

KATHY WARD

From: STEVEN WEINBERG <sweinberg@DanaPoint.org>
Sent: Monday, February 06, 2012 5:33 PM
To: steven@peddlermanagement.com
Subject: FW: Regulation of Single-Use Carryout Bags
Attachments: image003.png; Submitted Letter 2.6.12.pdf

From: Sarah Sheehy
Sent: Monday, February 06, 2012 5:33:10 PM (UTC-08:00) Pacific Time (US & Canada)
To: LARA ANDERSON; STEVEN WEINBERG; LISA BARTLETT; wbrough@danapoint.org; SCOTT SCHOEFFEL
Subject: Regulation of Single-Use Carryout Bags

Mayor Anderson, Mayor Pro-Tem Weinberg, and Dana Point Councilmembers,

Please find attached a letter I submitted regarding Agenda Item 12 for discussion at tomorrow's council meeting. Please note, the California Grocers Association is strongly opposed to the ordinance the way it is currently written. We are, however, very comfortable with an ordinance modeled after the City of Calabasas and dozens of other jurisdictions throughout California. It helps our members keep consistent regulations within areas, which alleviates customer confusion and aids all types of businesses.

Finally, we ask the Council to consider amending the definition of reusable bag. The way the ordinance is written, we fear that the definition can be very ambiguous for retailers throughout Dana Point and we urge you to consider a different definition. Please see one below that has been adopted by the other cities and counties throughout California, that again, helps keep reusable bag guidelines more uniform.

I know this ordinance is based on Manhattan Beach, but that city adopted this ordinance in 2007. Manhattan Beach quickly followed the City of San Francisco, who is actually voting to change their ordinance (tomorrow!), to adopt the more uniform approach that so many other jurisdictions are using.

Again, CGA STRONGLY urges City Council to consider amending the ordinance, before passage, as iterated in the attached letter.

Thank you for your time.

Best,
Sarah

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Agenda Item No. 12
2/7/12

February 06, 2012



Honorable Lara Anderson
Mayor, City of Dana Point
33282 Golden Lantern
Dana Point, CA 92629

RE: February 7, 2012 Council Hearing
OPPOSE UNLES AMENDED - Agenda Item 12 – Consideration of an Ordinance
Adding a New Chapter 6.47 “Plastic Carry-out Bags” to the Dana Point Municipal Code

Dear Mayor Anderson:

On behalf of the California Grocers Association (CGA), I respectfully ask the Council to amend Agenda Item 12, relating to single-use plastic carryout bags. While our association is not opposed to regulation in this arena per se, the approach currently proposed in the City of Dana Point will lead to significant burdens for local businesses. The San Francisco-style ordinance proposed here is not the preferred option and in reality is not likely to reduce single-use carryout bag usage by consumers, so is not effective for the desired environmental impact. The approach will, however, increase operating costs for grocery stores by \$60,000 - \$80,000 annually based on the experience in San Francisco.

The California Grocers Association is a non-profit, statewide trade association representing the retail food industry since 1898. CGA represents approximately 500 retail member companies, many of which do business in Dana Point. Collectively our members operate more than 6,000 retail food stores in California. Those outlets represent the breadth of diversity of California’s retail food industry and include traditional supermarkets, convenience stores, wholesale merchandisers, and independent supermarkets. CGA represents many of the grocery companies operating in Dana Point.

While we appreciate the City’s concerns, eliminating one free single-use bag type (plastic) while leaving other single-use bag types unregulated has been shown in San Francisco to be a catalyst for consumer migration to free paper single-use bags. That shift has added between \$60,000 and \$80,000 to the cost of operating a grocery store in the jurisdiction. In fact, the City of San Francisco is currently in the process of modifying its ordinance to follow a model that does work – a ban on single-use plastic carryout bags with a charge mandated on single-use paper bags. If done correctly, that kind of ordinance does have the potential to achieve maximum environmental gain with minimal business disruption by encouraging reusable bag use.

Should Dana Point wish to regulate in this area, CGA urges you to look toward the City of Calabasas or the City of San Jose for direction. Those ordinances involved significant stakeholder participation and in the end embody broad consensus on the issue. It is important to note that such a model has become the standard in California. There are currently dozens of jurisdictions with substantially similar ordinances already in place and dozens more under consideration. But, we have seen the most success in the City of Calabasas. Our members report



that within six months of implementation of the ban on plastic/charge for paper model ordinance, reusable bag use has increased to almost 98%. **In other words, 98% of customers now bring in reusable bags – a significant environmental achievement.** Jurisdictions that implement a ban on single-use plastic bags without the mandated charge for paper (similar to Manhattan Beach and Malibu) do not see those same environmental benefits, as customers just move to single-use paper bags.

What has proven to be the preferred approach elsewhere also helps increase consistency for businesses with store locations in multiple jurisdictions and for California's very mobile consumers.

Our association stands ready to work with Dana Point to achieve the City's goals in a way that makes sense for businesses and consumers. I look forward to working with the Council and City staff on this important issue.

Thank You,

Sarah Paulson Sheehy
Director, Local Government Relations

cc: Members, Dana Point City Council
Douglas Chotkevys, City Manager
Brad Fowler, Director of Public Works and Engineering Services
Kyle Butterwick, Director of Community Development
City Clerk