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Single-Use Carryout Bags Study

April 26, 2011

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Executive Summary

The City of Milpitas contracted with Cascadia Consulting Group to report on the options for reducing the use of single-use carryout bags. Due to concerns regarding the impacts of bag litter on the environment, a number of municipalities in California and other states have banned or implemented programs to reduce the use of single-use carryout bags.

Because a single use carryout bag ban would affect many Milpitas businesses, the City commissioned this study to research similar programs elsewhere, identify evaluate the major economic and procedural considerations, and identify potential support or opposition among Milpitas businesses and residents.

The conclusions presented in this document are based on background research, interviews, and information identified during the research phase of this project. These conclusions are intended to inform implementation of a single-use bag ban if the City of Milpitas decides to adopt one.

Methods

Cascadia Consulting Group undertook nine specific research tasks related to single-use carryout bags. At the City's direction, Cascadia reviewed the efforts of California communities to replace single-use carryout bags with reusable bags. Cascadia targeted our research on Los Angeles County, and the cities of Fairfax, Malibu, Manhattan Beach, Oakland, Palo Alto, San Francisco, and San Jose. Programs in Seattle and Issaquah, Washington were also included in this background research. Cascadia interviewed affected businesses in Milpitas, surveyed Milpitas residents, and interviewed organizations that have lobbied for or against single-use bag bans.

Findings

The key findings of this research are presented by individual research task.

Review of Single-Use Carryout Bag Bans in Other Jurisdictions

The review of programs elsewhere identified the following effective methods to reduce use of single-use carryout bags:

- In other jurisdictions, a phased enforcement of single-use bag bans, starting with enforcement among the largest and highest bag use businesses, eased the business community's transition to reusable bags.
- Scaled outreach, reflective of budget constraints, can range from outreach materials in print form to in-person communications.
- Outreach programs are associated with reduced single-use bag use in some communities.

Evaluate Economic Impacts to Stakeholders

The review of stakeholders' concerns and bans in cities elsewhere identified the following economic impacts:

- Reusable bags are more expensive, per bag, than single-use bags. The initial expense of purchasing reusable bags concerns Milpitas businesses.
- Selling bags at or above cost could enable businesses to recover their initial investment in reusable bags.
- The number of reusable bags purchased by a business should decrease and plateau over time, while the number of single-use carryout bags purchased by a business remains the same.
- Offering businesses the opportunity to apply for exemptions may increase acceptance of the ban by businesses.
- The financial burden of increased capital costs imposed by a bag ban would largely fall on small businesses.
- A reusable bag-purchasing co-op could benefit small businesses.

Review Alternative Bag Types

The evaluation of alternative bag types identified the following results:

- Reusable alternatives to single-use carryout bags are readily available in a variety of material types. Many stores already make these bags available to customers.
- Cities that only banned plastic single-use bags have seen an increase in the use of paper single-use bags. This suggests that customers simply switched single-use bag types rather than adopting reusable bags.
- Individuals interviewed for this report expressed health and environmental concerns related to a single-use bag ban.

Businesses Affected by Regulation

Based on a review of alternative products available and the experience of programs elsewhere, we identified the following issues relating to a possible polystyrene ban in Milpitas:

- Regulating single-use carryout bag distribution in all commercial retail stores, such as implemented in San Jose, provides a comprehensive program and greatly reduced bag use.
- The single-use bag reduction plan adopted by the City of San Jose can best inform the City of Milpitas as it considers a similar ban.

Enforcement Procedures and Penalties for Violation

Research on programs to enforce bans elsewhere found that:

- City staff in all communities interviewed reported that the majority of affected businesses came into compliance without the need for enforcement activity.
- Jurisdictions typically enforce single-use bag bans either through site visits or through non-compliance complaints by citizens, which provide a less expensive option.
- Enforcement approaches can be scaled in budget and staff to the level of effort appropriate.

- A phase-in period will likely increase compliance and reduce the amount of enforcement required.
- Ongoing education and outreach will produce more sustaining compliance.
- Providing an opportunity for citizens to report businesses in non-compliance is an effective way to supplement the enforcement process and create awareness of the single-use bag ban across the community.

Alternatives to a Single-Use Bag Ban

An assessment of alternatives to a single-use carryout bag ban identified the following benefits and drawbacks:

- Existing in-store drop-off programs have not been successful in recovering a high percentage of the bags distributed to their own customers, despite the theoretical easiness of this approach.
- A voluntary ban on single-use bags could be implemented quickly, but would require capital investment comparable to a mandatory ban and is unlikely to achieve comparable results.
- Asking businesses to voluntarily charge customers for bags in the current economic climate may be perceived as an undue hardship to many businesses; many businesses may choose not to participate.
- Single-use bags with recycled content still generate more waste than reusable bags.

Conduct Interviews with Key Stakeholders

Interviews with Milpitas businesses and other key stakeholder groups yielded the following findings:

- Businesses in Milpitas are concerned about their customers having to pay for reusable bags, and the impacts that might have on their business.
- One-third of the surveyed businesses currently offer reusable bags for sale, and do not feel that doing so is a hardship.
- Most of the businesses surveyed felt that posters and fliers would help educate customers about the ban, and only two felt that fines on businesses that do not comply was a reasonable approach.
- The American Chemistry Council noted that a ban on only plastic bags would likely increase the use of single-use paper bags.
- Save the Bay is focused on reducing plastic litter in the waterways around Milpitas and enthusiastically supports a ban on single-use bags.

Survey Milpitas Residents

A survey of 293 Milpitas residents found the following:

- Fifty-four percent of residents surveyed believed that single-use bags should be banned.
- Residents surveyed felt that financial incentives were the most important incentives to encourage reusable bag use; and many would like to see tips for remembering to bring the bag into the store.

Plan for Stakeholder Outreach and Public Awareness

Based on outreach programs used to support single-use carryout bag bans elsewhere, Cascadia offers the following information:

- **While active outreach is very effective, the most important outreach approach is to spread consistent and accessible messages to both businesses and residents.**
- **Investing in informing residents can increase pressure to comply**: residents who understand why the ban is in place are more likely to remind businesses they frequent to comply.
- **Jurisdictions can frame all outreach as an opportunity to aid businesses and residents, and make outreach opportunities as attractive to and useful for businesses as possible**, provide outreach materials in a variety of languages, and to cater to a variety of business types.

Organization of this Report

The City contracted with Cascadia Consulting Group to conduct research in nine specific task areas. The main body of this report is organized into nine sections corresponding to these tasks:

1. Review of single-use bag bans in other jurisdictions.
2. Evaluate economic impacts to stakeholders.
3. Review alternative bag types.
4. Review regulation of single-use bags and businesses.
5. Research enforcement procedures and penalties for violation.
6. Research alternatives to a single-use bag ban.
7. Conduct interviews with key stakeholders.
8. Survey Milpitas residents.
9. Stakeholder outreach and public awareness.

Each section outlines the task objectives, our methods for conducting the research, major findings, and overall conclusions. Our research data is provided in the appendices.

1. Review of Single-Use Bag Bans in Other Jurisdictions

This section describes Cascadia's research into single-use carryout bag bans adopted and implemented by other jurisdictions. It identifies the groups affected by a ban, the outreach approaches used, and measureable outcomes.

Methods

Cascadia's research focused on jurisdictions in the San Francisco Bay Area and Washington State that have single-use bag bans in place. In California, we evaluated programs in Fairfax, Los Angeles County, Malibu, Manhattan Beach, Oakland, Palo Alto, San Francisco, and San Jose; in Washington State, we evaluated programs in Seattle and Issaquah. We reviewed ordinances and outreach materials for each city and conducted interviews with city staff to better understand what programmatic features made certain ordinances effective at eliminating single-use bags—the purpose of the ban.

A complete list of jurisdictions in California that have pursued a single-use bag ban is provided in *Appendix 1.1. Jurisdictions in California that have Pursued a Single Use Bag Ban.* Note that these cities have all proposed a single-use bag ban, but many of these bans have been challenged in the courts, and some bans were overturned or are on hold.

Findings

Groups Affected

At the outset of this project, Cascadia considered the impact that a single-use bag ban would have on various stakeholder groups, including small and large businesses that currently distribute single-use bags to their customers and customers that currently receive their merchandise in single-use bags. Cascadia also gathered input from interest groups such as the American Chemistry Council and the California Grocer's Association.

Analyses in specific sections of this report focus on San Jose's single-use bag ban. San Jose has already passed a bag ban (effective date: January 1, 2012), and has addressed relevant arguments in favor of, and against, a ban. Due to this, and to San Jose's geographical proximity, Milpitas can benefit from San Jose's research and decision-making logic. Additionally, some stores have branches in both San Jose and Milpitas and are therefore familiar with the bag ban implemented by San Jose. Many business representatives interviewed by Cascadia were concerned that customers would shop in other cities to avoid a bag ban in Milpitas. If Milpitas and San Jose adopted comparable bag bans, customers would be less likely to migrate to another city to shop.

The City of San Jose's single-use bag ban mandates that businesses will not provide single-use carryout bags to customers unless the bags are necessary to transport produce, bulk food, or meat; to hold prescription medication from an in-store pharmacy; or to segregate items that would contaminate other merchandise to be placed in a reusable bag (City of San Jose). The ban defines a single-use carryout bag as one which is **not** "a bag made of cloth or other machine washable fabric that has handles, or a durable plastic bag with handles that is at least 2.25 mil thick and is specifically designed and manufactured for multiple reuse" (City of San Jose). Businesses may sell a 40 percent recycled paper

content bag for a minimum charge of 25 cents per bag, although the ordinance allows an exemption for the stores to sell the bags for 10 cents in the first two years.

Several cities have used a phase-in approach to implementing their bag bans. This phase-in approach creates a lag between the introduction of the ordinance and its implementation, which is meant to allow businesses to prepare for the ban. Even after this lag between introduction and enforcement, small, independently owned businesses, which typically distribute fewer bags and thus have less of an environmental impact than larger chain businesses, may be exempted from the ban for a year or more. In these staggered implementation plans, the first phase generally involves enforcement of the ban among large chain grocery stores and pharmacies that distribute large numbers of single-use bags to customers. The second phase regulates single-use bag use by other business types, including smaller grocery stores, retail stores, shops, and, in some instances, retail food vendors.

Outreach Approaches

Cities typically provide outreach to businesses and customers affected by a single-use bag ban. Outreach efforts to businesses focus on explaining the ban and guiding businesses through the transition to reusable bags. Efforts to reach businesses and customers can vary from only written information (websites, mailers) to in-person outreach and assistance, depending on the budget available to promote the ban and fund associated activities. Outreach efforts generally encourage customers to remain patient during the transition away from single-use bags, explain the ban to customers, and introduce businesses to the rationale behind the ban and the steps they must take to comply.

Existing outreach efforts center on providing written information to businesses and customers; these efforts provide businesses with the resources they need to comply with the ban and inform their customers of their role in the program. These outreach techniques are the lowest cost option.

Cities with larger budgets may pursue active outreach through which city staff, or contractors hired to represent the city, help selected businesses transition from single-use bags to reusable bag alternatives. These outreach personnel may assist businesses in selecting the most appropriate and cost-efficient alternatives, lead workshops for affected businesses, or provide training for business staff members. This active outreach method requires staff time in addition to funding for design and production of printed outreach documents. The added investment provides targeted outreach to businesses and ensures that each business has the necessary resources. This active method is only really necessary for businesses; customers can learn from written information provided by the City and from employees at the businesses.

As an example of this active outreach, the City of Palo Alto began visiting stores prior to the ordinance start date to answer questions and ensure that staff have what they need to make sure that the reusable bag ordinance begins successfully. During these visits, the City provided a factsheet to managers that explained the ban and ensuing employee responsibilities (City of Palo Alto Public Works Environmental Compliance). The City of Palo Alto has launched an outreach campaign that reminds residents to shop with reusable bags through a multi-month “Bring Your Own Bag” action campaign, which began September 23, 2009.

Measureable Outcomes

Many single-use bag bans have been enacted recently; therefore, limited time-tested information is available on the measurable outcomes. The following observations are from the limited data that have been released:

- According to city staff, San Francisco's single-use bag ban, which targets large grocers and pharmacies, reduced bag use by approximately 20 percent per year.
- Palo Alto city staff suggest that a single-use bag ban will lead customers to double their reusable bag use and anticipate the number of customers electing not to use a bag to double. Without active enforcement of a plastic bag ban, the use of paper bags also nearly doubles.
- Many cities interviewed for this report that have not moved forward with a formal ban have funded outreach programs encouraging both businesses and customers to reduce single-use bag use.

Appendix 1.2. Detailed Information about Bans in Other Jurisdictions provides more specific information regarding the outreach methods cities have pursued, measurable outcomes, and additional guidance received from other cities with bans in place.

Conclusions

- In other jurisdictions, a phased enforcement of single-use bag bans, starting with enforcement among the largest and highest bag use businesses, eased the business community's transition to reusable bags.
- Scaled outreach, reflective of budget constraints, can range from outreach materials in print form to in-person communications.
- Outreach programs are associated with reduced single-use bag use in some communities.

2. Evaluation of the Economic Impact to Stakeholders

Businesses faced with single-use carryout bag bans frequently express concern regarding the cost of complying with the ban. This section describes the potential economic impact of a single-use bag ban on businesses in Milpitas.

Methods

Based on concerns most frequently mentioned in a survey of businesses in Milpitas, we reviewed available data regarding the economic impacts to businesses and other stakeholders in cities with a ban in place. Cascadia supplemented this research by surveying 24 businesses in Milpitas regarding their concerns surrounding the potential economic impact of a ban.

Findings

Costs

Some Milpitas businesses expressed concern over the larger initial investment presented by reusable bags relative to single-use bags. The cost of reusable bags varies depending on bag type and where the bags are purchased. Although ordinances typically do not require stores to sell reusable bags to their customers, we assume that most businesses will sell reusable bags on-site.

Reusable carryout bags are initially more expensive per bag than single-use paper and plastic bags, but the durability of reusable bags diffuses this initial investment over an estimated average of 50 uses annually. While affected businesses would likely continue carrying a stock of reusable bags, the number of bags they must purchase to meet demand would decrease and ultimately plateau. This is in sharp contrast to single-use bags, the demand for which remains an ongoing and static investment for businesses, as the majority of customers require new single-use bags every time they purchase goods at that store.

Further, businesses can set the price of the reusable bags they sell; this allows them to establish the return on their initial investment in reusable bags. Businesses will only lose money on their investment in reusable bags if they choose to set the sales price for these bags at a level below that necessary to make a profit. The intent of these bans is not for businesses to offer the reusable bags to customers at no charge, unless a business elects to do so. Businesses can adjust the price of reusable bags to recover the cost of the bags, or make a profit.

The increased expense imposed by a bag ban could be an obstacle to compliance among small-margin businesses. During stakeholder interviews, Cascadia found that many chain businesses interviewed (Safeway, Save Mart Supermarkets, CVS, 99 Ranch Market, Lucky's, and Orchard Supply Hardware) already offer alternative bag types to customers. Although it is not a financial burden for these large businesses to purchase additional alternative bags, smaller businesses may find the cost of purchasing alternative bag types prohibitive.

Because small businesses may have limited access to bulk suppliers, some cities have established a purchasing co-op to help small businesses buy reusable bags at a lower price. GreenTown Los Altos, a

grassroots environmental group in the city of Los Altos, has established a co-op through which businesses that purchase from a certain supplier receive a 25 percent discount (GreenTown Los Altos). Milpitas businesses could either form their own co-op or could join the Los Altos co-op.

One Milpitas business owner suggested that ordering alternative bags from a local business could reduce shipping costs. In response to this idea, a list of California businesses that sell alternative bag types is provided in *Appendix 2.1. Processes to Ease Business Transition to Reusable Bags.*

Exemptions

Businesses' opposition to the ban could be reduced by delaying the start date for implementation or enforcement, or through temporary or permanent exemptions to selected stakeholders based on number of employees, square footage, annual revenue, or other criteria. Most cities with single-use bag bans schedule an effective date several months after enacting the ban; this allows businesses to learn about the ban and its requirements, purchase appropriate alternative bag types, and use their current stock of single-use bags that would be regulated by a ban. After the ban becomes effective, cities expect compliance, or businesses will be subject to a fine. Even after their bans came into effect, all cities researched for this study continued to offer outreach to support to businesses and their customers.

Exemptions may cover single-use plastic bags used to transport wet food such as meat and produce, items from retail stores operated by non-profit organizations, and food for specific groups of consumers (e.g., deliveries for low income families). Some cities exempt food service establishments due to logistical issues associated with transporting freshly cooked moist food. Thrift stores operated by non-profit service organizations are often also exempt, as they serve low-income populations and are often designated as 501(c)(3) organizations. Many cities also allow businesses to apply for an exemption if the city foresees compliance with the ban causing undue financial or logistical hardships, either for businesses or consumers. Low-income customers, particularly those who pay for groceries using WIC or food stamp funds, are also exempt from fees associated with single-use bags.

Some businesses surveyed were concerned about the time required to adequately train staff to be in compliance with the single-use bag ban. Tasks required by the ban may include: charging customers for single-use paper bags, only offering single-use paper bags to customers if they request one, updating signage, stocking brochures and other reminders around the store as the City distributes new outreach material, and maintaining records of bags provided and revenue collected from single-use bag charges to report to the city. After an initial training period, these additional tasks would not take much staff training beyond occasional reminders and regular monitoring of staff activity.

Conclusions

- Reusable bags are more expensive, per bag, than single-use bags. The initial expense of purchasing reusable bags concerns Milpitas businesses.
- Selling bags at or above cost could enable businesses to recover their initial investment in reusable bags.
- The number of reusable bags purchased by a business should decrease and plateau over time, while the number of single-use carryout bags purchased by a business remains the same.

- Offering businesses the opportunity to apply for exemptions may increase acceptance of the ban by businesses.
- The financial burden of increased capital costs imposed by a bag ban would largely fall on small businesses.
- A reusable bag-purchasing co-op could benefit small businesses.

3. Review of Alternative Bag Types

This section provides information on the benefits and drawbacks presented by a range of alternative bag types, listed by material, to help Milpitas inform local businesses of appropriate alternatives to single-use carryout paper and plastic bags.

Methods

Cascadia identified alternatives to single-use carryout bags by researching and interviewing representatives from cities that have enacted bans on single-use carryout bags. Additionally, we researched information provided by product manufacturers to determine whether the alternative products have the appropriate characteristics, such as durability and resistance to liquids.

Findings

Many reusable bags are made from the same materials as single-use plastic bags. Despite their similar material composition, the intended useful life cycle of a single-use plastic bag is only long enough to get the merchandise home from the store, whereas the intended useful life cycle of a durable reusable bag is more than one year. Reusable bags are also commonly made from other materials such as cotton, canvas, and "specialty materials" such as rubber.

In its plastic bag ban ordinance, the City of San Francisco defines a reusable bag as "a bag with handles that is specifically designed and manufactured for multiple reuse and is either:

(1) made of cloth or other machine washable fabric, and/or

(2) made of durable plastic that is at least 2.25 mils thick" (SF Environment).

This definition is also included in state legislation AB 2449 (Californians Against Waste). Thus, many other cities, including San Jose, use this definition of reusable bags (City of San Jose).

There are four primary plastics that meet the above requirements and are therefore acceptable for use in reusable bags:

- High Density Polyethylene (HDPE): A strong plastic produced from ethylene. HDPE is commonly used to produce pipes, bottles, and grocery bags.
- Low Density Polyethylene (LDPE): Not as strong as but more flexible than HDPE. It is most frequently used in electrical cable coverings, dry cleaning bags, and retail shopping bags.
- Polyethylene terephthalate (PET)/polyester: Most frequently used in soda bottles and water bottles, but is also used in other types of packaging. Recovered PET is often converted into Polyester fiber, used to make carpet and fabric for reusable bags or T-Shirts).
- Polypropylene: A plastic polymer that has good resistance to heat and is used in flexible and rigid packaging, film, and textiles. Reusable bags made from polypropylene are typically made from woven polypropylene, not plastic film

Some businesses and consumers expressed concerns that alternative woven bag types are not as liquid-proof as single-use plastic bags and may leak or break when filled with messy, heavy, or hot items.

Conversations with businesses that use compostable bio-plastic single-use bags as alternatives to petroleum based plastic single-use bags, or durable reusable alternatives, revealed that these products do not cause issues carrying wet or hot items. In Cascadia's interviews of stakeholders in Milpitas, businesses that were not offering alternative bag types provided the majority of concerns about the durability and liquid-proof nature of reusable alternatives to single-use bags, while businesses that offer these bags generally did not express these concerns.

Health Concerns

Recently, two health concerns about reusable bags have been raised. The first concern is that reusing bags may lead to unsanitary conditions if the bags become contaminated by spilled and spoiled food, which may spread bacterial infection. However, meats and other messy foods are generally bagged separately before they are taken to the checkout stand, and these bags are explicitly excluded from most single-use bag bans.

The second issue is that some recent studies conducted by non-governmental organizations have found that some reusable bags produced in China contain potentially unsafe levels of lead. The lead in these bags could flake off and fall into food or other items in the store or home (Crynbaum). This lead content may become problematic over the lifespan of the bag, and there is a potential for the lead to seep into groundwater if the bags are disposed in landfills at the end of their useful life. The risk of lead contamination appears to be from the ink and paint used to decorate the bags, not the material the bag is made from. Even so, we recommend that before purchasing any bags, businesses should request proof from their vendor that the bags have been tested for lead content by a certified facility and are lead free.

Environmental Concerns – Single-Use Paper Bags

Cities in California that have implemented a plastic bag ban without limitations on paper bag use have noticed an increase in paper bag use. The City of Palo Alto, which banned single-use plastic bags in fall of 2009 at a small number of stores but did not regulate single-use paper bags, noted that use of paper bags increased in individual stores from 33 percent to 59 percent between 2008 and 2010, after Palo Alto passed its plastic bag ban in Fall 2009. Cities that do not address the issue of single-use paper bag reduction in their ordinance will likely face a similar increase in paper bag usage.

One method to address single-use paper bag use is to place a fee on the distribution of paper bags. This fee is charged by businesses at the point of sale, and the money is used to invest in purchasing additional bags, or to promote an outreach campaign to remind customers to bring their own reusable bags. Los Angeles County is an example of a jurisdiction that has pursued this approach. Their bag ban, which passed in November of 2010, includes a complete ban on plastic single-use bags and a ten-cent charge for single-use paper bags. Businesses can use these fees to promote the program in their store.

Conclusions

- Reusable alternatives to single-use carryout bags are readily available in a variety of material types. Many stores already make these bags available to customers.

- Cities that only banned plastic single-use bags have seen an increase in the use of paper single-use bags. This suggests that customers simply switched single-use bag types rather than adopting reusable bags.
- Individuals interviewed for this report expressed health and environmental concerns related to a single-use bag ban.

4. Businesses Affected by Regulation

A successful single-use carryout bag ban would only prohibit only bags that a reusable bag could reasonably replace, and would regulate all businesses that distribute free single-use bags. The ban would also ensure that regulation of one single-use bag type would not result in the over-use of another single-use bag type. This section highlights the types of businesses ideally regulated by single-use bag bans.

Methods

Our findings were informed by the 24 businesses interviewed during the Milpitas business surveys, and through researching cities that have successfully regulated single-use bags.

Findings

Other cities in California have approached a single-use carryout bag ban in a variety of business types. The City of Fairfax, for example, mandated that "all stores, shops, eating places, food vendors and retail food vendors" provide only recyclable paper or reusable bags to customers (Sustainable Fairfax). The City of San Francisco mandated that "full-line, self-service supermarkets" or "retail pharmacies with at least five locations under the same ownership within the geographical limits of San Francisco" provide the same two bag types that Fairfax does, but also offer compostable plastic bags that meet the current American Society for Testing and Materials (ASTM) standards for compostability (SF Environment). The City of San Jose's single-use carryout bag Environmental Impact Report (EIR) defines the businesses that a single-use bag ban would affect as "commercial retail stores," which excludes restaurants selling prepared food for consumption on or off premises; 501 (c)(3) organizations will be exempt from the required store charge for paper bags (City of San Jose).

After considering examples of single-use bag bans that have been imposed elsewhere, we believe that the single-use bag reduction plan adopted by the City of San Jose can best inform the City of Milpitas as it considers a similar ban. Since the City of San Jose has completed its environmental review, the City of Milpitas can use San Jose's findings and experience with the ban to inform their own decision-making regarding whether to pursue a ban. Since Milpitas is contiguous with San Jose, the stores in Milpitas affected by a ban could establish purchasing arrangements similar to those made by retailers in San Jose.

Conclusions

- Regulating single-use carryout bag distribution in all commercial retail stores, such as implemented in San Jose, provides a comprehensive program and greatly reduced bag use.
- The single-use bag reduction plan adopted by the City of San Jose can best inform the City of Milpitas as it considers a similar ban.

5. Enforcement Procedures and Penalties for Violation

Enforcement policies and procedures can be critical to achieving compliance with a single-use bag ban. This section describes the enforcement options, penalties, and demands on staff time experienced by cities that have implemented a single-use bag ban.

Methods

Cascadia's research focused on California cities that have adopted single-use bag bans, including San Francisco, Los Angeles County, Palo Alto, Fairfax, and Malibu. We reviewed single-use bag ban ordinances and conducted interviews with city staff to better understand enforcement-related successes and failures. *Appendix 5.1, Existing Enforcement Procedure Information* provides details from a review of these cities' enforcement procedures.

Findings

City staff in all communities interviewed reported that the majority of affected businesses came into compliance without the need for enforcement activity. Non-compliance may be an issue among businesses that do not understand the purpose of the single-use bag ban or those that view the ban as unfair. Communication and outreach with businesses may lead to greater understanding and support, thus improving compliance. A staff member from the City of Palo Alto attributed high compliance rates to outreach and constant communication with businesses and the public.

The ordinances in the cities researched include a variety of penalties to support enforcement, including written warnings, fines (up to $1,000), imprisonment, or a combination of a fines and imprisonment.[1] Typically, each day a violation is committed (i.e., banned materials are used in the business) is considered a separate offense.

Jurisdictions typically enforce single-use bag bans either through site visits or through non-compliance complaints by citizens, which provide a less expensive option. Citizen notification can be received through a customer service hotline or an online form on the city's website. However, most of the cities researched conducted site visits before taking any action.

Enforcement costs vary greatly depending on the type of technical assistance required to gain compliance from businesses. Cities can scale their enforcement programs to match resources. Several cities noted the value of having staff members who are already visiting a business for other programs also distribute materials regarding the ban to encourage compliance.

[1] *Cascadia does not know of any jurisdiction that has imprisoned any violators.*

Although cities researched have the infrastructure (such as ordinance, enforcements protocols, and fines) to enforce the ban, most businesses comply without enforcement actions. With outreach efforts, such as site visits and stakeholder meetings, and a lengthy phase-in period (up to one year) easing the transition away from single-use bags, the businesses in these cities were willing to comply without issuing any fines. During our interview, a staff member at the City of Palo Alto stated that a long phase-in period allowed businesses to anticipate the ban and, thus, achieve acceptance and compliance. The City of San Francisco has seen a large reduction in single-use plastic bag use without any investment in enforcement. Most of the cities we researched did not resort to imposing a monetary fine; they focused instead on outreach and assistance efforts to help achieve compliance.

Even though the cities researched saw a high compliance rate following the implementation of the ban, the compliance rate might be expected to decline without enforcement or ongoing outreach. For example, the City of Seattle had a very high initial compliance rate with its polystyrene ban; however, site visits one year later showed that many businesses had reverted to polystyrene use due to the lower cost of polystyrene and lack of enforcement. The same may happen with a single-use bag ban unless the city employs consistent and sustainable outreach methods.

Conclusions

- City staff in all communities interviewed reported that the majority of affected businesses came into compliance without the need for enforcement activity.
- Jurisdictions typically enforce single-use bag bans either through site visits or through non-compliance complaints by citizens, which provide a less expensive option.
- Enforcement approaches can be scaled in budget and staff to the level of effort appropriate.
- A phase-in period will likely increase compliance and reduce the amount of enforcement required.
- Ongoing education and outreach will produce more sustaining compliance.
- Providing an opportunity for citizens to report businesses in non-compliance is an effective way to supplement the enforcement process and create awareness of the single-use bag ban across the community.

6. Alternatives to a Single-Use Bag Ban

Some opponents to a single-use bag ban favor increased recycling of single-use plastic and paper bags and voluntary customer use of reusable bags. This section presents a summary of Cascadia's assessment of the benefits and drawbacks of four alternatives to a single-use bag ban. *Appendix 6.1. Further Evaluation of Alternatives*, presents an in-depth evaluation of each alternative.

Methods

Cascadia reviewed four alternatives to single-use bag bans that other cities have pursued. Organized opponents of the bans, such as the American Chemistry Council and Save the Plastic Bag, have proposed all alternatives reviewed in this section. Cascadia staff members referenced their professional experience in the waste management field to inform our analysis of these options.

Findings

Cascadia reviewed four scenarios as alternatives to a single-use bag ban: increasing the recovery and recycling of the existing single-use plastic bags, allowing stores to voluntarily stop distributing bags for free, allowing stores to continue to use single-use bags but charge their customers for them, and requiring a specific level of recycled material content in single-use bags.

Alternative 1: Recycling Plastic Bags

To remove single-use plastic bags from the waste stream and the environment as litter, these bags would be recycled through curbside collection and in-store collection bins at grocery and retail stores.

Table 6-1. Benefits and Drawbacks of Recycling Plastic Bags

Recycling of Plastic Bags	
Benefits	**Drawbacks**
Recycled plastic bags can easily be recycled at a store when shoppers return.	Bag recycling may not reduce litter; litter is only indirectly related to the availability of recycling programs. San Francisco alone spends an estimated $8.5 million annually to deal with plastic bag litter (City of San Francisco).
Recycled plastic bags can be turned into items, such as: composite lumber, plastic bags, containers, pallets and crates, pipe, backyard decking, fencing, railings, and shopping carts.	Curbside collection of plastic bags is not likely to be effective due to processing limitations. Existing in-store drop-off programs have not been successful in recovering a high percentage of the bags distributed to their own customers.

Alternative 2: Voluntary Single-use Bag Ban by Businesses and Consumers

Businesses could voluntarily stop providing free single-use plastic and paper bags to their customers, allowing them to avoid regulation by a single-use bag ban. Instead, the stores would sell reusable bags or charge customers for single-use bags of their own volition. This alternative would allow businesses to participate to the extent that they are comfortable, with the support of City government.

Table 6-2. Benefits and Drawbacks of a Voluntary Ban on Plastic Bags

Voluntary Ban on Plastic Bags	
Benefits	**Drawbacks**
More quickly implemented (effective immediately in businesses that choose to participate) and cost effective than a mandatory ban.	Without a formal ban to encourage participation in more resistant businesses, the outreach program to reduce single-use plastic bag use and promote reusable bags could be a costly investment with relatively few returns.
Businesses would promote the use of reusable bags.	Will not achieve the same reduction in single-use bag use as a mandatory ban.
Plastic bag manufacturers that also make reusable bags would experience increased sales.	
Reusable bags are less likely to end up as litter than single-use bags.	
Businesses would save on the purchasing costs of single-use bags if more consumers chose to use reusable bags.	

Alternative 3: Fees and Discounts

To promote reusable bags, businesses could either charge a fee for single-use bags, or offer a discount to customers who bring their own bag. While this strategy is part of Alternative 2, in this alternative, the City could focus outreach efforts almost solely on encouraging stores to make reusable bag use more attractive to customers using fees and discounts. Many stores already offer a discount for customers who bring a bag to the store; this alternative seeks to expand this practice to stores more reluctant to offer reusable bags to customer, promote their use, and reduce single-use bag use. A fee on bag use would be expected to have a stronger impact than a discount because consumers who do not want to pay for each bag will bring reusable bags with them when they shop. The City of San Jose conducted a

phone survey of over 600 residents and found that 80 percent of residents said that they would bring their own bags if there were a $0.10 fee per single-use bag; with a $0.15 per single-use bag, 86 percent of San Jose residents stated that they would bring their own bags.

Many communities surrounding Milpitas plan to implement bag fees or bans, and the cost of driving to a market where no fee is charged would quickly be offset by the cost to get to a more distant store.

Table 6-3. Benefits and Drawbacks of a Fee on Single-Use Bags

Fee on Single-Use Bags	
Benefits	**Drawbacks**
Businesses can use the fee they charge to cover some, all, or more than the costs of the bags.	Might result in customers migrating to cities without fees.
The fee would encourage customers to use reusable bags.	In these tough economic times, some customers might be unhappy about having to pay a fee for use of a single-use bag, instead of continuing to receive free single-use.

Table 6-4. Benefits and Drawbacks of Discounts on Reusable Bags

Discounts on Reusable Bags	
Benefits	**Drawbacks**
Lower costs for reusable bags may get more shoppers to bring a bag with them.	City and/or businesses would have to find a funding source to cover the cost of the discounts.
	Discounts for bringing your own bag have shown minimal effect on getting consumers to use reusable bags in some areas of San Jose.

Alternative 4: Recycled Content Bags

Bags provided by stores (including plastic and paper) would be required to contain recycled material content. Recycled content bags reduce the amount of raw materials extracted for bag production and create a market for the materials that are recovered from paper or plastic single-use bags.

Table 6-5. Benefits and Drawbacks of Recycled Content Bags

Recycled Content Bags	
Benefits	**Drawbacks**
Provides a market demand for recovered paper and plastic.	Single-use plastic and paper bags generate more waste than reusable bags.
Reduces the amount of raw materials required for bag manufacturing.	Plastic and paper bags will still have the same negative impacts on the environment if they continue to end up as litter.

Conclusions

- Existing in-store drop-off programs have not been successful in recovering a high percentage of the bags distributed to their own customers, despite the theoretical easiness of this approach.
- A voluntary ban on single-use bags could be implemented quickly, but would require capital investment comparable to a mandatory ban and is unlikely to achieve comparable results.
- Asking businesses to voluntarily charge customers for bags in the current economic climate may be perceived as an undue hardship to many businesses; many businesses may choose not to participate.
- Single-use bags with recycled content still generate more waste than reusable bags.

7. Interviews with Key Stakeholders

As single-use bag bans are adopted and implemented, jurisdictions have heard from both critics and supporters of the bans. This section summarizes the findings from interviews with key stakeholder groups, including both proponents and opponents of a single-use carryout bag ban.

Methods

Cascadia worked with City of Milpitas staff to create a survey to understand businesses' concerns over a potential single-use carryout bag ban. Specifically, this survey helped identify overall perceptions surrounding the idea of a ban, actions that businesses would be willing to take to reduce single-use bag use, and positive ways that businesses are willing to help the City reach its resource management goals.

To identify businesses to interview, Cascadia compiled a list of potential businesses to target from the electronic White Pages, sorted by category. From this list, Cascadia – with guidance from Milpitas staff– selected handful of chain businesses (only visiting one location for each chain), as well as a number of businesses unique to Milpitas. The targeted businesses were primarily located on major roads in Milpitas, including but not limited to: East Calaveras Boulevard, Jacklin Road, Abel Street, North Milpitas Boulevard, and South Park Victoria Drive. Cascadia staff also pursued interviews with businesses identified while in the field.

At each business, we interviewed a manager or owner. Cascadia employees visited the selected businesses and spoke to the senior person available about all of the bags they currently give away or offer for sale, and their opinions about the ban. The businesses surveyed included supermarkets, grocery stores, liquor stores, convenience stores with pharmacies, and similar businesses that would likely be affected by the ban. In total, we completed interviews with 24 food service businesses, representing roughly 3 percent of the business accounts served by Allied Waste.

Interviewers only deviated from the survey form to ask clarifying questions of managers and owners. The survey form is attached as *Appendix 7.1. Single-use Bag Ban Stakeholders Survey Instrument and Results*. *Appendix 7.3. Respondent Comments* presents additional comments interviewees shared with surveyors after the official survey was complete. *Appendix 7.4. Businesses Interviewed* lists the names and addresses of businesses Cascadia interviewed using the survey instrument in *Appendix 7.1*.

Prior to interviewing any Milpitas businesses, Cascadia contacted Carol Kassab, CEO of the Milpitas Chamber of Commerce, to discuss the project goals, solicit guidance from the Chamber, and. Ask if the Chamber might help us contact their members. Ms. Kassab responded that the Chamber cannot distribute information about its members to the public, but that we would be welcome to access information from the Chamber's public website.

In addition to soliciting feedback from businesses in Milpitas, Cascadia obtained information from representatives of the following organizations:

- **American Chemistry Council**: Ryan Kenny and Sherry Jackson
- **California Grocers Association**: Timothy James

- **Save the Bay**: Emily Utter

The text of the Cascadia interviews with these individuals is provided in *Appendix 7.2. Text of Interviews with Key Stakeholders*.

Findings

Businesses

Business Types and Environmental Consciousness

Of the 24 businesses surveyed, 10 were retail stores without a pharmacy, five were supermarkets, three were local markets, three were retail stores with a pharmacy, two were convenience stores, and one was a grocery store. Of these businesses, the majority (17) classified their business as "extremely" or "somewhat" involved with and supportive of environmental issues, and nine businesses had an environmental corporate policy in place. The majority of businesses (15) agreed that they thought single-use bags make up a large percentage of litter in the environment.

Knowledge and Support of the Ban

Ten businesses were aware that the City of Milpitas was considering a ban. A different 10 businesses said that a ban on businesses providing single-use carryout bags to customers was a good idea.

Nine businesses said they could not tolerate any increase in purchasing costs to stock reusable bags, four said they would pay up to $50 extra a month, and one was agreeable to $100 a month in increased purchasing costs. The remaining ten respondents did not know how much of an increase in purchasing costs their business could tolerate.

Ten businesses said that they would pass the additional costs associated purchasing reusable bags on to their customers, four said that they may, depending on the amount, and eight said they would not.

Of the businesses that thought that they could charge their customers for the use of single-use bags, four of the businesses said they thought the fee could add $0.05, four said $0.10, one said $0.15, one said $0.25, and two said more than a $0.30. Please reference Table 2 for a visual representation of these results.

Current Practices and Container Usage

Eight out of 24 businesses currently offer reusable bags for purchase by customers. Most chain businesses surveyed were already offering reusable alternatives under direction from their corporate offices. These businesses found that it was not financially difficult to offer alternative bag types. Small, non-chain businesses were generally not offering alternatives to single-use paper and plastic bags, and were not in support of a ban that would force them to pay more for alternatives. Three businesses mentioned that a large percentage of their business comes from members of the Milpitas community who may be less receptive to single-use bag alternatives. These businesses were worried that they would lose the business if a ban like this one were to come into effect. However, since San Jose and other surrounding communities, including Alameda County through the StopWaste Program, are moving

forward with single-use bag bans, Milpitas shoppers would not be driven to surrounding cities to find less expensive alternatives.

Outreach

When asked about the outreach they would find most helpful, 19 of the businesses mentioned "posters and fliers to educate customers about the ban," seven selected "staff training," six said "guides to acceptable alternatives," and two chose "the threat of fines for businesses that do not comply."

Comments from Businesses Outside of the Survey Text

Fourteen businesses shared additional comments with Cascadia after the surveys were complete. These comments ranged from concerns about the ability of alternative bags to hold certain items to excitement that Milpitas is considering the idea of a method to reduce single-use bag use. A handful of general themes arose that may guide Milpitas forward in its engagement with the business community surrounding this issue:

- Businesses are concerned that customers will not know about the ban and will therefore not be part of the single-use bag reduction efforts or support the measures businesses take to implement it.
- Businesses were primarily concerned about the increased purchasing costs that a ban may cause.

For more comments on business feedback, see *Appendix 7.3*.

American Chemistry Council

Sherry Jackson, representing the American Chemistry Council, stated that single-use plastic bag bans often cause unintended environmental consequences when consumers choose to switch to single-use paper bags. Ms. Jackson suggests that cities consider capturing plastic bags through recycling. Stores that collect single-use plastic bags for recycling collect other types of film plastics at these collection sites; banning plastic bags discourages continued development of this infrastructure. Further, businesses can encourage efficient bagging practices to reduce bag use overall; she suggests instructing checkers to avoid double bagging.

Ryan Kenny, also representing the American Chemistry Council, suggests that single-use bag bans give another advantage to large chain businesses: these chain stores can often receive a discount on reusable bags because they buy them in bulk. Mr. Kenny also stated that most businesses, large and small, prefer not to charge customers for single-use bags; these businesses feel that it is poor business practice to do so.

Ms. Jackson suggested that consumer response to fees for single-use bags in other cities has been largely negative. In Washington DC, she asserts, residents were initially angry at having to pay a fee for single-use bags, and compliance was an issue: many businesses didn't charge the fees because they didn't want to anger customers. Ms. Jackson claimed that the single-use bag use reduction rate in DC can be attributed to the fact that residents eventually began to carry items they bought home loose rather than paying for a single-use bag.

While Ms. Jackson conceded that some consumers do bring their own bags, she also argued that this practice is not practical for all people. Customers won't always have a reusable bag in hand, and she noted that senior citizens like plastic bags. Mr. Kenny's preference is for Milpitas to present both sides of the debate fairly and equally, with no opinions or unproven allegations in the final report to Milpitas City Council.

California Grocers Association

Mr. Timothy James suggested that his largest concern surrounding a single-use bag ban in Milpitas is how it might burden retailers. In any ban, he believes it is important to ensure that consumers have flexibility in their shopping experience and do not have to choose where to shop based on which business does not charge for bags.

As industry representatives, members of the California Grocers Association would comply with any laws or ordinances Milpitas would enact. Mr. James states that if all single-use bags were banned, then businesses would likely have to charge a fee for alternative bags. If only one bag type were banned (i.e., plastic), then customers would likely move to an alternate single-use bag type (i.e., paper). Mr. James asserted that the key is to regulate all bag types in order to move consumers to reusable bags. He states that if all businesses charge for all single-use bags, the majority of consumers will naturally move to reusable bags.

Mr. James hopes that the state will eventually pursue legislation to reduce single-use bag use. The slight variations between cities' bans can confuse consumers. Mr. James stated that this confusion might skew consumer shopping choices to businesses that do not charge for single-use bags, which will negatively impact retailers in a city impacted by a ban.

Mr. James stated that timing is a critical factor in ensuring the success of a ban. Businesses need a substantial amount of time to comply with upcoming bans. The ideal length of time to prepare for the ban would be nine months to one year, with an absolute minimum window of six months. He said that retailers need time to reengineer their check-out and bag ordering procedures, as well as educate employees and customers.

In addition to providing a substantial amount of lead-time to businesses, Mr. James believes that the upcoming ban should be promoted through extensive public education, allowing consumers time to become aware of the ban and what it entails.

Mr. James encourages the City of Milpitas to continue to consult with retailers before enacting a ban and during the process of preparing for a ban.

Save the Bay

Emily Utter described Save the Bay as fully supportive of a single-use bag ban; the bulk of her concern was over the issue of litter in the environment. According to Save the Bay, plastic bag litter pollutes our waters, smothers wetlands and entangles and kills animals.

A story in the San Jose Mercury News on September 15, 2009 noted that, as the San Jose City Council prepared to vote on whether to ban plastic and paper shopping bags, a new study underscored the growing problem of plastic trash in Bay Area waterways and described the Coyote Creek, which runs through parts of unincorporated Santa Clara County as well as San Jose and Milpitas before emptying

into San Francisco Bay, as among the Top 10 "Bay Trash Hot Spots" of 2009 named in the study by Save The Bay.

Conclusions

- Businesses in Milpitas are concerned about their customers having to pay for reusable bags, and the impacts that might have on their business.
- One-third of the surveyed businesses currently offers reusable bags for sale, and do not feel that doing so is a hardship.
- Most of the businesses surveyed felt that posters and fliers would help educate customers about the ban, and only two felt that fines on businesses that do not comply was a reasonable approach.
- The American Chemistry Council noted that a ban on only plastic bags would likely increase the use of single-use paper bags.
- Save the Bay is focused on reducing plastic litter in the waterways around Milpitas and enthusiastically support s a ban on single-use bags.

8. Survey Milpitas Residents

Support from residents is a critical factor in ensuring the success of a single-use carryout bag ban. This section summarizes the results of a survey of Milpitas residents, intended to assess their opinions regarding a single-use carryout bag ban.

Methods

Cascadia worked with City of Milpitas staff to create a survey to assess residents' concerns over a potential single-use carryout bag ban, sentiments surrounding the idea of a ban, and positive ways in which residents would be willing to help the City reach its resource management goals. This survey included questions about both a polystyrene ban and a single-use bag ban. To provide the City with information for an unrelated project, Cascadia also asked residents questions regarding Household Dump Days and demographics. The survey and complete results are attached in *Appendix 8.1. Residential Survey Instrument and Results* Additional details on the methodology are presented in *Appendix 8.2. Residential Survey Methods: Continued*. At the conclusion of this project, 293 residents, representing approximately 4 percent of the population, were surveyed. This number of surveys produces a level of confidence of plus or minus 5 percent.

Findings

When asked about the effect of single-use bags and polystyrene food service take-out containers, approximately 75 percent of respondents agreed with the statement that these products can harm wildlife, and 73 percent of respondents agreed with a statement that these products litter the environment. Fifty-four percent of residents surveyed said that they believed that single-use bags should be banned.

The survey asked residents to rank the number of single-use paper, single-use plastic, and reusable bags they use per month. Currently, 67 percent of the residents surveyed own a reusable bag, and 33 percent of residents surveyed do not own any reusable bags. Thirty-three percent own between one and five bags. Of residents who use paper bags, the largest percentage (37 percent) use between zero and five per month. Of residents who use plastic bags, the largest percentage (49 percent) use 16 or more per month. Eighty-one percent of residents reported that they would be likely to use reusable bags if single-use bags were banned, 15 percent said they might use reusable bags if single-use bags were banned, and 4 percent said that would not use reusable bags if single-use bags were banned.

Residents were asked to rank the activities that would make it easier to comply with a single-use bag ban. Seventy-eight percent said receiving a discount on their purchase every time they used a reusable bag would be the most attractive incentive; 48 percent of residents said receiving tips on remembering to bring your reusable bag would be second most useful; and 50 percent said having the option to purchase a reusable bag for future use at every business affected by the ban would be the least helpful. Surveyors gave residents the option to suggest an incentive that the survey did not present. 17 residents responded; their individual responses are listed in *Appendix 8.3*.

Residents were asked what their hypothetical response would be to a business that had not yet complied with a ban after it came into effect. One-third of respondents said they would shop there as usual because non-compliance would not affect their shopping habits (33 percent), or said that they would mention it to the business and ask them to comply with the ban (34 percent). About 15 percent of residents surveyed reported that they would not say anything to a non-compliant business but would avoid shopping at the store, while 7 percent said they would report them to the City for investigation, and 5 percent said they would tell the business that they would stop shopping at the business if it did not comply.

At the end of the survey, residents were asked if they would like to provide additional input. Responses from 93 residents are provided in *Appendix 8.4. Additional Responses from Residents* Note that because the residential survey covers both a polystyrene ban and a single-use bag ban, some responses refer to a polystyrene food take-out container ban.

Conclusions

- Fifty-four percent of residents surveyed believed that single-use bags should be banned.
- Residents surveyed felt that financial incentives were the most important incentives to encourage reusable bag use; and many would like to see tips for remembering to bring the bag into the store.

9. Plan for Stakeholder Outreach and Public Awareness

An outreach and awareness campaign can help inform residents and businesses about a single-use carryout bag ban. This section summarizes findings from a review of single-use bag outreach programs in other jurisdictions.

Methods

Cascadia reviewed outreach materials and programs that other cities have successfully used in the context of a ban to reduce single-use bag use among businesses and residents in their communities. These cities included Palo Alto, San Francisco, and San Jose. These notes also draw on our outreach experience from other jurisdictions on the West Coast, specifically, in Issaquah and Seattle, Washington.

Findings

A summary of lessons learned from outreach programs used by other cities is followed by a description of outreach approaches.

Successful Programs in Other Cities

Cascadia has compiled a list of lessons learned from successful outreach programs in cities with single-use bag bans:

- **Involve the community in meetings early on and maintain a transparent process**. Key interest groups include advocacy groups, environmental organizations, Chambers of Commerce, Neighborhood Associations, and other business and industry organizations.
- **Make information about the ban and compliance requirements available on the City's website, and through an e-mail list-serve, in a variety of languages** to update businesses and residents on the requirements of the ban. Provide information to all local media.
- **Emphasize compliance through education, awareness, and "doing the right thing"** instead of through enforcement.

A variety of outreach strategies are available. Outreach plans could target business owners, managers, and employees at the affected businesses. The focus of all outreach plans is to communicate the need for behavior change through education. Excerpts from the outreach plans can be provided to local media to expand coverage.

Outreach Options for Milpitas

Jurisdictions need to provide written information and active outreach and education to everyone in the City who would be affected by the ban: customers and businesses, specifically. The following types of outreach methods were suggested during interviews used to inform this report.

Written Information to Businesses and Residents

This outreach model relies upon the power of print and media to provide the community with information about a proposed single-use carryout bag ban. This approach to education is less expensive

than direct assistance to businesses and residents. Outreach materials would be made available online (on a city website and in a listserv) and in print.

Business Focus

Jurisdictions can mail certified letters to affected businesses. In this approach, at least two communications would be distributed: (1) as soon as the ban is adopted, and before implementation, and (2) one month prior to the implementation date. If there will be a significant grace period between implementation and enforcement, then a third letter would be sent one month before enforcement begins. These mailings should have:

- A clear and simple message, and provide detailed information about how the ban works, how it affects the targeted businesses, required actions, and where to get more information such as translated materials.
- A list of vendors that can provide reusable bags.

Resident and Consumer Focus

Jurisdictions can distribute direct mailings to residents about the ban and associated programs. Engaging the public will help to ease the burden on local enforcement agencies. As an example, asking residents to notify the city if businesses are not in compliance with requirements of the ban will reduce the administrative cost of having enforcement officers searching for non-compliant businesses.

Business and Resident Focus

This approach consists of direct mailings to both businesses and residents. The combination outreach plan would target both audiences; and even though it has a higher cost, this dual approach may be worthwhile as it reaches all affected parties.

Conduct Active Outreach to Businesses

An active outreach approach is usually more effective, and also more expensive, than providing only written information. When outreach personnel deliver materials and information in person, businesses have the opportunity to ask questions, clarify misunderstandings, and feel supported by a jurisdiction as they pursue alternative solutions. Typically, employees in the code enforcement or public works departments, or outside consultants perform this direct type of outreach to food services businesses. Key elements of an active outreach program are:

- **An initial "one-touch" approach to businesses in which staff visit every retail business in the City to deliver information** about the ban prior to the date of implementation. Palo Alto, California, has successfully used this approach.
- **Follow-up visits and on-site technical assistance after implementation of the ban** for businesses that either request assistance or are reported to still be using single-use bags. In these visits, jurisdiction staff provide a translator if necessary, to ensure that the outreach is effective. This outreach strategy has been employed in Seattle and Santa Cruz (surrounding a polystyrene ban, but still applicable to a single-use bag ban), and has yielded positive results.

Conclusions

- **While active outreach is very effective, the most important outreach approach is to spread consistent and accessible messages to both businesses and residents.**
- **Investing in educating residents can increase pressure to comply**: residents who understand why the ban is in place are more likely to remind businesses they frequent to comply.
- **The City could frame all outreach as an opportunity to aid businesses and residents, and make outreach opportunities as attractive to and useful for businesses as possible**, provide outreach materials in a variety of languages, and to cater to a variety of business types.