



**PUBLIC NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION
CITY OF SAN JOSÉ, CALIFORNIA**

File No. PP13-043. Polystyrene Foam Food Service Ware Ordinance.

Project Description: The proposed Polystyrene Foam Food Service Ware Ordinance is a model ordinance that would regulate the use of polystyrene foam food service ware by restaurants and food service establishments within participating jurisdictions in Santa Clara County. The proposed ordinance would phase-out the use of expanded or extruded polystyrene (EPS) foam food service ware, as adopted by implementing jurisdictions. Restrictions on use would be phased to allow restaurants using EPS food ware to transition to alternative products. Two options for additional regulation of EPS food ware products may also be adopted by any or all of the participating cities or towns and unincorporated Santa Clara County. The two options include: 1) a restriction of sales of EPS foam food service ware in retail stores and sales outlets; and 2) a restriction of sales of EPS coolers or ice chests which are not wholly encapsulated or encased within a more durable material.

PROJECT LOCATION: The proposed model ordinance would apply to retail food vendors within the following 14 incorporated cities and towns in Santa Clara County, California: San José, Campbell, Cupertino, Gilroy, Los Altos, Los Altos Hills, Los Gatos, Milpitas, Monte Sereno, Morgan Hill, Mountain View, Santa Clara, Saratoga, and Sunnyvale. Two jurisdictions in the County that have already adopted restrictions on the use by retail food vendors of EPS foam food ware may amend their adopted ordinances to include these additional restrictions. These jurisdictions are: City of Palo Alto and County of Santa Clara (unincorporated area).

The City has performed environmental review on the project. Environmental review examines the nature and extent of any adverse effects on the environment that could occur if a project is approved and implemented. Based on the review, the City has prepared a draft Negative Declaration (ND) for this project. An ND is a statement by the City that the project will not have a significant effect on the environment.

The public is welcome to review and comment on the draft Negative Declaration.

The public comment period for this draft Negative Declaration begins on **July 10, 2013**, and ends on **August 9, 2013**.

The draft Negative Declaration, initial study, and reference documents are available online at:
<http://www.sanjoseca.gov/index.aspx?NID=2165>.

The documents are also available for review from 9:00 a.m. to 5:00 p.m. Monday through Friday at the City of San Jose Department of Planning, Building & Code Enforcement, located at City Hall, 200 East Santa Clara Street; and at the Dr. Martin Luther King, Jr. Main Library, located at 150 E. San Fernando Street.

For additional information, please contact John Davidson at (408)535-7895 or by e-mail at john.davidson@sanjoseca.gov.

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