

**NOTICE OF AVAILABILITY OF  
A DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)  
AND PUBLIC COMMENT PERIOD**

File No.: PP09-193. Council District: Citywide.

Title: **Draft Environmental Impact Report (EIR) for Single-Use Carryout Bag Ordinance.**

Description: The City of San José is proposing to adopt an ordinance that consists of revisions to Chapter 9.10 of Title 9 of the City's Municipal Code to prohibit the free distribution of single-use carryout paper and plastic bags at the point of sale for all commercial retail businesses in San José except restaurants and nonprofit charitable reuse organizations. An exception is made for paper bags containing at least 40 percent recycled content, which can be provided to customers for a minimum store charge of \$0.10 upon adoption of the ordinance, with an automatic increase to \$0.25 two years after the ordinance adoption.

The proposed project will not have significant environmental effects on the environment. The California Environmental Quality Act (CEQA) requires this notice to disclose whether any listed toxic sites are present at the project location. The project does not involve development on locations contained in the Cortese List of toxic sites.

The Draft EIR and documents referenced in the Draft EIR are available for review online at the City of San José's website: <http://www.sanjoseca.gov/planning/eir/eir.asp> and are also available at the following locations:

Department of Planning, Building,  
and Code Enforcement  
200 East Santa Clara Street, 3<sup>rd</sup> Floor  
San José, CA 95113  
(408) 535-3555

Dr. Martin Luther King Jr. Main Library  
150 E. San Fernando St.  
San José, CA 95112  
(408) 277-4822

The public review period for this Draft EIR begins on **Monday July 12, 2010** and ends on **Thursday, August 26, 2010**. Written comments must be received at the Planning Department by **5:00 p.m. on August 26, 2010**, in order to be addressed as part of the formal EIR review process. Comments and questions should be referred to John Davidson in the Department of Planning, Building and Code Enforcement at (408) 535-7895 via e-mail: [John.Davidson@sanjoseca.gov](mailto:John.Davidson@sanjoseca.gov), by fax at (408) 292-6055, or by regular mail at the mailing address listed above. Please reference the above file number in your written comment letter.

Following the close of the public review period, the Director of Planning, Building, and Code Enforcement will prepare a Final Environmental Impact Report that will include responses to comments received during the review period. Ten days prior to the public hearing on the EIR, the City's responses to comments received during the public review period will be available for review and will be mailed to those who have commented in writing on the EIR during the public review period.

A public hearing before the Planning Commission to consider certification of the Final EIR is tentatively scheduled for **October 13, 2010**, at 6:30 p.m. in the City Council Chambers at San José City Hall, 200 East Santa Clara Street, San José, CA 95113-1905.

Joseph Horwedel, Director  
Planning, Building and Code Enforcement

  
John Davidson, Senior Planner

Date: 7/8/2010