

CITY OF DAVIS  
ENVIRONMENTALLY ACCEPTABLE FOOD  
PACKAGING ORDINANCE

Initial Study

January 19, 2017

DRAFT



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## City of Davis

### Environmentally Acceptable Food Packaging Ordinance

#### Initial Study

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#### **Appendices**

- A. California Jurisdictions with Environmentally Acceptable Food Packaging Policies
- B. List of Davis Businesses Affected by the Environmentally Acceptable Food Packaging Ordinance
- C. City of Davis Draft Environmentally Acceptable Food Packaging Ordinance

# ENVIRONMENTAL CHECKLIST

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## Initial Study

1. **Project Title:** City of Davis  
Environmentally Acceptable Food Packaging Ordinance
2. **Lead Agency Name and Address:** City of Davis
3. **Contact Person and Phone Number:** Richard Tsai, Environmental Resources Manager  
1717 Fifth Street  
Davis, CA 95616  
530-757-5686
4. **Project Location:** City of Davis
5. **Project Sponsor's Name and Address:** See #3
6. **General Plan Designation(s):** Various
7. **Zoning Designation(s):** Various

### 8. Project Description of Proposed Project:

#### Project Description

In order to reduce the amount of waste sent to the landfill and to reduce the amount of persistent litter while increasing progress toward our goal for zero waste, the City of Davis is proposing the adoption of a new ordinance that will prohibit food providers within the City of Davis from providing prepared food or drink in any non-recyclable and non-compostable disposable food service ware, including expanded polystyrene foam.

Consistent with State waste reduction goals and the policies of other local jurisdictions in California, The City of Davis adopted a Zero Waste Resolution on December 6, 2011. The resolution encourages the implementation of zero waste strategies to conserve resources, reduce greenhouse gas (GHG) emissions, waste, litter, pollution, and the overall negative impact on the environment including the effects on wildlife.

As part of its zero waste goal, the City has been moving to divert as much waste as possible via recycling and composting. The City recycling program collects a wide variety of materials for recycling. To increase waste reduction and remove even more materials from the landfill, in July 2016 the City introduced an organics collection program that collects a wide variety of food scraps and food soiled paper from all customers. These materials are sent for composting. Between the recycling program and the organics program, most waste produced in Davis can be diverted from the landfill by either municipal recycling or compost collection programs. One of the few remaining waste streams that have comparable and easily accessible recyclable and compostable alternatives is disposable serving ware. The draft ordinance proposed would

eliminate all non-divertible disposable serving ware—including expanded polystyrene. With this ordinance, all serving ware used in Davis will either be reusable, recyclable or compostable, making it easier for the City to achieve its waste reduction goals.

Polystyrene is a synthetic resin that is used primarily as lightweight rigid foams and films formed into many different products. Many food vendors use polystyrene foam single-use food service containers such as plates, cups, bowls and clamshells. This type of food ware is used by approximately 47 percent of Davis restaurants and food establishments that were surveyed. A list of businesses affected by the new Ordinance can be obtained by contacting the Public Works Department at 1717 Fifth Street, Davis, CA.

Polystyrene foam, particularly polystyrene foam soiled from food and beverages, has a very low recycling value. A market for the recycling of polystyrene foam does not currently exist in the region, therefore Davis does not accept polystyrene foam recycling as a stable, economical and environmentally responsible means of recycling. The only recycling market opportunity for municipal collection that exists regionally is subsidized by the plastics industry; as the City is proposing an ordinance to ban the use of polystyrene foam, the industry will not offer the same program to Davis.

In addition to being non-recyclable, Polystyrene has other negative environmental effects. Despite its lightweight characteristics, polystyrene foam impacts the solid waste and recycling stream and environment disproportionately due to the non-biodegradable attributes that makes them persist in the environment even after they have broken down. The foam litter gets into storm drains and waterways and pollutes the water, which can be harmful to wildlife. Animals mistakenly eat the plastic foam thinking it is food. This can cause an animal to choke or clog its digestive systems, preventing proper absorption of nutrients which can lead to death by starvation. Polystyrene foam can be blown out of landfills by the wind and can easily be blown from garbage sources into storm drains prior to collection, adding to the litter problem and potential water and wildlife impacts. Some of the most common found plastics on the beaches and in creeks are polystyrene foam food packaging. Polystyrene also poses human health risks. The Styrene chemical used in polystyrene is thought to be a chemical that may cause cancer and central nervous system problems.<sup>1</sup> The City of Davis is moving forward with the adoption of the ordinance not only for the positive environmental impacts it could have, but also as another step to reach zero waste.

In February 2015, City staff and a member of the Natural Resources Commission (NRC) zero waste subcommittee met with Downtown Davis Business Association (DDBA) regarding the draft Ordinance. DDBA's board supported the ban on take-out polystyrene foam and the requirement for recyclable or compostable alternatives once the city-wide organics program was established.

### **Description of the Proposed Project**

City of Davis staff, with input from the City of Davis Natural Resource Commission, has prepared this draft ordinance to add article 32.06, Environmentally Acceptable Food Packaging, to the City of Davis Municipal Code. Key points from the draft ordinance include the following:

- All disposable food service ware used by Food Providers shall be reusable or either recyclable or compostable through the City of Davis solid waste program.

<sup>1</sup>"Public Health Statement for Styrene." ATSD. June 2012. Web. 21 January 2015.

- No food providers (approximately 142 restaurants, exhibit C), may provide prepared food in any disposable food service ware that contains or utilizes polystyrene foam.
- No persons renting City Facilities may use disposable food service ware that contains or utilizes polystyrene foam.
- Promoters and participants of special events requiring a permit from the City are prohibited from providing prepared food in any disposable food service ware that contains or utilizes polystyrene foam.
- City contractors may not use disposable food service ware that contains or utilizes polystyrene foam in the performance of City of Davis contracts.

**9. Surrounding Land Uses and Setting:** City of Davis City Limits

**10. Public agencies whose approval is required:** City of Davis City Council

## Environmental Factors Potentially Affected

The proposed project could potentially affect the environmental factor(s) checked below. The following pages present a more detailed checklist and discussion of each environmental factor.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                          | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources                | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology, Soils and Seismicity      |
| <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards and Hazardous Materials    | <input type="checkbox"/> Hydrology and Water Quality        |
| <input type="checkbox"/> Land Use and Land Use Planning      | <input type="checkbox"/> Mineral Resources                  | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Population and Housing              | <input type="checkbox"/> Public Services                    | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Transportation and Traffic          | <input type="checkbox"/> Utilities and Service Systems      | <input type="checkbox"/> Mandatory Findings of Significance |

### DETERMINATION: (To be completed by Lead Agency)

On the basis of this initial study:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
For

# Environmental Checklist

## Aesthetics

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>1. AESTHETICS — Would the project:</b>				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

a-d) **No Impact.** The proposed Environmentally Acceptable Food Packaging Ordinance would not directly impact scenic vistas or scenic resources. The proposed ordinance will have no physical bearing to any site so the impact to any visual characteristics would not be applicable and would not adversely affect views in the area. The proposed ordinance could favorably reduce the amount of polystyrene foam and other foam plastic litter within the City of Davis and at the Yolo County Central Landfill (YCCL).

Previous studies have shown that out of 43 sites along the Orange County coast found polystyrene foam was the second most abundant form of beach debris.<sup>2</sup>

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<sup>2</sup> S. Moore et al., (2001) "Composition and Distribution of Beach Debris in Orange County, California," Marine Pollution Bulletin 42.3: 241-245. Plastic pellets used to manufacture plastic products was the most abundant type of debris.

## Agricultural and Forest Resources

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>2. AGRICULTURAL AND FOREST RESOURCES —</b>				
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.				
<b>Would the project:</b>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

- a-e) **No Impact.** The proposed ordinance is to eliminate the use of polystyrene food service ware. Implementation of the ordinance will not result in any development or ground disturbing activities and will have no impact on agricultural and forest resources.

# Air Quality

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>3. AIR QUALITY —</b>				
Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.				
<b>Would the project:</b>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

- a-e) **No Impact:** The proposed ordinance for Environmentally Acceptable Food Packaging prohibits all food providers within the City of Davis to provide prepared food in any disposable food service ware that contains or utilizes polystyrene foam.

Any potential air quality impacts related to the elimination of polystyrene foam food service ware is expected to have no impact on our air quality plan. The proposed ordinance would not conflict with or obstruct implementation of an applicable air quality management plan, result in the violation of any air quality standard, or result in a cumulatively considerable net increase of any criteria pollutant. The proposed ordinance would not result in the exposure of sensitive receptors to substantial pollutant concentrations or objectionable odors. Lastly, there is no known impact to the existing garbage pick-up and disposal routes and no additional refuse trucks or processing facilities would be necessary for the implementation of the ordinance.

## Biological Resources

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>4. BIOLOGICAL RESOURCES — Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or Ordinances protecting biological resources, such as a tree preservation policy or Ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

- a-f) **No Impact:** The proposed ordinance which eliminates the use of polystyrene foam food packaging food service ware would protect animals and reduce the amount of polystyrene foam litter throughout the community. Polystyrene foam and other plastic foam food service ware has a higher chance of becoming litter and entering creeks, streams, and other sensitive habitat due to its light weight characteristics. Implementation of the proposed ordinance would serve to reduce this type of litter and have a potentially beneficial effect to creeks, streams, and other sensitive habitat within and around the City of Davis.

As a result, implementation of the proposed ordinance is not expected to result in any impacts to federally protected wetlands or substantially interfere with the movement of any native resident or migratory fish or wildlife species or impact any native wildlife nursery sites. The proposed ordinance would not conflict with any local policies protecting biological resources, or conflict with any adopted Habitat Conservation Plan, Natural Community Conservation Plan or other local or regional conservation plans. The proposed ordinance would not result in substantial adverse effect, directly or through habitat modification, on any species identified as a candidate, sensitive or special-status species. Lastly, the proposed ordinance would not adversely affect riparian habitats or

other sensitive natural communities identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. Ultimately, the proposed ordinance is anticipated to result in a beneficial impact to biological resources and no significant impacts are anticipated.

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## Cultural Resources

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>5. CULTURAL RESOURCES — Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

- a-d) **No Impact.** The proposed ordinance to prohibit the use of any disposable food service ware that contains or utilizes polystyrene foam would not have any impact on historical, archaeological, or paleontological resources, geologic features, or disturb any human remains. Implementation of the ordinance will not result in any development or ground disturbing activities and will have no impact on cultural resources.

## Geology, Soils, and Seismicity

<u>Issues (and Supporting Information Sources):</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
<b>6. GEOLOGY, SOILS, AND SEISMICITY —</b>				
<b>Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

- a-e) **No Impact.** The proposed ordinance for environmentally acceptable food packaging does not involve any development or ground disturbing activities; therefore, the proposed ordinance will have no adverse effects on the geology, soils, or seismic effects for the City of Davis.

## Greenhouse Gas Emissions

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>7. GREENHOUSE GAS EMISSIONS —</b> <b>Would the project:</b>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

- a) **Less Than Significant Impact.** The proposed ordinance to prohibit food providers from using expanded polystyrene foam food service ware would reduce the amount of greenhouse emissions associated with the production, shipment, use and disposal of expanded polystyrene but may slightly increase greenhouse emissions by the use of potentially heavier alternative products. The alternative products food providers will be required to use will be either recyclable or compostable through collection program offered universally in Davis. Polystyrene foam is landfilled and not separated out, therefore emissions are not measurable, although the City believes the impact is insignificant.
- b) **No Impact.** Adoption of the proposed ordinance would support the City's zero waste efforts and would not conflict with plans or policies related to the reduction of greenhouse gas emissions.

## Hazards and Hazardous Materials

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>8. HAZARDS AND HAZARDOUS MATERIALS — Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

a-h) **No Impact.** The proposed ordinance would not create, emit, or expose the public or the environment to hazardous materials. No significant hazards to the public or environment through routine transport, use or disposal of hazardous materials would be created from this Ordinance.

Per the ordinance, food providers shall use either reusable or recyclable or compostable food service ware through the City of Davis solid waste program. These types of food service ware are made from materials that are Generally Recognized As Safe (GRAS) by the US Food and Drug Administration.

## Hydrology and Water Quality

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>9. HYDROLOGY AND WATER QUALITY — Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river, or by other means, in a manner that would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river, or by other means, substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

- a-j) **No Impact:** The proposed ordinance prohibiting the use of polystyrene foam food service ware will reduce the amount of litter entering the storm drains and waterways and potentially improve water quality by eliminating polystyrene foam. The ordinance would not violate water quality standards or waste discharge requirements. Furthermore, the proposed elimination of polystyrene foam food service ware would not generate increased use of groundwater, alter existing drainage patterns, increase surface water runoff, or degrade water quality. The project does not involve placing structures within a 100-year flood hazard area or impede and redirect flood flow. The project would not expose people or structures to a significant risk of loss, injury or death involving

flooding, or inundation by seiche, tsunami or mudflow. The proposed project is anticipated to have a beneficial impact on water quality by reducing the potential for polystyrene foam from entering storms drains and local waterways within the City of Davis and surrounding Yolo County.

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DRAFT

## Land Use and Land Use Planning

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>10. LAND USE AND LAND USE PLANNING — Would the project:</b>				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning Ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

- a-c) **No Impact.** The proposed project involves the adoption of an ordinance to prohibit polystyrene foam food service ware and will not result in the physical division of an established community or conflict with any applicable land use plan, policy, or habitat conservation plan.

## Mineral Resources

<u>Issues (and Supporting Information Sources):</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
<b>11. MINERAL RESOURCES — Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

- a-b) **No Impact.** The proposed project involves the adoption of an ordinance to prohibit the use of polystyrene foam food service ware within the City of Davis and will not result in any significant impacts to mineral resources.

## Noise

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>12. NOISE — Would the project:</b>				
a) Result in Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise Ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

- a-f) **No Impact.** The proposed ordinance to prohibit the use of polystyrene foam food service ware will not result in any temporary or permanent increases in ambient noise levels or vibration. As discussed in the Traffic section below, any implementation of the ordinance would not result in any significant increase in vehicle traffic that could result in an increase in ambient traffic noise within the City.

## Population and Housing

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>13. POPULATION AND HOUSING — Would the project:</b>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing units, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

- a-c) **No Impact.** The proposed ordinance prohibits the use of polystyrene foam food service ware will not create construction of structures or roadways, nor increase, decrease, or otherwise affect population and housing growth within the City.

## Public Services

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>14. PUBLIC SERVICES — Would the project:</b>				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:				
i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

- a i-iv) **No Impact.** The proposed ordinance that prohibits the use of polystyrene foam food service ware will not result in any potentially significant impacts related public services. Implementation of the ordinance will involve enforcement and education outreach to business owners by existing City staff. Enforcement and outreach activities by City staff are not anticipated to result in the need for additional staff or resources. The ordinance will not affect service ratios, response times or other performance objectives for any of the public services, including fire protection, police protection, schools, or parks.

## Recreation

<u>Issues (and Supporting Information Sources):</u>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporation</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>
<b>15. RECREATION — Would the project:</b>				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## Discussion

- a-b) **No Impact.** The proposed ordinance to prohibit polystyrene foam food service ware will not result in any potentially significant impacts related recreational resources. The ordinance may create beneficial effects by reducing the amount of polystyrene foam litter in parks and neighborhoods.

## Transportation and Traffic

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>16. TRANSPORTATION AND TRAFFIC —</b>				
<b>Would the project:</b>				
a) Conflict with an applicable plan, Ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

- a-f) **No Impact.** Implementation of the proposed ordinance will not result in any impacts related to traffic and transportation. Prohibiting polystyrene foam food service ware does not change any traffic levels or patterns. It does not change the emergency access to any new or existing roads therefore it will have no impact on transportation or traffic.

## Utilities and Service Systems

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>17. UTILITIES AND SERVICE SYSTEMS —</b>				
<b>Would the project:</b>				
a) Conflict with wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities, or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider that would serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

a-g) **No Impact.** The proposed project involves the adoption of an ordinance to prohibit the use of polystyrene foam food service ware. This ordinance would not increase the use and/or generation of water supplies, wastewater, or storm water and will not result in any potentially significant impacts or require the expansion of existing water, wastewater, or storm water infrastructure.

As described under the aesthetics section, the proposed ordinance will reduce the amount and visibility of litter associated with polystyrene foam food service ware within the City of Davis and at the Yolo County Central Landfill (YCCL).

The replacement of polystyrene foam to recyclable, compostable or reusable food service ware should not increase the amount landfilled, but rather reduce the amount of material going to the landfill with the ability to source separate the material into recycling and composting streams. Compostable alternatives to polystyrene foam have the ability to degrade more quickly over time, use less space and provide materials for future beneficial use. Therefore, implementation of the proposed ordinance will not result in any potentially significant negative impacts related to solid waste and complies with federal, state, and local statutes and regulations related to solid waste.

## Mandatory Findings of Significance

<i>Issues (and Supporting Information Sources):</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation Incorporation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>18. MANDATORY FINDINGS OF SIGNIFICANCE — Would the project:</b>				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion

- a-c) **No Impact.** The proposed ordinance does not have the potential to degrade the quality of the environment or substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop, or threaten to eliminate a plant or animal community. To the contrary the ordinance would improve the quality of marine life by reducing the litter within the waterways. The project would not eliminate important examples of the major periods of California history or prehistory. The project would not have adverse effects on the environment or human beings, directly or indirectly. The proposed ordinance would prohibit the use of polystyrene foam food service ware in the City of Davis, provide benefit to the environment, and continue to move towards the zero waste goal.