

**Addendum to the
FINAL ENVIRONMENTAL IMPACT REPORT**

**West Contra Costa County
Single-Use Carryout Bag
Reduction Ordinance**

Prepared by:



May 2013

PREFACE

PURPOSE OF THIS ADDENDUM

The California Environmental Quality Act (CEQA) recognizes that between the date an environmental document is completed and the date the project is fully implemented, one or more of the following changes may occur: 1) the project may change; 2) the environmental setting in which the project is located may change; 3) laws, regulations, or policies may change in ways that impact the environment; and/or 4) previously unknown information can arise. Before proceeding with a project, CEQA requires the Lead Agency to evaluate these changes to determine whether or not they affect the conclusions in the environmental document.

In April 2013, the West Contra Costa Integrated Waste Management Authority, also known as RecycleMore, certified the Final Environmental Impact Report (EIR) for a Single-Use Carryout Bag Reduction Ordinance (SCH# 2012082025). The Final EIR addressed the implementation of an ordinance that: (1) prohibited the distribution/giveaway of single-use carryout plastic bags at all retail stores in West Contra Costa County, with certain limited exceptions and (2) required the same businesses to charge for single-use paper bags with 40 percent recycled content that were otherwise exempted from the ban.

Since the certification of the Final EIR, Contra Costa County has requested revisions to the Final EIR to more clearly define the unincorporated areas of the County that are included in the analysis in the EIR.

The purpose of this Addendum is to present the revised language and identify any impacts that could result from the proposed changes.

The CEQA Guidelines §15162 state that when an EIR has been certified or negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;

- c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines §15164 state that the lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in §15162 (see above) calling for preparation of a subsequent EIR have occurred.

Based on the proposed project description, knowledge of the project location, and the new information reflected in the attached analysis, it is determined that the proposed project would not result in any new impacts not previously disclosed in the Single-Use Carryout Bag Reduction Ordinance Final EIR and would not result in a substantial increase in the magnitude of any environmental impacts previously identified in the EIR. For these reasons, an addendum to the Single-Use Carryout Bag Reduction Ordinance Final EIR has been prepared for the proposed project.

This addendum will not be circulated for public review, but will be attached to the Single-Use Carryout Bag Reduction Ordinance Final EIR, pursuant to CEQA Guidelines §15164(c).

SECTION 1.0 PROPOSED REVISIONS TO THE FINAL EIR

The Final EIR included text revisions to the Draft EIR. The following sentence was inserted in five locations in the Draft EIR to clarify the extent of the unincorporated County areas that were included in the EIR analysis, as well as the County's role in implementing an ordinance (refer to Section 4.0 of the Final EIR):

Although it is not an official Member Agency of RecycleMore, Contra Costa County, which has jurisdiction over the unincorporated communities within RecycleMore's service area (East Richmond Heights, North Richmond, Montalvin Manor, Tara Hills, and El Sobrante), is considered a responsible agency for the purposes of this EIR and can utilize this EIR to adopt a single-use carryout bag reduction ordinance that applies to those communities.

Because the inclusion of specific communities in the text may be interpreted to mean only those unincorporated communities are within RecycleMore's jurisdiction, and are therefore the only unincorporated areas analyzed in the EIR, RecycleMore proposes to revise the text as follows:

Although it is not an official Member Agency of RecycleMore, Contra Costa County, which has jurisdiction over the unincorporated communities within RecycleMore's service area (East Richmond Heights, North Richmond, Montalvin Manor, Tara Hills, and El Sobrante), is considered a responsible agency for the purposes of this EIR and can utilize this EIR to adopt a single-use carryout bag reduction ordinance that applies to those communities.

SECTION 2.0 ANALYSIS OF IMPACTS

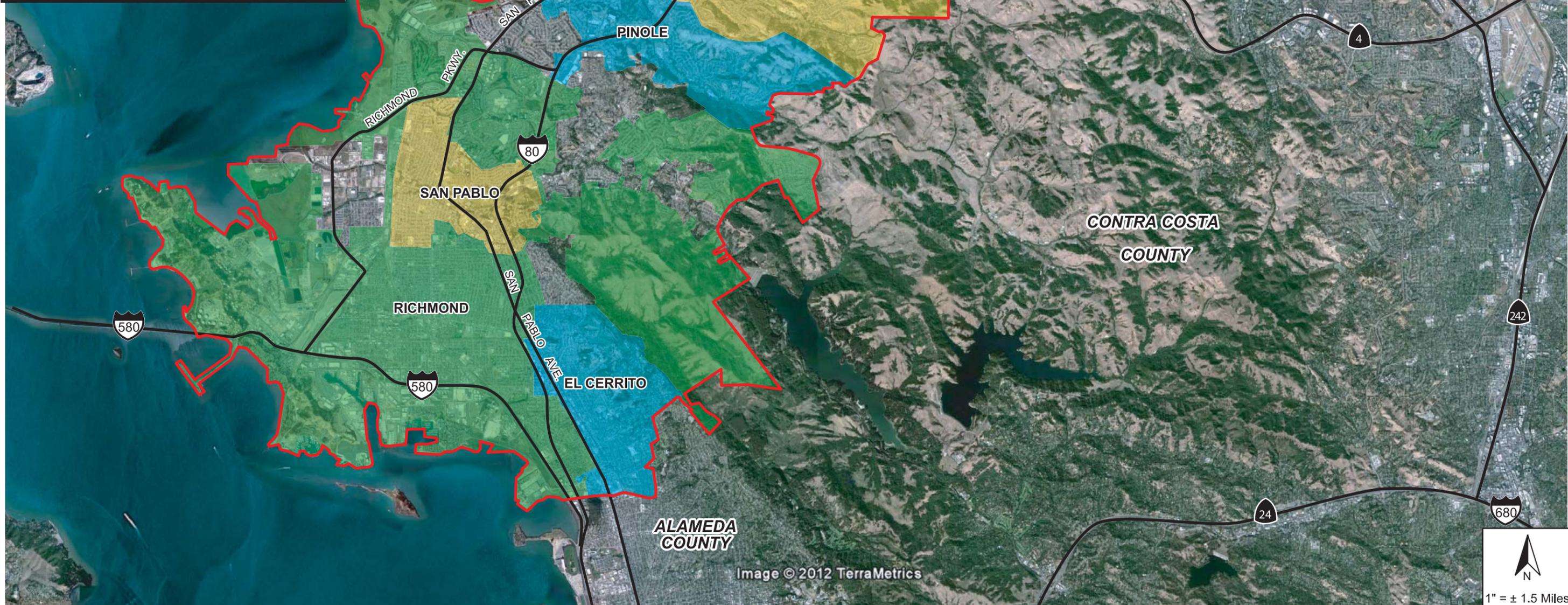
The impact analysis in the EIR was based in part upon an estimate of the population of West Contra Costa County considered to be within RecycleMore's jurisdiction. The estimate was provided by RecycleMore, and is based on the jurisdictional boundaries shown in Figure 1. The population estimate includes, but is not limited to, the five unincorporated communities identified in the text revisions above. Revising the language in the Final EIR to clarify that the scope of the analysis of unincorporated areas is not limited to the five communities listed above, as is proposed by RecycleMore, would not result in a different population estimate for the West County, since the estimate includes all unincorporated areas within RecycleMore's jurisdiction. Therefore, no change to the impacts identified in the EIR would result from the proposed text revisions.

SECTION 3.0 CONCLUSION

Based upon this assessment, it is concluded that the proposed revisions to the Final EIR would not result in any new environmental impacts, nor would the magnitude of previously identified environmental impacts be substantially different from those associated with the originally approved project. For these reasons, an Addendum is the appropriate document to enter this new information into the administrative record for the project and no further environmental review is required or warranted under CEQA.

Director of RecycleMore

Date



RECYCLEMORE MEMBER AGENCIES AND SERVICE AREA

FIGURE 1