an opportunity to learn about land and to become good stewards of the land. Goudey is appreciative of the opportunity this property provides, but expressed concern about how quickly the decision to purchase the property is being made, saying it needs to be considered within the context of other open space priorities.

#### **5. Green Teams: Updates and Action Items – 8:30**

Weinstein provided an update, saying that Green Teams and Friends of Five Creeks will sponsor a clean-up event at Creekside Park on July 20. He said that trash in that area is so consistent that it needs on-going stewardship. Weinstein introduced the motion to create a permanent Green Team for Creekside Park. Dandridge seconded. Unanimous approval. Goudey discussed working with the City's Public Works Department to identify trees in

Arlington and Canyon Trail Parks that need ivy removal in order to improve their health. Goudey introduced a motion to organize Green Team ivy pulls every other month, beginning in Arlington Park at an August date to be determined. Weinstein seconded. Unanimous approval.

#### **6. Eco Film Series: Updates and Action Items**

Goudey reported that due to scheduling conflicts with current film house showings of the film, the proposed showing of *Rebels With A Cause* will be postponed until the fall. Ad Hoc Subcommittee membership includes Pavel, Spitalnik, Goudey and Miner.

#### **7. Announcements and future agenda items**

Council Member Abelson reported that City Council was now on its summer schedule and is meeting only 1 time per month. She also reported that Off-the Grid, a food truck street fair, would come to El Cerrito every Wednesday. It will be held on Fairmont between San Pablo and Carlson.

These upcoming Meetings + Events were also mentioned

July 20	EQC Green Team Clean-up Event
July 23	Urban Greening Workshop #1: Vision, Opportunities & Needs
Aug 03	Baxter Creek Work Party
Aug 13	Discuss EQC goals, priorities and potential expenditures for FY 13/14
Sept 21	Clean up the Northern Gateway to El Cerrito

#### **8. Adjournment**

Goudey adjourned the meeting at 9:25 pm.

*Any writings or documents provided to a majority of the Environmental Quality Committee regarding any item on this agenda will be made available for public inspection at the El Cerrito Recycling + Environmental Resource Center Administrative Office at 7501 Schmidt Lane, El Cerrito, Monday - Friday from 9 a.m. to 5 p.m.*

***Attachment 1: Summary of Single-Bag Ordinance and Foodware Ordinance Public Comments***

#	Comment
1	Great news!!! We are in total support of this effort. Thank you for your recycling successes to date and for this effort. We love living in El Cerrito.
2	<p>I oppose this measure because:</p> <ul style="list-style-type: none"> <li>- I do not believe the ecological benefits truly will be significant. Many of us recycle these bags - I often reuse them twice before recycling.</li> <li>- Having seen this ban in effect in Alameda Co., the inconvenience, dropped items (no bag so a dropped and broken bottle). Basically it would be of little or no benefit and cause problems. I have looked thru the EIR and find it to be largely based on old (over 10 years) data, uses many unsupported models and makes several subjective assumptions.</li> </ul>
3	<p>I received this in an e-mail circulated a few weeks ago. A lot of it makes sense. However, I was also thinking about those who do not drive to a store, who walk or rely on public transportation. They would need to carry cloth bags with them, perhaps all day at their jobs, while predicting exactly how much they will purchase on their way home. In addition, those who do <i>not</i> have a vehicle will be restricted to paper bags, more likely to break during wet weather, or on a bus, than plastic bags. Is this regulation perhaps ignoring those who do not drive to the store? I feel that the issues raised should be addressed completely before changing a practice that has worked for many years.</p> <p>The recent suggestion that retailers in El Cerrito mimic other localities in banning plastic grocery bags, and charging customers for paper ones should, of course, raise the question of why the change is necessary? What improvements or benefits will accrue and to whom? Prior to implementing the proposed ordinance the following issues should be addressed:</p> <p>1. <u>CONTAMINATION</u>  Contamination by harmful microbes has been documented in several studies of "reusable" grocery food bags. (University of Arizona, et.al.) The areas of concern are:</p> <ul style="list-style-type: none"> <li>a) Cross contamination by leaky meats, poultry, fish, etc. into the bags, and onto other food stuffs and packaging. How often shoppers will wash the bags, and how thoroughly, is not regulated, nor is the location for the bags to be kept (vehicle trunk, floor, etc.).</li> <li>b) Contamination of "clean" bags by the grocery clerks using their hands to fill numerous customers' bags in sequence, transferring microbes from the 'not so clean' bags ahead of yours to your "clean" one.</li> </ul>

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#	Comment
	<p>c) Contamination of the loading surfaces of the counters by both the exterior and interiors of the bags as they are loaded, and transfer of microbes to the following customers' bags.</p> <p>d) Contamination of the hands of employees, who must plunge their hands into unknown pockets of microbes. If they are to wear gloves, how often are they to be changed? Are the gloves then perhaps a biohazard, or just unnecessary plastic waste added to the environment? If no gloves are used, will continual application of antibiotic solutions to clerks' hands be a health hazard for them?</p> <p>2. <u>EFFICIENCY</u>  The introduction of a new system such as this immediately will lead to inefficiency, as baggers will have to adjust their loading techniques to many different configurations of receptacles. There can be no standard 'mounts' or frames as there now are for plastic and paper bags. Checkout lines will be much slower to navigate. Breakage of delicate items (eggs, etc.) will increase, as proper bag loading cannot be uniform.</p> <p>3. <u>COST</u>  Studies have shown that, sadly, allowing customers to carry a multiplicity of bags around a large store leads to an increase in shoplifting. Previously, a difference between "simple shoplift", a perhaps "spontaneous" theft, and "shoplift/ burglary" was the demonstration of prior intent, especially by bringing into the store a method of concealing stolen merchandise. This will be much more difficult to prove, as everyone will have bags with perhaps concealed pockets. Will stores (as some have) station a security guard at the door to check receipts, as Costco does? This will not only increase store costs, and irritate customers, but also slow the flow of business. Will people purchase fewer 'impulse' items (high profit for retailers) because of a lack of preplanned bag space?</p> <p>4. <u>ENVIRONMENTAL BENEFIT</u>  The alleged problem of plastic bags contaminating the environment is not a plastic bag problem, it is a littering problem. There are already laws against littering, or dumping rubbish in areas forbidden to do so. Many plastic grocery bags are reused as small trash bags in the home. These dual use bags will have to be replaced by packaged, single use, garbage bags, purchased specifically for that use. These will also end up in land fill. Paper bags, allegedly better for the environment, are also a single use item, and one that is not nearly as efficient, as they cannot be reused as a trash bag, or even carried very far in the rain without dissolving.</p> <p>5. <u>GOVERNMENT INTERFERENCE IN LEGITIMATE COMMERCE</u>  If consumers are forced to pay for a convenience provided by a retailer for their customers, is this a legitimate concern of</p>

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	<p>government? Can the government force grocery stores to charge for the use of shopping carts? Heat in winter? Will customers be allowed to refuse bagging, and wheel their loose groceries home, or will it be a forced expense to accept paper bags? Is this an unlegislated tax or fee? Or just another example of government manipulation with unclear foundations (remember MTBE, or the mercury in compact fluorescent bulbs?) or science?</p> <p><u>6. WHO BENEFITS?</u></p> <p>Customers are inconvenienced, and possibly sickened, as are store employees. Not them. Plastic manufacturers? They now sell plastic bags in bulk to retailers; if those sales are replaced by boxes of single use, home trash bags, would their profits increase? Perhaps a benefit there. Shoplifters? Perhaps. Government? If they can have an employee or two to supervise regulation of this program, or collect fees from the paper bag sales, perhaps. Or, perhaps shoppers who desire to utilize their own bags for purchases, thus causing delays while clerks manipulate their items and, possibly, "glove up", should voluntarily pay an "ecology fee" of five cents per bag, to be donated to local "green projects."</p> <p>In closing, until the above questions, and no doubt others not yet apparent, are answered, the idea of eliminating a traditional service provided by retail establishments as a convenience to their customers makes no sense.</p>
4	Looks great! Thanks so much for working on these new ordinances.
5	I am writing to express my support for the City of El Cerrito's proposed ordinances regulating single-use bags and polystyrene containers. My only concern is that the ordinance proposes a minimum five cent charge on bags for the first two years of enactment. I think the charge should be 10 cents immediately upon enactment. I do not see any compelling reason to have this 'phase-in' period. I strongly urge the City Council to make this change to the draft ordinance. Thank you for your consideration. Please forward my comments to the City Council and any other public bodies who will be acting on the draft ordinances.
6	I think this is the right step forward for El Cerrito. I only wish it could be enforced sooner. I do not go to some restaurants for take-out because of the type of on containers they use.
7	While I will not be able to attend the public hearing on the food ware and bag regulation, I support the proposal to prohibiting single-use plastic bags and polystyrene food containers in El Cerrito.
8	I am writing in support of the proposed ordinances for Food Ware and Single Use plastic bags. As a long term resident of El Cerrito and advocate of reuse practices wherever possible, I strongly support any efforts on behalf of the City to reduce the waste resulting from single use plastic bags and non-compostable food ware. Thank you for your efforts with regard to reducing waste and unnecessary plastic in our environment.
9	Letter of Opposition from the California Restaurant Association. Claims include fact that non-EPS alternatives are more expensive, and that total litter does not go down after bans.

#	Comment
10	Letter of Support from friends of Five Creeks.
11	<p>I am a resident of El Cerrito and an environmental engineer, and I have questions regarding the plastic bag ordinance. If the merchant charges, for example, 5 cents for a plastic bag, where the money go? Does the merchant pocket that money or does it go to the City. I have been told that the fees often go the merchant. My friend has studied history and has worked in public policy. He dislikes these bans because he says it's just a way for the business to make more money while at the same time penalizing the consumer, who now has to pay for a service that was previously provided for free. The cost of a bag is also significantly less than what is actually charged to the consumer, so he thinks it is unfair, and would affect the poor much more. The store is making a huge profit on what is supposed to be a policy to benefit the environment. He prefers that the charge go back into public funding, not private enterprise. If this a plastic bag ordinance goes into effect, can it drafted so that the fees charged go back to public funding, less any amount that the merchant pays for the bags? I am starting to feel completely swindled by businesses that were able to pass legislation that allows them to suddenly gain a huge profit on an item that was provided at no charge.</p> <p>I would like to know: 1) why the fee so often goes back to the merchant where they can make a huge profit on a previously free service, 2) whether these policies were analyzed to assess their affect on economically disadvantaged community, 3) whether merchant lobbyists were involved in the legislation, and 4) why the fees don't go back to the taxpayers, especially since it's the taxpayers that are paying for it. I would appreciate a detailed response.</p>
12	Letter of Support from Citizens for East Shore Parks.
13	I am in favor of both the single-use bag ordinance and the food ware ordinance that the city is considering this summer. While I believe a state-wide ban would be easier for businesses in the long run, most realize by now which way the wind is blowing and are already preparing. I would love to see a lot less trash around our city and I believe this is a way to help accomplish this.
14	I strongly support this ordinance. However, I have two concerns: When I ordered from safeway.com a year or two ago, the store used a huge number of plastic bags, almost one per item, for the delivery. Please make it clear in the ordinance that this sort of delivery is regulated, too. One store in El Cerrito refused to let me carry my cloth bags into the store and instead said I was required to leave them, unattended, on a shelf near the door. Is there a way to prevent this sort of restriction?
15	Thank you for advertising the question/comment period for the proposed City of El Cerrito Single-Use Bag Ordinance - I will refer to this as "the proposed ordinance" throughout this message. I am an Albany resident; I live a few blocks from the El Cerrito border and frequently visit El Cerrito for dining, shopping, and recreation. I have some comments and suggestions regarding the proposed ordinance.

#	Comment
	<p><i>Alternative: Encourage Recycling of Plastic Bags Through Deposit System</i></p> <p>I moved to California from Illinois in 2005. One of the first lifestyle differences that struck me was California's deposit system for plastic beverage bottles. At first, I was dismayed at having to pay a separate fee for a container that had been included in the whole item purchase price back in Illinois. Over time, though, I recognized that the deposit system greatly encourages the recycling of plastic bottles. A side effect of the plastic bottle deposit system is that, at least by my observation, there is essentially *zero* plastic bottle litter in public places. I posit that this occurs because (1) purchasers of the beverages recognize each bottle has a tangible monetary value and are thus less likely to simply toss it as litter and (2) if the purchaser does happen to litter a bottle, it is very promptly gleaned by a transient or other person who purposely scours public places for these items. I want to protect our community's environment, especially the marine environment, but I also value the ability to obtain a single-use, waterproof plastic bag on certain occasions (more on this below). Thus, I think establishing a deposit system for single-use plastic bags would accomplish many of the objectives of the ordinance without an outright ban on this product. I encourage the city to explore a deposit system as an alternative to (or an augmentation of) the proposed ordinance.</p> <p><i>Alternative: Encourage Use of Reusable Bags Through Store Credit</i></p> <p>At grocery stores in other parts of California and the U.S., I have observed that stores will give customers a small (5, 10, or 20-cent) per-bag credit when they bring in their own bags. Frankly, this is one factor that encouraged me to obtain and start using reusable bags for large, planned grocery store visits. When I moved to Albany, I was unpleasantly surprised to find that grocery stores in Albany and El Cerrito do not (at least to my knowledge and observation) offer this type of incentive. I still try to bring my own bags when I am making a planned stop to a grocery store in these cities, but I honestly do not make as much of an effort at it as when I shopped at stores that offered the bring-your-own-bag credit. I realize that, where I have observed it, provision of such a credit is up to the discretion of the store (a private business). However, if the city has the ability to compel stores to charge 5 to 10 cents for a paper bag (regardless of the actual cost of that bag to the store), I would hope that the city could enact a uniform bring-your-own-bag credit ordinance.</p> <p><i>Unintended Consequence: Reduction in Purchases at Stores Affected by Ordinance</i></p> <p>As a resident of Alameda County, which enacted its own plastic bag ban on January 1st, I have already been affected by this type of ordinance. To be honest, I have reduced my purchases in Albany and increased my purchases in El Cerrito as a result of Alameda County's plastic bag ban. This has occurred in 2 ways. (1) For large, planned grocery shopping trips, I drive and bring 5 or 6 reusable bags regardless of where I shop. This is usually enough to contain my purchases. However, if I am shopping at a grocery store in Albany, I will consciously avoid purchasing items that will exceed the volume of the bags I have with me. If I am shopping at a store in El Cerrito, I do not pay attention to this limit, and I sometimes buy more items than my reusable bags can</p>

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	<p>contain. These additional items are bagged in the currently-free plastic or paper bags. Furthermore, frankly, I do not like having to pay much attention to the quantity of items I'm getting, so I have shifted my store preferences. After the Alameda County plastic bag ban, I started shopping at the El Cerrito Safeway and Lucky stores much more often than I used to, and I have reduced the number of trips I make to the Albany Safeway. (2) Not every trip I make to a grocery store is planned, and I often will stop by store while I am on a walk. So, I do not always have my reusable bags with me. At Albany stores, if the trip is unplanned, and especially if I am making the trip on foot, I will limit my purchase to only one or two items that I can easily carry in one hand. At El Cerrito stores, I feel unconstrained by the bag issue, so I will often buy enough items to comfortably fill 2 (plastic) bags. In short, I fear that my reaction to the bag ban will be mirrored by others if the proposed ordinance is passed in El Cerrito. As a result, the proposed ordinance would have a negative economic impact on the El Cerrito businesses covered by it. Perhaps I am overreacting. However, I do think it is worth looking into the economic effects of the Alameda County bag ban and similar ordinances across the state. I predict stores affected by these types of bans have experienced a loss in sales that was not offset by the additional income the paper bag fees have brought in. [As a side note, this issue extends to farmer's markets as well. I walk to both the El Cerrito Plaza and Albany farmer's markets on a regular basis. I purchase far more from the Plaza market than I do from the Albany market in part because the vendors at the Plaza market provide free plastic bags. I actually do reuse these plastic bags a few times, and then I recycle them. If the Plaza farmer's market banned plastic bags, I would still go to it, but I would buy less. I realize this sounds somewhat petty, but the reality is that, if a business provides free water-barrier bags, I will buy more food from them simply because the bags enable me to carry more and a greater variety of items.]</p> <p><i>Unintended Consequence: Increased Store Labor Costs to Assist Customers Who Do Not Bring or Buy Bags</i></p> <p>I am able-bodied and thus do not accept this offer, but practically every time I check out of a grocery store, the cashier and/or bagger ask if I "would like any help out to [my] car". I predict that in areas where plastic bag bans and/or per-bag charges have been imposed, there has been a notable increase in customers who request this service because they have not brought their own bags and do not wish to purchase any from the store. This would result in an increase in the affected stores' labor costs. Admittedly, this is a hypothesis, not an observation from personal experience, but I think it is worth your looking into. I'm sure store operators would oppose significantly increased labor costs which I predict, again, would not be offset by the new revenue from the per-bag charges.</p> <p><i>Suggestion: Expand Allowed Bags Category to Include Compostable Plastic Bags</i></p> <p>Compostable single-use plastic bags address many of the goals of the proposed ordinance, and they preserve El Cerrito shoppers' choice of bag. This type of bag is waterproof in the short term, providing the shopper with a lightweight, low-cost, food-appropriate bag. Over the long term, if produced to ASTM D6400 guidelines, these bags can be composted in municipal facilities. I predict that offering these bags, either free or at the same 5- or 10-cent cost as paper bags, would increase the</p>

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	<p>utilization of the city's curbside organic-waste collection, since residents would have a new option for a temporary container for their food scraps, before taking these out to the organic-waste cart. I do not endorse any particular company, but based on an internet search, here are a few U.S. producers of bio-based, compostable plastic grocery-style bags:  <a href="http://www.biobagusa.com/plastic-shopping-bag.html">http://www.biobagusa.com/plastic-shopping-bag.html</a>  <a href="http://www.ecoproducts.com/compostable_bags.html">http://www.ecoproducts.com/compostable_bags.html</a></p> <p>Lastly, according to the EIR, compostable (termed "biodegradable" by the European studies in the EIR) plastic bags have a carbon emission footprint that is less than that of single-use paper bags. For all these reasons, I suggest that the proposed ordinance be amended to allow ASTM D6400-certified compostable plastic bags for sale, alongside paper bags and reusable bags.</p> <p>Thank you for your consideration of my comments and suggestions. I wish the City of El Cerrito all the best in its endeavor to balance environmental conservation, economic sustainability, and consumer choice.</p>
16	<p>I am in favor of getting rid of the styrofoam in our city. However, I feel that the bag ordinance, though well-intentioned, is not so great, or at least premature. I work in Berkeley (as a civil servant) where such ordinances already exist, and the bag ordinance really seems like a burden to the small merchants. They have to ding people, including people not from Berkeley who are perhaps shopping at their store for the first time, with an extra cost for wanting a bag, and it just seems like bad customer service from the customer's point of view. With so many empty retail spaces along San Pablo in El Cerrito, can we just not have another policy/tax on businesses? No one in my family owns a business of any kind; I just feel that on this account I want to be more business friendly.</p>
17	<p>As a resident of this city for some thirty years I have quietly observed the move toward more and more regulation based on false premises and junk science that is used to justify saving the environment. Now we have banning of plastic bags. Apparently something that provides so many benefits to the populace doesn't deserve to be allowed for local citizenry. I dare say that this "game" is the same bureaucratic process for which the decision has already been made and we minions get to write to the all powerful city constabulary to voice an objection. The net result will always be the same and you bureaucrats can smile at each other and move forward on what you want to do regardless. Too bad I am not younger as I would leave this city and state in a heartbeat to get some of the freedom that has been taken from the citizens of this state. I believe the plastic bag ban is nearly as absurd as the CARB board mandating gasoline formulas that require technology that does not exist. May you be as terrifically inconvenienced as the citizens of this city. I doubt that I will be much of a proponent of anything you and your cohorts want to do. Freedom was wonderful while most of it still existed.</p>
18	<p>I support both the above ordinances that will be discussed in the Environmental Quality Committee meeting July 9, 2013. Most of this stuff ends up in landfills or polluting our bays and streams. The more we can do to stop it at the source the better. I would also recommend that there be some way to communicate to folks what to do with food containers that ARE</p>

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	compostable. I fear that most people just throw them in the trash rather than putting them in the green bins in El Cerrito.
19	I am a resident of El Cerrito, and write to express my support for both ordinances. Considering the well documented ecological challenges of plastic bags throughout their life cycle, and the limited recyclability of EPS, I encourage the City to join in regional efforts to reduce usage. My only suggestion would be to consider charging higher fees for paper bag purchases (in line with those fees charged in Alameda County) as many El Cerrito residents shop/work in cities spanning both Contra Costa and Alameda counties. Thank you for your efforts in helping to create a more sustainable city. [Also commented during July 9 EQC Meeting.]
20	I am in favor of the Proposed Single-Use Bag and Food Ware Ordinances. As the Bay Area is seen as a leader in environmentally safe practices, we should set an example by limiting the use of plastic bags and styrofoam containers. Thank you for your support of this wonderful initiative.
21	I am in favor of the Single Use Bag Ordinance and the Food Ware Ordinance.
22	I would like to make a comment on the single use bag ban ordinance. I understand the importance of this ordinance as necessary to deal with the 1 million plastic bags that end up in the SF Bay each year and I am aware of the Pacific gyre, a Texas-sized cloud of plastic trash scraps in the Pacific Ocean. But, I often forget to bring my recyclable bag in to stores when I shop in El Cerrito. I carry a recyclable bag in my vehicle, yet still fail to bring it with me into the store about 50% of the time, and end up using the store's plastic bags or carrying out the items in my hands. I don't have the same problem when I shop in Albany, Berkeley, and places with a store-provided single-use bag ban because I know it will cost me money to have to buy bags there if I forget. Ordinances like this one work. I support this ordinance. It is within the boundaries of the role of a city government to limit pollution of its citizens' environment, and it appears to be able to do so in a cost-effective manner.
23	<p>The stated purpose of the ordinance is “to reduce the common use of single-use carry out bags and encourage the use of reusable bags by consumers and retailers in El Cerrito”. In actuality, the ordinance does not “reduce”, it is an outright ban.</p> <p>The development of this ordinance focused only on the issue of reducing litter, and did not consider the impact the implementation would have on individuals.</p> <p>The intent of the ordinance – preventing litter (as shown by all of the ‘whereases’) – is certainly laudatory, but in the fervor to accomplish this, there are potentially serious consequences for El Cerrito citizens and shoppers that have apparently not been considered.</p> <p>This is first evident in the definition of “carry-out bag” as it includes paper as well as plastic. The public is then left with the following options:</p> <ul style="list-style-type: none"> <li>• Provide their own bags – mostly some kind of cloth or heavy plastic</li> <li>• Purchase paper bags</li> </ul>

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	<ul style="list-style-type: none"> <li>• Carry items without bags</li> <li>• Shop in locations without these restrictions</li> </ul> <p>Providing own bags: The lightweight plastic and cloth bags that are being sold at grocery stores are approximately 12 inches by 12 inches, about the same size as the current plastic bags. For a single trip to the grocery store this may be sufficient. Many individuals, including myself, now have from 6 to 9 bags of groceries per visit and this would require carrying at least this many bags with us into the store, as well as maintenance of these bags. Current studies now show that these bags, even when washed frequently using soap and water (more resources), still harbor considerable amounts of bacteria and potential contamination creating possible health risks. Buying larger bags then creates a lifting/carry problem for those of us who are older or disabled. Additional problems include:</p> <ul style="list-style-type: none"> <li>• Those who do not drive having to carry bags with them on buses</li> <li>• Additional expenses for stores to prevent shoplifting when people are carrying bags around in the store</li> <li>• Contamination of these bags by leaks and on counters and conveyor belts and by bagging employees</li> <li>• Making more trips to the store in order to use fewer bags at a time ends up costing more environmentally in the use of gasoline</li> </ul> <p>Purchasing paper bags: The objective of the ordinance is to prevent litter and the focus is on the plastic bag. However, the paper bag is included and the ordinance specifically states that the business must charge for the bag. Why is the paper bag included, and why is it necessary that the shopper pay for this bag? To whom does the money go? One of the committee members recently commented that paying for a bag would make people less likely to discard it casually. If this is so, then why cannot we consider a charge for the plastic bag instead of an outright ban as currently proposed? If the purpose of charging for the paper bag is to reduce its use, why is that also not an option for the plastic bag? I think that many individuals who are already having to stretch thin budgets will have difficulty accepting the idea of paying for paper bags (or plastic).</p> <p>Carry items without bags: This may be an option for larger items in boxes, or single purchase items. It is obviously not an option if you have multiple items or items that may be damaged by weather or dropping.</p> <p>Shop elsewhere: This is an option for many people who may decide to shop elsewhere on their way home from work or who will significantly cut down on "impulse shopping".</p> <p>Lack of large bags: Another major consideration not addressed or considered by the ordinance is the purchase of large items, or large quantities of items at stores other than grocery stores. For example, several times a year I purchase large quantities of</p>

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	<p>books at Barnes and Noble in the plaza, and fabric and artificial flowers at JoAnn’s, also in the plaza. These items do not fit into small carry bags. Consider also clothing purchases at Ross or Dress Barn or Marshalls or larger items from Bed, Bath, and Beyond. It appears our only options are to stuff these purchases in paper bags or carry these purchases without bags. I think this lack will be an issue that will substantially impact these retailers.</p> <p>The issue of litter will always be with us because of human nature. One way to attack this is with education, another is with science, and another is with logic. The city needs to do more education concerning both the impact of litter and how to reduce it. I do recycle my plastic bags and other plastic items, as do many others I know. Perhaps a page in the next Brochure could be devoted to ways to reuse plastic bags; perhaps a story/article in the West County Times/ perhaps a mailer. There are recyclable plastic bags available and their use should be encouraged. Also, more garbage cans around the city might discourage just tossing things. As part of the “encourage” statement in the purpose, stores might, as a common practice, ask if a bag is needed for a single item purchase – many people will say ‘no’.</p> <p>In summary, as stated above, the development of this ordinance focused only on the issue of reducing litter, and did not consider the impact the implementation would have on individuals. I believe it should be re-evaluated to consider both the issue of litter and the impact on El Cerrito citizens and shoppers, and reformed with a more balanced plan. [Also commented during the July 9 EQC Meeting.]</p>
24	<p>I understand the El Cerrito City Council is considering a bag law that will prohibit retail establishments from choosing the best and most economical way to provide a customer with the means to carry away their purchased goods. This proposed law is based on false assumptions, and I urge the City Council to vote No on this flawed law, yet another example of government run amok. El Cerrito does not need to follow the herd, and can safely ignore the vastly overblown claims of a small handful of environmental zealots obsessed with bags. The Council could better spend its time converting the City’s schools to an El Cerrito school district, or reducing the number of residential break-ins. Consumers are, have always been, and still are, free to provide their own bag if they believe that bags constitute a threat to the environment.</p> <p>The proposed law states that “single-use carry-out bags have been associated with significant environmental impacts, including greenhouse gas emissions, harm to wildlife, solid waste generation, and constitute a high percentage of litter, which is unsightly and costly to clean up.” These assertions are absurd, and are unsupported by any evidence. For example, data on GHG emission sources can be found on the web site of the California Air Resources Board. These data show the significant GHG emission sources, and plastic bags aren’t among them. As to the claim of solid waste generation, plastic and paper bags combined take up less than 1 % of landfills. And as far as bags constituting a high percentage of litter, anyone who spends anytime in the outdoors, and in particular around El Cerrito, will find just the opposite. The vast majority of litter is bits of paper</p>

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	<p>from napkins, tissue, newsprint, and magazines; after that comes plastic bottles and fast food takeout containers (paper or plastic cups, plastic containers etc.), and lots of plastic candy wrappers. Occasionally, one finds a plastic bag, and finding a paper bag is even rarer. Cities that have conducted litter studies make it clear that plastic bags are not a major source of litter, because people recycle them, use them for other purposes, or put them in the garbage. And as far as harm to wildlife is concerned, there is no evidence that bits of plastic harm any wildlife. My own cat, that constantly ingests pieces of household plastic, simply excretes them because they are not digestible, with no harm to the cat. Again, the science flatly contradicts the deceitful and misleading tactics of the environmentalists, who continually rely on rare photos of animals “eating” plastic as their evidence. (Some have claimed that these photos were contrived.)</p> <p>The proponents of this law appear to relay on an environmental impact report prepared for other cities. While the report is full of all kinds of data and statistics, there is virtually none regarding El Cerrito. For example, the report dwells on plastic in the ocean, but fails to mention that one of the research reports it cites clearly states that the primary source of plastic in the marine environment is from fishing activities. It is highly unlikely that plastic bags from the El Cerrito area ending up in the ocean, and there is no evidence of it.</p> <p>And the report’s claims about all the plastic debris in El Cerrito are false – anyone who has taken the time to visit our neighborhoods, parks, and streams is impressed with how little debris there is, and most of what is there tends to be paper debris and candy wrappers, not plastic or paper bags. I have lived in this city for 35 years and have never found plastic bags to be a problem.</p>
25	<p>As a resident of El Cerrito, I am strongly opposed to the proposed plastic bag ordinance for multiple reasons:</p> <ol style="list-style-type: none"> <li>1. It adversely affects citizens for whom these plastic bags serve useful purposes, such as lining trash cans, carrying soiled children's clothes, etc. These people will now have to expend effort and money to buy alternatives.</li> <li>2. It penalizes customers by requiring stores to charge them for bags if they happen not to have their own with them, thereby raising the effective cost of goods. The blow would perhaps be softened if stores had the choice to provide free reusable bags indefinitely, but instead the ordinance contains the oddly anti-free-market stipulation that free bag giveaways are restricted to a limited time.</li> <li>3. It adds another policy for city employees to enforce, which in the end translates into taxpayer money.</li> </ol> <p>In conclusion, this ordinance strikes me as picking the pockets of ordinary people for the sake of environmental purism.</p>

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26	<p>I do not support approval of the Single-Use Bag Ordinance.</p> <p>I believe the benefits of this ordinance relative to the inconvenience and safety hazards associated with this ordinance do not justify it being approved.</p> <p>I am not a strong believer in the need to regulate people's efficient use of materials, particularly in regard to something that would have such little impact as limiting single-use bags. And, I believe, that the environmental impact of such an ordinance for most responsible people in El Cerrito where we have a world-class recycling operation to handle such materials would be minimal. There have been numerous articles written about the hazards of reusable bags in handling produce which I hope you are aware of. (Please check out <a href="http://www.businessweek.com/articles/2013-01-15/paper-or-plastic-or-deadly-food-borne-pathogens">http://www.businessweek.com/articles/2013-01-15/paper-or-plastic-or-deadly-food-borne-pathogens</a>)</p> <p>Please prove to me that my City Council is a body of reasonable and clear thinking people and reject this ordinance. It's just not worth the risk and aggravation.</p>
27	Plastic Bag Ban poses a hardship on those that re-use bags.
28	The plastic bag ban is patently false. See letter from Mike J. Vukelich.
29	<p>Food Ware: I have no issue with this proposal and think it is long overdue as other neighboring communities have had something like this in place for some time.</p> <p>Single-Use Bags: I recycle all of the "single-use" bags that I receive when shopping in El Cerrito or elsewhere. They are handy as trash bags and as pet waste bags. I also have taken them along in my tote bags as a "just in case" bag to the ballpark and other outings. As someone who is a member of a small household, I find that the commercially available trash bags to be too large for my purposes. Due to the amount of compostable and recyclable items, I do not throw away much actual trash. How does it help the environment to have to now purchase plastic trash bags rather than to reuse the single-use bags?</p> <p>I am also concerned about privacy when purchasing items at the pharmacy. There is no mention in the proposed draft ordinance of the City's requirement to provide protective/product bags for medication purchases from the pharmacy. This is part of Alameda County's ordinance. Have you considered an ordinance similar to the one in Alameda County? In Alameda County, the ordinance is applicable to all grocery stores, mini-marts, convenience stores, liquor stores, other stores and pharmacies selling packaged food and/or alcohol are affected. It does not apply to retail establishments that sell clothing. Thank you again for the opportunity to comment. I will be following this issue closely.</p>
30	Letter of Opposition from the American Chemistry Council. Claims include fact that non-EPS alternatives are more expensive,

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	and that total litter does not go down after bans.
31	<p>On behalf of Golden Gate Audubon Society’s supporters in El Cerrito and our members throughout the Bay Area, I urge you to adopt a ban on plastic bags at all retailers in El Cerrito. I further urge you to adopt a ban on expanded polystyrene food containers in El Cerrito restaurants. Please find the attached letter from our Executive Director, Michael Lynes, which states our organization's position in support of banning single-use plastic bags and expanded polystyrene food containers in El Cerrito . I have also attached the <i>Honolulu Strategy</i>, created at the 5th International Marine Debris Conference in 2011 and serves a guiding document for reducing the environmental epidemic of land-based plastic litter entering waterways worldwide. I had the extreme honor of contributing to this important document while attending the conference. This initiative is of extra importance to me as I as a proud citizen and home owner in El Cerrito. Thank you for your governance in our fantastic city!</p>
32	<p>I am writing to communicate my support for a total ban on polystyrene and single-use bags in El Cerrito and Contra Costa County more broadly. Specifically, I support RecycleMore’s proposal, applying to all merchants, to ban all single-use bags except those made from recycled paper. Plastic bags represent litter in the environment, in the ocean and local waterways, and are a danger to wildlife. Save the Bay indicates that more than one million plastic bags end up in the Bay each year.</p> <p>All the cities in Alameda County, the cities of San Francisco and San Jose, along with the unincorporated areas of San Mateo, Santa Clara and Marin counties, have similar ordinances. Richmond has already passed a ban; El Cerrito should step out front on this issue. I actually feel this ban should be county- or state-wide at least, as plastic poses a direct threat to our food and environmental systems, which have no relation to arbitrary political or administrative boundaries.</p>
33	<p>I am writing as an El Cerrito resident. I want to voice my very strong support for the current draft of the single-use bag ordinance. As a citizen who is both committed to the city and to the California environment I think it is critically important that El Cerrito be added to the growing list of California cities that have already adopted single-use bag ban laws. These laws will have a positive impact on the survival of our treasured oceans.</p>
34	Letter of Support from Clean Water Action is in support of both Ordinances.
35	From June 11 EQC Meeting: In favor of Single-Use Bag Ordinance, major litter concern.
36	From June 11 EQC Meeting: Opposed to Single-Use Bag Ordinance, reuses bags, doesn’t see benefit.
37	From June 11 EQC Meeting: In favor. Recommends higher fee on paper bags.
38	From June 11 EQC Meeting: Opposed to Single-Use Bag Ordinance, reuses bags. In favor of Food Ware Ordinance.
39	From June 11 EQC Meeting: In favor of both Ordinances.
40	From June 11 EQC Meeting: Could incentives be provided for both Ordinances?
41	From July 9 EQC Meeting: In favor Single-Use Bag Ordinance

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42	From July 9 EQC Meeting: In favor of both Ordinances.
43	From July 9 EQC Meeting: Against Single-Use Bag Ordinance.
44	From July 9 EQC Meeting: In favor of Single-Use Bag Ordinance.
45	From July 9 EQC Meeting: Against both Ordinances. Questions about cost.
46	From July 9 EQC Meeting: Against both Ordinances.

**COMMUNICATION ACCESS INFORMATION**

*To request a meeting agenda in large print, Braille, or on cassette, or to request a sign language interpreter for the meeting, call Garth Schultz, Staff Liaison at 559-7684 (voice) at least FIVE (5) WORKING DAYS NOTICE PRIOR TO THE MEETING to ensure availability.*

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