



Single Use Plastic in Santa Fe County



SINGLE USE PLASTICS AND POLYSTYRENE WORKING GROUP IMPACT STUDY REPORT

September 26, 2023

Acknowledgements

Special thanks to the many contributors to this effort:

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Executive Summary

On May 10, 2022, Resolution 2022-031, was approved by the Board of County Commissioners (BCC) directing the County Manager to establish a working group to analyze and make recommendations concerning an educational program and possible ordinance discouraging the use of various single-use plastic and polystyrene products in Santa Fe County (County); urging the U.S. Congress to enact Senate Bill 984, Break Free From Plastic Pollution Act of 2021, 117th Congress (2021-2022) while supporting the New Mexico Legislature to enact a statewide ban on single-use plastic and polystyrene products.

Joseph Eigner, Gary Stoller, Sarah Pierpont, Kim Kelly and Karen Sweeney applied to be members of the County's working group and were appointed by the County Manager, Greg Shaffer. Sarah Pierpont was elected as Chair. Karen Sweeney was elected as Vice-Chair.

The first meeting of the Single Use Plastic and Polystyrene (SUPP) working group was held on September 20, 2022. The group met monthly and bi-monthly throughout the end of 2022 through August 28, 2023 to discuss research, tasks assigned by the Chair and possible implementation of the County's resolution. Ordinances and best practices from other locales in New Mexico as well as other states were considered.

Areas of research included impacts of single-use plastic and polystyrene products on County landfills and recycling centers:

- Fiscal impact to County government operations and to local businesses of an educational program and any proposed ban
- Effective applicable laws in other states and New Mexico cities
- Proposals and cost estimates to develop and deploy an educational campaign in both English and Spanish to the community, County businesses, and residents who would be affected by a single-use plastic and polystyrene product ban ordinance
- Incentive program opportunities to incentivize businesses to sell reusable and paper bags and develop and use ecofriendly packaging
- The County's existing ordinances
- Enforcement and mechanisms including fines and penalties
- Identification of eco-friendly and/or plant based alternatives to single use plastics and polystyrene

Based upon research and potential impacts to the County, the working group recommends the County pass an ordinance banning single-use plastic bags at the point of sale from retail establishments, including restaurants.

Additional details of the proposed ordinance elements include:

- Recycled-content paper bags available for a \$.10 fee at the point of sale
- To-go utensils and condiments, plastic forks, straws, etc. only available upon request (Retail establishments are exempt from this requirement when providing drinks to persons with disabilities who need straws.)
- Ban on expanded polystyrene (EPS) food containers for take-out or in-person dining.
- Ban on intentional helium balloon releases
- Enforcement/Education – First warning letter, fines, managed by County's code office; the Sustainability Division will do related education and outreach

Working Group Background

In Spring 2021, Gary Stoller, Sarah Pierpont, Executive Director of the New Mexico Recycling Coalition, and Karen Sweeney, audited a Beyond Plastics course offered by Judith Enck from Bennington College. Enck was a regional EPA administrator during the Obama administration.

Joseph Eigner is a member of the Rio Grande Sierra Club. He was also a part of an effort to collect information on consumer opinions; a petition was circulated by the Rio Grande Sierra Club from 2018-2019 in the City of Albuquerque in which approximately 400 signatures were gathered in support of reducing single use plastic and pollution.

Since the completion of the Beyond Plastics course, Gary Stoller and Karen Sweeney along with other members of Eldorado 285 Recycles (E/285R) — Sue Garfitt, Stephanie Levy and Nancy Ostiguy — formed Beyond Plastics Santa Fe, as part of a national network of local groups working toward reduction of plastic.

Gary Stoller, Karen Sweeney and Joseph Eigner applied for the working group placement, along with Sarah Pierpont and Kim Kelly, submitting resumes and a letter of interest to the Sustainability Division. Membership was also solicited from the Restaurant Association and potentially affected business owners throughout the County. A press release announcing the working group was released in the Spring of 2022 and announcements were made on the County's social media platform. The aforementioned five members were the final applicants and though one applicant showed interest, his application was withdrawn due to concerns that the working group's tasks seemed biased for an ordinance that required a plastic and polystyrene ban.

Resolution 2022-031 Tasks

How Does Single Use Plastic Affect Santa Fe County?

The EPA Trash Free Waters Article Series linked website page states, "Our dependence on plastics, particularly plastic packaging, has generated an enormous amount of plastic waste that is accumulating in the oceans at an alarming rate"¹

In the same online source, the EPA refers to a new study by Pew Charitable Trusts and SYSTEMIQ, Ltd.² The study estimates that by 2040, if current trends continue, the amount of plastic waste released globally into the oceans will triple to nearly 32 million tons per year. The report also recommends, "A reduction of plastic production—through elimination, the expansion of consumer reuse options, or new delivery models—is the most attractive solution from environmental, economic, and social perspectives. It offers the biggest reduction in plastic pollution, often represents a net savings, and provides the highest mitigation opportunity in GHG emissions"

According to Pew, the current practices result in, "the equivalent of dumping 110 pounds of plastic on every meter of coastline around the world. Plastic waste in the environment persists for hundreds to thousands of years and creates serious risks for wildlife, their habitats, and humans." Approximately 40% of plastic production is for single use packaging; the majority of the market for plastic materials.

¹ "Rethinking Plastic Packaging – How Can Innovation Help Solve the Plastic Waste Crisis?", Environmental Protection Agency, September 21, 2020. [URL](#).

² Richard Bailey et al., "Breaking the Plastic Wave: A Comprehensive Assessment of Pathways Towards Stopping Ocean Plastic Pollution", The Pew Charitable Trust, October 23, 2020. [URL](#).

Five product types and/or applications (plastic film, plastic bags, plastic bottles, sachets, multilayer films & household goods) contribute to 85% of all plastic leaking into the ocean today. Taking action across the global plastics system would lead to the removal of many of these plastic product types if substituted by truly compostable (compostable in composting bins) materials or recycled effectively by 2040. It is estimated that 45% of bags can be avoided through bans, incentives, and reuse models.³

Figure 2: Business-as-Usual projections for critical plastic indicators

In the next 20 years, plastic waste generation will double, plastic leakage into the ocean will nearly triple, and plastic stock in the ocean will more than quadruple²⁰

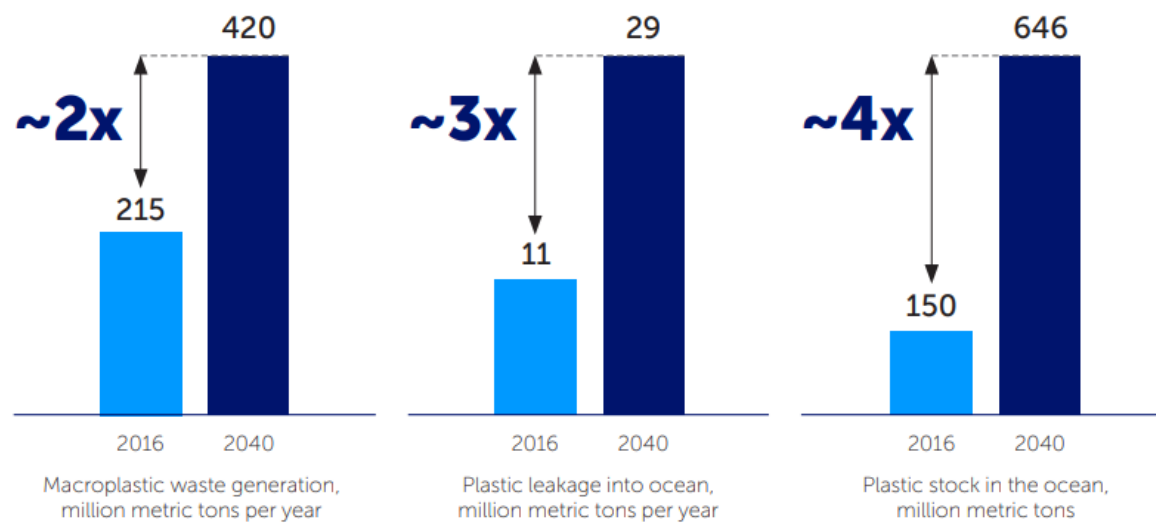


Figure 1: Bailey et al., *Breaking the Wave* (2020), 19, fig. 2..⁴

³ Bailey et al., "Breaking the Plastic Wave"

⁴ Bailey et al., "Breaking the Plastic Wave"

System change and the future of plastic products

Changing the plastic system would secure a world in which many of the single-use plastic products we know and use today would be eliminated or replaced by reusable items and new delivery models. Nonrecyclable and hard-to-recycle plastics could be substituted to paper or compostable materials, with the remaining plastic waste being recycled at much higher rates, resulting in much less plastic polluting the environment.

% of Business-as-Usual demand of the following products:

 Reduced
  Substituted
  Recycled
  Disposed
  Mismanaged

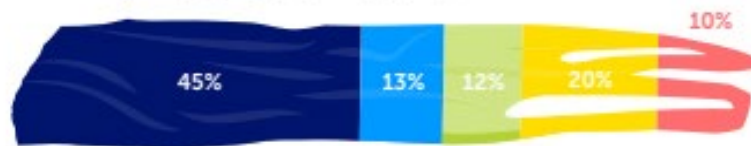
Monomaterial films (e.g., cling film, flow wrap, pallet wraps)



Five product types/applications contribute to **85%** of all plastic leaking into the ocean today. Taking action across the global plastics system would lead to many of these plastic product types/applications being removed, substituted or recycled by 2040.

58% of monomaterial films can be avoided through reduction measures and substitution to paper and compostable alternatives.

Carrier bags (e.g., grocery bags, shopping bags)



45% of bags can be avoided through bans, incentives, and reuse models.

Bottles (e.g., water bottles, drinks, cleaning products)



The recycling rate of rigid monomaterial plastic would **double** compared with today.

Sachets and multilayer films (e.g., condiment and shampoo single-portion sachets; coffee, chips, and sweets packets)



In 2016, **48%** of these plastic products were mismanaged. Under the System Change Scenario, the mismanaged rate for these products could drop to **12%**.

Household goods (monomaterial and multimaterial plastic objects, e.g., pens, toys, combs, toothbrushes, durable goods, buckets)



The recycling rate of household goods **nearly quadruples** compared with today.

Figure 2: Bailey et al., *Breaking the Wave* (2020), 35.⁵

Plastic has proven to be a grave concern to public health,

...over 10 billion tons of plastic are littering the planet,⁶ resulting in contamination on land, in water, soil, food systems, in the human placenta, lungs, bloodstream, and now, unfortunately, embedded in the heart.⁷

Almost everyone agrees: **plastic does NOT belong in any of those places**. Nobody likes plastic pollution and, according to an Oceanic Plastic Pollution Survey 2022 poll,⁸ 81% of Americans support government policies to reduce single-use plastic.

Alarming statistics:

- Plastic bags were the largest source of litter found in creek cleanups in Colorado, accounting for 13% of the total items collected. New Mexico did not participate in this nationwide clean-up effort. Colorado is the closest state that did participate with the most similar geography.⁹
- Plastic bag ingestion by cattle is a concern for ranchers, posing life-threatening consequences for cattle and economic consequences for ranchers.¹⁰
- One of the highest items to pose both entanglement threat and ingestion risk, plastic bags are a huge threat to marine wildlife and seabirds.¹¹
- It is estimated that humans use up to 5 trillion single-use plastic bags a year globally.¹²
- Less than 10% of plastic bags, wrap and film are recycled each year.¹³

The 2017 MRF survey further reports that single use plastic bags are the top contaminants nationwide in recycling programs¹⁴ and in the Recycling Partnership's 2019 West-Coast-Contamination-Initiative-Report (recyclingpartnership.org)¹⁵ contamination is cited as the "core of the issues that face recycling today."

Single-use plastic bags get caught in equipment and pose hazards to employees. Town Recycling, a private recycling business with operations in both Santa Fe and Albuquerque, manages the processing for Santa Fe County at the Buckman Road Recycling and Transfer Station. They also operate a private recycling center in the City of Albuquerque. The CEO of Town Recycling noted to SUPP committee

⁵ Bailey et al., "Breaking the Plastic Wave"

⁶ "EIA study reveals a 10 billion tonne plastic pollution bomb ticking away in every corner of the planet," Environmental Investigation Agency, September 29, 2021. [URL](#).

⁷ Don Rauf, "For the First Time, Microplastics Detected in Human Heart Tissue," Everyday Health, August 17, 2023. [URL](#).

⁸ "Oceanic Plastic Pollution Survey," Ipsos, February 10, 2022. [URL](#).

⁹ "The Beach and Beyond," Ocean Conservancy & International Coastal Cleanup, n.d., [URL](#).

¹⁰ City of Laredo v. Laredo Merchants Association, NO. 16-0748 (Tex. Jun. 22, 2018). [URL](#)

¹¹ Chris Wilcox et al., "Using expert elicitation to estimate the impacts of plastic pollution on marine wildlife," *Marine policy*, 65 (2016: 107-114. [URL](#).

¹² "World Environment Day, India 2018," UN Environment Programme, accessed September 18, 2023. [URL](#).

¹³ "Advanced Sustainable Materials Management: 2016 and 2017 Tables and Figures," Environmental Protection Agency, November 2019, [URL](#).

¹⁴ "The 2017 Costs of Contamination MRF Working Group Survey," The Recycling Partnership, September 30, 2019. [URL](#).

¹⁵ Asami Tanimoto et al., "2019 West Coast Contamination Initiative Research Report," The Recycling Partnership, April 2020. [URL](#).

members that the material they sell to market in Santa Fe (with a single use plastic bag ban in effect) is noticeably cleaner and easier to market than the recycling waste coming out of the City of Albuquerque, which does not have a single use plastic bag ban.

- Americans use an average of 365 plastic bags per person per year. In comparison, residents of Denmark use an average of 4 per year (National Geographic. 2018.)¹⁶ Considering this amount and based on US Census data, the usage volume equates to over 24 million single use plastic bags each year in Santa Fe County ¹⁷
- If each resident of Santa Fe County used just one plastic drinking straw per year and one expanded polystyrene foam take-out food container, it would create 66,656 plastic drinking straws of waste and 66,656 expanded polystyrene take-out food containers ¹⁸
- According to USEPA municipal waste facts and figures ¹⁹ and the NMED Solid Waste Bureau's annual reporting requirements, approximately 244,000 tons of plastic are generated in NM each year (USEPA), of which 8,000 tons are recycled (NMED:SWB Diverting from Landfills (nm.gov)),²⁰ which equals a 3.3% recycling rate for plastics in NM.

Contamination Costs to Recycling Programs

The Recycling Partnership published their findings on a survey conducted in 2017, which reported on the costs of contamination at the Materials Recovery Facility (MRF) level. The surveyed members broke down costs associated with labor, disposal, facility down time, as well as injuries to staff and losses in value. In so doing, the survey provided a basis for identifying the associated costs of contaminants to paint a clear picture of the cost centers resulting from contaminated recycling processes.

The top three contaminants make up almost three-quarters of the cost of contamination – 71 percent of the cost of contamination are made up by refuse (40 percent), plastic film and bags (24 percent) and tangles (7 percent).

The top three expenses make up 80 percent of the contamination costs. Disposal of the refuse showing up in the inbound stream makes up 40 percent of the total costs incurred, while “Value Lost of Other Recyclables” came in at 26 percent and “Labor” involved in managing contamination at 14 percent, respectively. ²¹

¹⁶ Laura Parker, “Fast facts about plastic pollution,” National Geographic, December 20, 2018. [URL](#).

¹⁷“Quickfacts,” United States Census Bureau, n.d. [URL](#).

¹⁸“Quickfacts,” US Census Bureau

¹⁹“Guide to the Facts and Figures Report about Materials, Waste and Recycling,” United States Environmental Protection Agency, April 21, 2023. [URL](#).

²⁰“Diverting from Landfills,” New Mexico Environmental Department, n.d. [URL](#).

²¹“Costs of Contamination,” The Recycling Partnership

Top Contaminants at the MRF

(Text Box 1)

1. Plastic Film and Bags
2. Tanglers (hoses, cords, rope, etc.)
3. Needles
4. Refuse
5. Propane Tanks
6. Textiles
7. Scrap Metal
8. Food Waste
9. Hazardous Materials (diapers, batteries, medical waste, etc.)

Top Cost Categories

(Text Box 2)

1. Disposal
2. Lost Value of Other Recyclables
3. Labor
4. Equipment Replacement/Repair/Wear
5. Facility Downtime
6. Staff Injury

Figure 3: The Recycling Partnership, *The 2017 Costs of Contamination MRF Working Group Survey* (2019), 2.²²

While plastic bags may only represent 10-20 percent of contamination by weight, they cause significant loss of daily operations at a MRF, due to locking up disk screens, and are a significant reason for the highest costs related to recycling process challenges.²³

County Businesses Outreach

The working group received a list of all commercial businesses in the County from County staff. The list consisted of 78 retail and restaurant businesses within Santa Fe County. This information was provided by the Santa Fe County Economic Development and Finance Department. Upon further culling the list to confirm validity and email contact access, a survey was sent on April 15, 2023 to 47 of these businesses via email (with email addresses on file) to learn more about how single use plastic bans could impact County businesses. The working group received 5 responses. All respondents noted that single use plastic bans would either not affect their business or would affect their business positively.

A press release was also sent out by Santa Fe County on October 27th, 2022 which solicited participation from local businesses to provide a business perspective on the financial, distribution, and packaging implications of a single-use plastics and polystyrene ban.

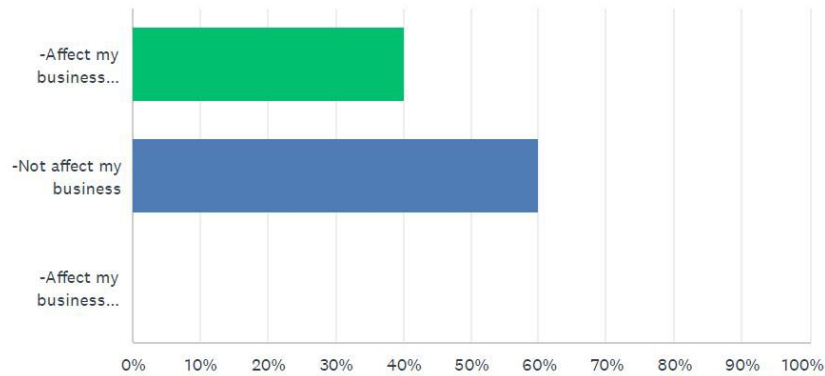
The Committee also reached out to businesses directly via phone calls. This included 19 calls to local businesses from the list of all commercial businesses in the County. Committee Member Karen Sweeney spoke with the owner/operator of Café Fina, Murphy O'Brien who was in support of limiting single use plastic. He noted that he already limits single use plastics use at his restaurant and he believes that his customers like this and consider it a benefit.

²² "MRF Working Group Survey," The Recycling Partnership

²³ "Read Our Recycling Today Article on Material Quality," The Recycling Partnership, May 1, 2017. [URL](#).

Q7 A ban on single use plastic bags would

Answered: 5 Skipped: 0



ANSWER CHOICES	RESPONSES	
-Affect my business positively	40.00%	2
-Not affect my business	60.00%	3
-Affect my business negatively	0.00%	0

Figure 4: Single-use plastic bag business survey results

County Residents Outreach

The group created a QR code survey for residents as part of the County's earth day activities that went out in the monthly Sustainability Newsletter which is sent to 4,400 residents and was made available for participants in the County's Earth Day Event 2023. Six responses were received, all in favor of banning single use plastics in the County.



Figure 5: Santa Fe County single-use plastics survey QR outreach message.

Fiscal Impact to County Operations and Cost Estimates for Development and Deployment of an Educational Campaign

Based on discussions with the City of Santa Fe Environmental Services Division and Bernalillo County staff, the committee estimates that the cost to the County for the proposed ordinance will be .50 FTE, with .25 FTE within the code enforcement department and .25 FTE within the Sustainability Division. The initial education program to launch the campaign is estimated to be \$40,000. This will cover production of signage and materials in English and Spanish to be posted at the point of sale, reusable shopping bags to be given to the community during launch events, advertisements, and press events. The chart below created by the working group shows a general budget breakdown for this campaign and includes free press that the committee believes the County can garner. The Committee recommends that the County Sustainability Division manage the education and outreach efforts and related budget.

Item	Qty	Launch Education & Outreach Cost	Internal County Cost	Total	Notes
Recycled post-consumer reusable shopping bags with messaging	9000	\$ 2.20		\$ 19,800.00	The committee recommends high quality, reusable bags made from post-consumer plastic
Special launch event	1			\$ 5,000.00	This could include subcontracting with local artists to make reusable bags out of upcycled materials, or hosting an upcycled bag-making workshop, etc
Radio ads (KBAC and KSFR)	:30 spots over a 6 week period			\$ 6,700.00	Qty will vary and depend on partnerships or sponsorships or existing buys btwn the County and radio
Print ads (New Mexican & Reporter)	6 weeks of ads			\$ 7,500.00	Qty will vary and depend on partnerships or sponsorships or existing buys btwn the County and radio
Full Color Printed Sticker/Labels Explaining new Ordinance at Retail Points of Sale (Spanish/English)	875	\$ 1.00		\$ 875.00	
Full color half page flyer in Spanish/English for Retail Point of Sale	500	\$ 0.25		\$ 125.00	
Graphic Design for Flyers			\$ 2,000.00		40 hours County staff time at estimate of \$50/hour
Free Press (press release/news story in local papers)			\$ 250.00		5 hours of County staff time at estimate of \$50/hour
Outreach to residents via existing channels, e.g. Sustainability Newsletter			\$ 250.00		5 hours of County staff time at estimate of \$50/hour
				TOTAL \$ 40,000.00	

Figure 6: Community education and outreach costs

A recommended \$.10 fee at the point of sale is meant to serve as an incentive to encourage County residents to bring reusable bags to save at check-out.

The SUPP Working Group Committee estimates that Santa Fe County will receive approximately \$10,000 per year from the \$.10 fee for paper bags at the point of sale. This estimate is based on the fact that the City of Santa Fe has approximately 15 times more retail sales establishments that offer single-use plastic bags at the point of sale (not including gas stations). The City of Santa Fe reports earning approximately \$100,000 per year from its \$.10 fee at the point of sale for a paper bag. The City of Santa Fe receives 90% of the \$.10 fee from retailers, like the funding division in the ordinance proposed by the SUPP. The Committee recommends that this fee is given to the County Sustainability Division to be used for annual education and outreach to reduce single use plastics. This could include the purchase of reusable bags, special events, collateral materials, advertisements, etc.

Effective Applicable Laws in Other States and New Mexico Cities

Bernalillo County passed a ban on single use plastic bags and polystyrene containers in June of 2019, which went into effect January 1, 2020. (ARTICLE X. - SINGLE-USE PLASTIC BAGS AND POLYSTYRENE CONTAINERS | Code of Ordinances | Bernalillo County, NM | Municode Library)²⁴ Enforcement of the ban was paused due to the COVID pandemic until July of 2021. Highlights from Bernalillo County's article follow and the County's educational FAQs can be found at Plastic and Polystyrene Ban FAQs - Planning & Development Services (berncov.gov).²⁵ SUPP Committee staff reached out to Bernalillo County to discuss lessons learned from their ordinance and ask about enforcement. County staff noted that enforcement has been relatively easy with retail establishments that are in compliance reporting

²⁴ Bernalillo County, New Mexico Code Ch.30 Article X

²⁵ "Plastic and Polystyrene Ban FAQs," Bernalillo County, n.d. [URL](#).

other retail establishments that are not in compliance. The County Code enforcement has made phone calls, but not had to issue any penalties to date related to the ban.

The Bernalillo County article defines a single-use plastic carryout bag as a plastic bag provided at the check stand, cash register, point of sale, or other point of departure for the purpose of transporting food or merchandise out of the establishment.²⁶ A single-use polystyrene container, for purposes of this ordinance, is defined as a disposable food service container designed for one time use and made from polystyrene foam. A disposable food service container includes service ware for take-out foods, packaged meat, bakery products, and leftovers from partially consumed meals prepared by food vendors.

The Bernalillo County further states that retail establishments may charge a fee of up to \$0.05 per approved bag or container issued to customers pursuant to this article.

Any owner of a retail establishment found in violation of any provision of this article is subject to the following penalties:

- A formal warning for the first offense;
- A civil fine of \$100.00 for the second offense;
- A civil fine of \$250.00 for third offense and subsequent offenses.

Each calendar day during which the civil violation occurs shall constitute a separate and distinct offense.

Any county employee authorized to enforce codes and ordinances shall be empowered to enforce this article, unless otherwise directed by the board of county commissioners.

Any person who is found in violation of this article may request a hearing be scheduled by a county hearing officer. The request shall be made in writing to the county business license clerk within 15 business days of the formal violation. The hearing shall be held within 20 working days (excluding weekends and holidays) of receipt of the request unless the hearing is continued with the agreement of the parties. The county hearing officer shall determine whether a violation of this article occurred. The hearing officer shall mail a written notice of decision to the owner within five working days of the hearing. If the hearing officer determines a violation of this article did occur, the hearing officer shall impose the fine as prescribed. If the hearing officer determines a violation did not occur, the imposition of a fine will be removed and no fine will be imposed.

Failure to pay a fine imposed by this article may prevent the issuance of a business license or business license renewal.

This article requires an impact study and report after two years. The report shall, at a minimum and as well as can be reasonably determined, determine the number of prohibited single-use plastic carryout bags and single-use polystyrene containers diverted from the public waste stream by this article, the number of bags and containers sold or distributed at the point of sale, and the percentage of customers using reusable bags on a regular basis. The committee shall also make recommendations for changes to this act.

²⁶ Bernalillo County, New Mexico Code Ch.30 Article X

No less than 60 days prior to the effective date of the ordinance from which this article is derived, the board of county commissioners shall initiate a public education campaign about the new regulations, encouraging the use of reusable or sustainable options and the recycling of permitted single-use items.

The City of Santa Fe presented to the group on their successes and challenge discovery involving the City's Single Use Plastic Bag ban ordinance (City of Santa Fe ordinance number 2015-12), which passed the Santa Fe City Council April 29, 2015 and went into effect July 1, 2015.²⁷

Relevant highlights of the presentation included:

- Town Recycling reports that they have not experienced the problem with plastic bag contamination in the City of Santa Fe, since the single use plastic ban ordinance, compared to their operations in Albuquerque.
- Enforcement efforts have been fairly infrequent, and businesses will report on other businesses who are not in compliance with the bag ban.

Similar such bans in the following Cities and State of Vermont, are summarized below:

Las Cruces NM City -

https://library.municode.com/nm/las_cruces/codes/code_of_ordinances?nodeId=PTIIMUCO_CH16LITAMIB_URE_ARTXILIUPLSIECABA

SU plastic bag ban	Yes	Non-profits & hunger relief agencies exempt
Fee for paper bags	\$0.10	No charge to low income persons
% to jurisdiction	50	
Bag exceptions	Yes	Pre-checkout bags, pet waste, trash, dry-cleaning, and more
SU Styrofoam ban	No	
SU straws etc. by request only	No	
Balloon release ban	No	
Penalties	Yes	Warning, then \$100 for each day violation continues

Taos NM Town -

<https://www.taosnm.gov/DocumentCenter/View/2556/Ordinance-20-05#:~:text=General%20Prohibition.,cup%2C%20plate%20or%20food%20container>

SU plastic bag ban	Yes	
Fee for paper bags	None	
% to jurisdiction	N/A	
Bag exceptions	Yes	Pre-checkout bags, pet waste, trash, dry-cleaning, and more
SU styrofoam ban	Yes	Applies to all food & drink containers
SU straws etc. by request only	No	Straws & stirrers banned outright
Balloon release ban	No	
Penalties	Yes	First warning, then misdemeanor

²⁷ City of Santa Fe, NM, Ordinance No. 2015-12

State of Vermont -

<https://legislature.vermont.gov/Documents/2020/Docs/ACTS/ACT069/ACT069%20As%20Enacted.pdf>

SU plastic bag ban	Yes	
Fee for paper bags	\$0.10	
% to jurisdiction	0	
Bag exceptions	Yes	Pre-checkout bags, pet waste, trash, dry-cleaning, and more
SU Styrofoam ban	Yes	Applies to all food & drink containers
SU straws etc. by request only	Yes	Stirrers banned outright
Balloon release ban	No	
Penalties	Yes	Warning, \$25, \$100, each day of violation a separate offense

Bag Bans Do Work!

In an article titled, The Truth about Plastic Bag Bans²⁸, The Sydney study²⁹, by the University of Sydney, is referenced which credits the ban for reducing plastic bag usage by over 70%. One California city shows a significant increase in reusable bag usage over the years as a result of educational efforts combined with policy changes.

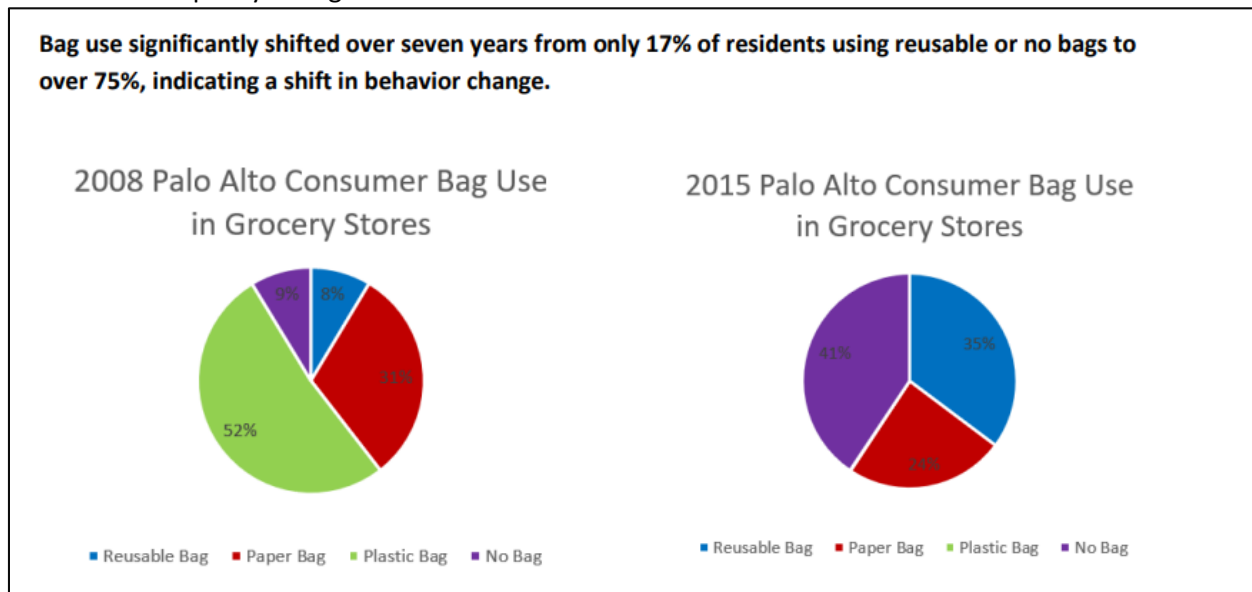


Figure 7: Graph from Julie Weiss Policy and Public Education Manager City of Palo Alto, Public Works – Watershed Protection Julie.Weiss@cityofpaloalto.org³⁰

Potential Incentive Program Analysis (Develop New Market)

Retail establishments are encouraged to sell reusable shopping bags and food service items to customers. This is an additional point of revenue for the retail establishments to help offset any additional costs related to their reduced use in single use plastic products and to help encourage reuse.

²⁸ John Hite, "The Truth about Plastic Bag Bans," Conservation Law Foundation, URL.

²⁹ Rebecca Taylor, "Bag leakage: The effect of disposable carryout bag regulations on unregulated bags," *Journal of Environmental Economics and Management*, 93 (2019): 254-271, URL.

³⁰ Julie Weiss (Policy and Public Education Manager, Public Works, City of Palo Alto), information shared to authors

The County is encouraged to capitalize on its government purchasing power and consider letting out an RFP for local artists to create locally produced, upcycled, reusable bags as part of the launch budget.

Proposed Recommendations for a Standalone Draft SUPP Ordinance

Based upon the County's Sustainable Land Development Code's lack of regulation or codes addressing single use plastic and polystyrene and associated research findings, a standalone ordinance amendment is recommended (Appendix VI). Continued usage of single use plastic and polystyrene has been shown to lead to increased public, as well as environmental health concerns. According to findings³¹ the potential for positive impacts to the community outweigh the arguments against a ban. Additionally, the need for the County to align with the Paris Agreement net zero emissions goal by 2050, Resolution 2017-68, and the County's commitment to the global 30x30 initiative to conserve and protect 30% of all land and water by 2030, Resolution 2020-93, support the creation of such an ordinance. Therefore, the SUPP working group proposes a standalone ordinance to reduce single use plastic usage through the following measures:

- 1) A ban on single-use plastic bags at the point of sale from retail establishments, including restaurants.
- 2) Recycled-content paper bags available for a \$.10 fee at the point of sale
- 3) The \$.10 fee to be divided \$.09 to the County and \$.01 remaining with the retailer so it is the same funding model as the City of Santa Fe's ordinance (Anyone receiving food assistance is exempt from paying this fee at Point of Sale)
- 4) To go utensils and items such as take out packets of condiments, cutlery, straws, etc., only available upon request (Retail establishments are exempt from this requirement when providing drinks to persons with disabilities who need straws.)
- 5) Ban on expanded polystyrene (EPS) food containers for take-out or in-person dining.
- 6) Ban on intentional helium balloon releases
- 7) Enforcement/Education – First warning letter, fines, managed by County's code office, Sustainability department will do related education and outreach

Eco-friendly Alternatives

The PEW Report noted previously found the following:

"We estimate that 17 per cent of business as usual plastic waste can be substituted by 2040: 4.5 per cent to paper, 3.5 per cent to coated paper, and 9 per cent to compostable materials. That is equivalent to 71 million metric tons of plastic waste avoided annually by 2040"³²

New York City recently passed "Skip the Stuff."³³ Many customers do not want or need cutlery to go with their take-out meals. Reducing the extra plastic by requiring that customers ask before cutlery is handed out reduces single use plastic waste and associated costs to the retailer as well.

Substituting reusable or compostable containers and implements for the plastic option is challenging. Unfortunately, the potential for composting of some products is marginal. Many compostable materials are compostable only in a commercial composting facility, which few communities have access to.

³¹ Parker, "Fast facts about plastic pollution"

³² Bailey et al., "Breaking the Plastic Wave"

³³"Skip the Stuff! Restrictions on Providing Utensils, Condiments, Napkins and Containers," The Official Website of the City of New York, n.d. [URL](#).

When plant based plastics are landfilled they break down similarly to plastic - smaller and smaller pieces. If they are termed recyclable, they can contaminate plastic recycling.

The SUPP working group recommends alternatives fabricated from natural materials, such as paper, metal and wood products. These types of reusable materials, where possible show a fairly quick investment return. Although the upfront costs are higher, the payback period for switching to durable goods can be as short as a few months, and over a product's lifetime; reusable products and containers use less energy and water than single-use materials, even after dishwashing; the amount of trash going to landfills is greatly reduced over time.

The return on investment (ROI) period for switching to reusable products scenarios:

- a disposable 12 oz. hot cup distributed with a plastic lid may cost a vendor 10 cents
- A white stoneware mug of the same size can be purchased for \$1.70
- A cafe that uses as few as 10 cups per hour will more than recoup the expense in 17 uses
- After 17 uses, every use of the cup represents a 10 cent savings

According to a 2021 analysis by Upstream, reusable cups break even at between 2 and 122 uses, plates at 3 to 50 uses, and utensils as rapidly as twice.³⁴



Figure 8: "One-way throw-away" food service model. *Reuse Wins* (n.d.), Upstream.³⁵

³⁴ "Reuse wins: top findings show reuse beats single-use every time," Upstream, n.d. [URL](#).

³⁵ "Reuse wins," Upstream

To reduce the financial investment for businesses to transition to reusable serveware, there is good news. Plastic Free Restaurants, an organization that supports the reduction of single use plastic in the restaurant industry, pays restaurants and schools to eliminate petroleum-based single-use plastic by subsidizing the purchase of reusable replacements. The organization is a donor-funded non-profit and can be reached at contact@plasticfreerestaurants.org

Recycling Take Out items

Most towns and cities in the United States are capable of processing only items with plastic resin codes #1 and #2 with necks, therefore, jugs, bottles, many of #1, 2, and 5 items, such as plastic clamshells, are not recyclable.

Likewise, bio-compostable plastics can be difficult to process even under industrial conditions. Only 29% of full-scale food waste composting facilities in the United States are willing to accept them.

Proposed Enforcement

Following the language of the SLDC³⁶, the SUPP working group proposes similar regulations and penalties be outlined for the addition of the ordinance.

If Code Enforcement confirms that a violation has occurred the Code Enforcement Officer may issue a Notice of Violation to the offending party that indicates the nature of the violation and that the violation must cease immediately. If the offending party agrees to remedy the violation, then the offending party will have fifteen (15) working days to come into compliance. If the offending party refuses to remedy the violation, the Code Enforcement Officer may issue a final Notice of Violation and file a criminal complaint in Court seeking penalties as outlined below. (SLDC)

- (a) Any owner of a retail establishment found in violation of any provision of this ordinance is subject to the following penalties:
 - (1) A formal warning for the first offense;
 - (2) A civil fine of \$100.00 for the second offense;
 - (3) A civil fine of \$250.00 for third offense and subsequent offenses.
- (b) Each calendar day during which the civil violation occurs shall constitute a separate and distinct offense.
- (c) Any county employee authorized to enforce codes and ordinances shall be empowered to enforce this ordinance, unless otherwise directed by the board of county commissioners.
- (d) Any person who is found in violation of this ordinance may request a hearing be scheduled by a county hearing officer. The request shall be made in writing to the county business license clerk within 15 business days of the formal violation. The hearing shall be held within 20 working days (excluding weekends and holidays) of receipt of the request unless the hearing is continued with the agreement of the parties. The county hearing officer shall determine whether a

³⁶ Santa Fe County, NM, Title XV: Land Usage, Exhibit 150A Sustainable Land Development Code

violation of this ordinance occurred. A hearing officer shall mail a written notice of decision to the owner within five working days of the hearing. If the hearing officer determines a violation of this ordinance did occur, the hearing officer shall impose the fine as prescribed. If the hearing officer determines a violation did not occur, the imposition of a fine will be removed and no fine will be imposed.

- (e) Failure to pay a fine imposed by this ordinance may prevent the issuance of a business license or business license renewal from Santa Fe County.
- (f) The Board of County Commissioners may promulgate rules and regulations for the enforcement subsection of this ordinance as needed to adhere to requirements outlined in this ordinance.

Educational Programming

The Sustainability Division of Santa Fe County dedicates several pages in its website to educational resources and data points regarding sustainable practices. An addition of more plastic and recycling related educational resource links such as How to Address the Intention-Action Gap in Recycling (recyclingpartnership.org)³⁷ and BLOG: What Helps People Better Understand Recycling Instructions? The Recycling Partnership³⁸ would expand upon addressing the behavioral changes needed to accomplish the goals of the proposed ordinance.

A detailed notification in the County's newsletters, as well as a series of fun videos and social media platform announcements, along with press releases is recommended by the Working Group as a way to further alert the public of the benefits of such an ordinance.

Proposed Next Steps

It is anticipated that a minimum of six months will be needed in order to enact the proposed ordinance and associated policies and procedures, as well as an educational outreach program. The next steps required to formally adopt such an ordinance entail:

- Legal review of draft ordinance and staff recommendations
- BCC vote
- If approved for ordinance; title and publish effective date January 1, 2024
- Community input and final draft
- Immediately upon approval, roll out of educational programming (ideally two-three months prior to effective date)
- Department coordination and collaboration for enforcement
- One year follow up report

While the effective date of January 1, 2024 for an ordinance approval timeline is a recommendation of the group, in order to create an ordinance that is feasible, the SUPP committee also recognizes the importance of allowing for changes as needed due to Legal and/or community input, a budget and procedural assessment for effective procedural and enforcement methods, as well as providing businesses with the opportunity to utilize current supplies and a six-month period of time to make

³⁷ "How to Address the Intention-Action Gap in Recycling," The Recycling Partnership, June 20, 2023. [URL](#).

³⁸ "Blog: What Helps People Better Understand Recycling Instructions?" The Recycling Partnership, October 7, 2021. [URL](#).

changes as needed. Each step may or may not fall within the six-month target timeline and therefore, may change the implementation timeline as a result.

Conclusion

Despite the fact that plastic is proven to be harmful to the planet and humanity's health, human nature is seemingly programmed to view change as unpleasant and resistance is expected. However, change is often necessary to improve one's life as well as safety and health. The introduction of the safety belt as a requirement in vehicle usage took a number of years to fully enforce across the U.S. yet is a perfect example of the laws that were required by governments to move the dial toward safer practices; many other such laws preceded the safety belt law and many continue to follow. Change is necessary for society to learn and adapt and consistently improve upon harmful habits and systems in a culture and day-to-day life.

Given the research findings, the County's commitment to increasing public and environmental health; the investigation of ways to reduce single use plastic, as well as the benefits of instituting a ban on single use plastic in restaurants and retail establishments, it is the recommendation of the SUPP Working Group, that the County institute such a necessary change in regulations as well. Through an ordinance banning the more problematic single use plastic products, the County will take an important step toward a healthier community. It is also recommended that the goal effective date of July 1, 2024 and/or six months after an ordinance is approved by the BCC is focused upon as a target for this process, along with a community-wide education and awareness campaign led by the Sustainability Division. The County can do more to increase the health of the environment and its constituents. Resolution 2013-49 states that the County is to lead by example, to include environmental stewardship. Numerous County resolutions approved over the past decade further support environmental responsibility and leadership. Approving a ban on single use plastics and polystyrene does just that. It's time.

Appendix I: Resolution No. 2022-031

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

RESOLUTION NO. 2022 - 31

Introduced by:
Commissioner Anna Hansen and Commissioner Hank Hughes

A RESOLUTION

DIRECTING THE COUNTY MANAGER TO ESTABLISH A WORKING GROUP TO ANALYZE AND MAKE RECOMMENDATIONS CONCERNING AN EDUCATIONAL PROGRAM AND POSSIBLE ORDINANCE DISCOURAGING THE USE OF VARIOUS SINGLE-USE PLASTIC AND POLYSTYRENE PRODUCTS IN SANTA FE COUNTY; URGING THE U.S. CONGRESS TO ENACT SENATE BILL 984; AND, SHOULD THE U.S. CONGRESS FAIL TO ACT, URGING THE NEW MEXICO LEGISLATURE TO ENACT A STATEWIDE BAN ON SINGLE-USE PLASTIC AND POLYSTYRENE PRODUCTS

WHEREAS, experts say that by 2050 the world's oceans will contain more plastic waste than fish as global plastic production will triple, accounting for 20% of global oil consumption and emissions as plastic production will reach 1.3 billion tons by 2030, equal to 300 coal-fired power plants; and

WHEREAS, in the United States alone, 50 billion single-use plastic bottles are used each year and over 500 million plastic straws are thrown away each day; and

WHEREAS, thousands of single-use plastic bags, expanded polystyrene containers, straws, plastic stirrers, plastic splash sticks, PPE masks and gloves and other single-use plastic and polystyrene products contribute to public litter and to the deteriorating health of our ecosystem; and

WHEREAS, plastic bags and films, when improperly placed into mixed recycling systems can contaminate a load while, causing damage to sorting machinery, wrapping around equipment and resulting in costly repairs and down time for material recovery facilities throughout the country; and

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WHEREAS, a 2018 study by Clean Water Action found that the difference in cost between the most common, single-use expanded polystyrene and alternative packaging was just \$0.01 (1 cent) more per unit; and

WHEREAS, the purposeful release of plastic balloons creates litter, plastic pollution, and is harmful to wildlife; and

WHEREAS, a plastic bag has an average 12-minute lifespan from when it's initially filled with groceries at the grocery store to when it is discarded; and

WHEREAS, it is estimated that those same plastic bags may persist in the environment for hundreds of years while they photodegrade, breaking down into micro-plastics that have been shown to damage wildlife and human reproductive health; and

WHEREAS, these bags eventually make their way into our oceans, adding to the 8 million metric tons of plastic entering the ocean every year; and

WHEREAS, plastic packaging is another serious contributor to single-use plastic and new products and packaging materials are designed and rapidly introduced into the consumer market with little or no regard to recyclability within current systems, leaving consumers confused and limited in their choices. Manufacturers and retailers must be held accountable throughout the lifecycle of their products, from design to end-of-life, ensuring less toxic contents and recyclability; and eliminating wasteful single-use plastic packaging materials; and

WHEREAS, efforts have been made on the federal level to phase out unnecessary single-use plastic products, hold manufacturers and retailers accountable for wasteful products, reduce wasteful packaging, and reform the nation's broken waste and recycling collection system through the introduction of bills in the United States House of Representatives and Senate in 2020 and 2021 respectively; and

WHEREAS, New Mexico's own former US Senator Tom Udall (D-NM) and former US Representative Deb Haaland (D-NM), who is now the Secretary of the Interior, cosponsored House Resolution (H.R.) 5845, titled "Break Free From Plastic Pollution Act of 2020", which was introduced in 2020 during the 116th Congress by Senator Jeff Merkley (OR) and US Representative Alan Lowenthal (Calif.); and

WHEREAS, Senator Jeff Merkley (D-OR) introduced an identical bill to the 117th Congress on March 25, 2021, Senate Bill 984 titled "Break Free from Plastic Pollution Act of 2021." This bill received support from twelve (12) U.S. Senators and is currently assigned to the Senate Finance Committee; and

WHEREAS, the United States has thus far taken a piecemeal approach and left it up to individual states and, more commonly, local government (cities and counties) to impose their own regulations but these, and other introduced legislation, include elements to standardize recycling and hold manufacturers and retailers accountable for product design and end-of-life; and

WHEREAS, currently, only nine states (California, Connecticut, Delaware, Hawaii, Maine, New Jersey, New York, Oregon, and Vermont) have statewide plastic bag bans and three-hundred forty-nine (349) cities and counties have, in some way, banned or taxed plastic use, citing such factors as the environmental impact of the bags on sewer systems and landfills; and

WHEREAS, within the state of New Mexico, three communities have instituted a ban on plastic bags – the cities of Santa Fe, and Silver City, and Bernalillo County; and

WHEREAS, as each of the cities and the county listed above completed community impact studies before implementing their respective ordinances banning single-use plastic bags, Santa Fe County staff should make use of the findings of each of these studies and incorporate this data into its own analysis.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners (Board) of Santa Fe County (County) hereby:

1. Directs the County Manager to establish a working group consisting of county staff and community partners and organizations (e.g., New Mexico Recycling Coalition, Santa Fe Green Chamber of Commerce, Sierra Club, Restaurant Association, Grocers Association, etc.) to develop consensus on an educational effort to encourage County residents to reduce their use of single-use plastic products and, if deemed appropriate, to develop the details of any proposed ordinance, and to perform analysis and make recommendations as set forth in Paragraph 2. The County Manager shall determine the number and composition of the working group, the business and meetings of which shall be open and noticed to the public and conducted in accordance with Resolution No. 2020-99 (or the 2021 Open Meetings Act resolution, as applicable) and Resolution No. 2009-2.
2. The working group shall prepare an impact analysis report and recommendations for presentation to the Board within a year. The impact analysis and recommendations shall include:
 - a. The current impacts of single-use plastic and polystyrene on the County's landfills and recycling centers, as well as the holistic impact to our community;
 - b. The total number of businesses in the County that would be affected by any proposed ban and the extent of the affect;
 - c. The fiscal impact to County government operations and to businesses of an educational program and any proposed ban;
 - d. Research findings on the processes that the cities of Santa Fe, Albuquerque, and Silver City and County of Bernalillo followed when they enacted their respective plastic bag ban ordinances;
 - e. Proposals and cost estimates to develop and deploy an educational campaign in both English and Spanish to the community, County businesses, and residents who would be affected by a single-use plastic and polystyrene product ban ordinance;

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- f. An analysis of potential incentive programs for businesses and residents, including programs to incentivize businesses to sell re-usable and paper bags and to develop and use eco-friendly packaging in place of single-use plastic and polystyrene products;
- g. A recommendation as to whether a single-use plastic and/or polystyrene product ban should be incorporated into an existing County ordinance or be enacted via a stand-alone ordinance;
- h. Recommendations on (i) which County department / staff should enforce any enacted ban and (ii) enforcement mechanisms for any enacted ban, including fines and other penalties;
- i. The identification of ecofriendly and plant-based alternatives to single-use plastic ware and bags and polystyrene products; and
- j. An analysis and recommendations concerning each of the following potential policy proposals:
 - i. Implementing an educational program as the first and perhaps only activity to reduce the use of plastic products.
 - ii. Prohibiting retail sales establishments and food service establishments within the County from providing single-use carryout bags to customers (as well as potential exemptions as noted below);
 - iii. Prohibiting food service establishments from providing single-use plastic service ware, including straws, cups, and plastic stirrers to customers (as well as potential exemptions as noted below);
 - iv. Prohibiting the sale or use of expanded polystyrene food services products (i.e., containers and cups);
 - v. Prohibiting the release outdoors of any balloon filled with helium or a gas lighter than air; and
 - vi. Potential exemptions, particularly for the sale of paper bags for low-income communities and those who are purchasing food and other items with SNAP, EBT, WIC, TANF, etc., as well as any

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exemptions necessary to comply with the Americans with Disabilities Act.

BE IT FURTHER RESOLVED that the Board hereby urges the U.S. Congress to pass Senate Bill 984 and, should the U.S. Congress fail to act, urges the New Mexico Legislature to adopt during the 2023 Regular Legislative Session a bill banning single-use plastic and polystyrene products within the state of New Mexico, to include an Extended Producer Responsibility (EPR) law for packaging that will hold producers and manufacturers responsible for the design life cycle of their products.

BE IT FURTHER RESOLVED that the County Manager is directed to forward this Resolution to the County's Federal Delegation, U.S. Senators Martin Heinrich and Ben Ray Lujan and Congressional Representative Teresa Leger Fernandez, Governor Michelle Lujan Grisham, the leadership of the New Mexico Senate and House, Senators and Representatives in the New Mexico Legislature representing Santa Fe County, and New Mexico Counties' Board of Directors and Executive Director.

PASSED, APPROVED, AND ADOPTED ON THIS 10th DAY OF MAY, 2022.

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY**

By: Anna T. Hamilton
Anna T. Hamilton, Chair

ATTEST:
Katharine E. Clark
Katharine E. Clark
Santa Fe County Clerk

Date: 5/10/22



SFC CLERK RECORDED 05/11/2022

APPROVED AS TO FORM:

Rachel Brown

Rachel Brown
Interim Santa Fe County Attorney

COUNTY OF SANTA FE)
STATE OF NEW MEXICO) ss

BCC RESOLUTIONS
PAGES: 7

I Hereby Certify That This Instrument Was Filed for
Record On The 11TH Day Of May, 2022 at 11:14:19 AM
And Was Duly Recorded as Instrument # **1988247**
Of The Records Of Santa Fe County

Witness My Hand And Seal Of Office

Katharine E. Clark

Deputy *Destiny Romero* County Clerk, Santa Fe, NM



SFC CLERK RECORDED 05/11/2022

Appendix II: Santa Fe County Commercial Business List

Santa Fe County Commerical Buissness List															
Does address exist in SFCo?	Outreach Notes	Buissness Type	Buissness Name - underline = no longer in business	Address	City	State	Zip	Address	City	State	Zip	Owner Name	Owner Phone	Email	Status
Y	Received email survey 15	COMMERCIAL BUSINESS	A LA CARTE BUSINESS SOLUTIONS	3 ELDORADO WAY	SANTA FE	NM	87508	3 ELDORADO WAY	SANTA FE	NM	87508	NOELLE E. MILLER	(505) 553-0866	noelle@miller91.com	ACTIVE
Y	Received email survey 15	COMMERCIAL BUSINESS	ALLSUP'S CONVENIENCE STORE	#2 Avenida del Sur	SANTA FE	NM	87508	P.O. BOX 1907	CLOVIS	NM	88102	LONNIE D ALLSUP	(505) 471-1890	acs.acctg.@allsups.com	ACTIVE
N		COMMERCIAL BUSINESS	Artful Tea	Po Box 32855	Santa Fe	NM	87594								
Y	Received email survey 15	COMMERCIAL BUSINESS	BAILEY'S GOURMENT BISCUITS LLC	53 SAN PABLO LANE	EDGEWOOD	NM	87015	53 SAN PABLO LANE	EDGEWOOD	NM	87015	COLLEEM C. YEIL DING	(505) 281-4373	colleencyeilding@email.com	ACTIVE
N		COMMERCIAL BUSINESS	BALANCED BOOKS	22B RAVEN RIDGE ROAD	SANTA FE	NM	87505	22B RAVEN RIDGE ROAD	SANTA FE	NM	87505	PHYLLIS JOHNSON	(505) 988-1288		ACTIVE
Y: NM 14, needs unit		COMMERCIAL BUSINESS	BIMBO BAKERIES USA INC.	4525 STATE HIGHWAY 14 (NORTH STRA TURE, NEED UNIT)	SANTA FE	NM	87508	111 MONTANO ROAD NE	ALBUQUERQUE	NM	87107	BIMBO BAKERIES USA INC ATTEN:	(519) 620-5138		ACTIVE
		COMMERCIAL BUSINESS	BLACK BIRD SALOON LLC	28 MAIN ST	CERRILLOS	NM	87010	P O BOX 97	CERRILLOS	NM	87010	PATRICK AND KELLY TORRES	(505) 629-4136		ACTIVE
		COMMERCIAL BUSINESS	BLACK SWAN GREETING CARDS	410 FIN DEL SENDERO	SANTA FE	NM	87505	PMB #476 369	SANTA FE	NM	87501	BLACK SWAN			ACTIVE
		COMMERCIAL BUSINESS	BLAKES LOTABURGER, LLC	4706 Airport Road (City)	SANTA FE	NM	87505	3205 RICHMOND QUE	ALBUQUERQUE	NM	87107	BLAKES LOTABURGE	(505) 884-2160	dberry@lotaburger.com	ACTIVE
Y: But not unit, addno suffix	Received email survey 15	COMMERCIAL BUSINESS	BOUNTIFUL COW CHEESE	8 FOREST LN UNIT B5, 88 FOREST LN UNIT 3	SANTA FE	NM	87508	8 FOREST N UNIT B5	SANTA FE	NM	87508	STEVEN M WRIGHT	(214) 984-7069	rose1359@aol.com	ACTIVE
N	Received email survey 15	COMMERCIAL BUSINESS	BOURBON GRILL AT EL GANCHO LLC	1 EL GANCHO WAY	SANTA FE	NM	87505	PO BOX 4700	SANTA FE	NM	87502	JENKEEL, LTD.	(505) 988-5000	tceeg@aol.com	ACTIVE
Y	Received email survey 15	COMMERCIAL BUSINESS	CAFÉ ALDEA	60 AVENIDA ALDEA	SANTA FE	NM	87507	60 AVENIDA ALDEA	SANTA FAE	NM	87507	FERDINAND CARASCO	(505) 699-2723	gfc001@yahoo.com	ACTIVE
Y		COMMERCIAL BUSINESS	CAFETERIA EL SANTURAI0	4 MEDINA LANE	CHIMAYO	NM	87522	PO BOX 235	CHIMAYO	NM	87522	SANTUARIO DE CHIMAYO	(505) 351-0996		ACTIVE
Y		COMMERCIAL BUSINESS	Casa Macias	33 Ranchos Sin Vacas	Santa Fe	NM	87508						505-438-3405		
Y		COMMERCIAL BUSINESS	CERRILLOS RAILHOUSE	12 THIRD STREET	CERRILLOS	NM	87010	P.O BOX 272	CERRILLOS	NM	87010	CATHY WEBER	(505) 660-7829		ACTIVE
Y		COMMERCIAL BUSINESS	CRYSTAL MESA FARM BED & BREAKFAST	27 CRYSTAL MESA ROAD	SANTA FE	NM	87508	27 CRYSTAL MESA ROAD	SANTA FE	NM	87508	CRYSTAL MESA FARM			ACTIVE
Y: unit A2	Received email survey 15	COMMERCIAL BUSINESS	DEL NORTE PHARMACY OF ELDORADO	7 CALIENTE ROAD UNIT A2	SANTA FE	NM	87508	7 CALEINTE ROAD 1A-2	SANTA FE	NM	87508	DORADO SF LTD	(505) 216-0665	bhunt@delnortepharmacy.com	ACTIVE
Y		COMMERCIAL BUSINESS	DELIZCIOUS SERVICE	73 CAMERADA LOOP	SANTA FE	NM	87508	73 CAMERADA	SANTA FE	NM	87508	ELIZABETH BALLOWE			ACTIVE
N	Received email survey 15	COMMERCIAL BUSINESS	DFA DAIRY BRANDS LLC-CREAMLAND DAIRIES INC	42 BISBEE CT	SANTA FE	NM	87508	P.O. BOX 25067	ALBUQUERQUE	NM	87125	DFA DAIRY FARMERS OF	(505) 247-0721	CONNIE_HOLDREN@DEANFO	ACTIVE
Y		COMMERCIAL BUSINESS	EL PARASOL	30 CITIES OF GOLD RD	SANTA FE	NM	87506	30 CITIES OF GOLD ROAD	POJOAQUE	NM	87506	JOSE T. ATENCIO.	(505) 455-7185		ACTIVE
N	Received email survey 15	COMMERCIAL BUSINESS	EL POTERO TRADING POST	17 SANTUARIO Dr. 14	CHIMAYO	NM	87522	P.O. BOX 706	CHIMAYO	NM	87522	RAYMOND BAL	(505) 351-4112	elpotrerotradingpost.Yahoo.com	ACTIVE
Y		COMMERCIAL BUSINESS	ELDORADO COFFEE CORAL	7 CALIENTE RD SUITE A-4	SANTA FE	NM	87508	10 AVENTURA	SANTA FE	NM	87508	HAWKING LLC	(505) 697-9817		ACTIVE
Y		COMMERCIAL BUSINESS	ELDORADO HARDWARE	7 CALIENTE RD A-6	SANTA FE	NM	87508	7 CALIENTE RD A-6	SANTA FE	NM	87508	EWERS CORPORATION	(505) 466-6522		ACTIVE
Y	Received email survey 15	COMMERCIAL BUSINESS	ELDORADO SUPERMART	7 AVENIDA VISTA GRANDE BLDG. C	SANTA FE	NM	87508	7 AVENIDA VISTA GRANDE	SANTA FE	NM	87508	G & J BROOKS ENT., INC.	(505) 268-4123	jbf00ds33@gmail.com	ACTIVE
Y	Received email survey 15	COMMERCIAL BUSINESS	EVERYTHING EDIBLE	6112 MONTE AZUL PL. (CITY)	SANTA FE	NM	87507	6112 MONE AZUL PLACE	SANTA FE	NM	87507	TANYA HEADLEY	(505) 471-0971	info@everthingedible.net	ACTIVE
Y			Family Dollar Eldorado	5 CAMINO VALLE											
Y	Received email survey 15	COMMERCIAL BUSINESS	FAMILY DOLLAR STORES OF NM # 10280	18094 US 84-285 POJOAQUE NM	SANTA FE	NM	87501	500 VOLVO PARKWAY	CHESAPEAKE	VA	23320	FAMILY DOLLAR	(757) 325-405_	jpope@familydollar.com	ACTIVE

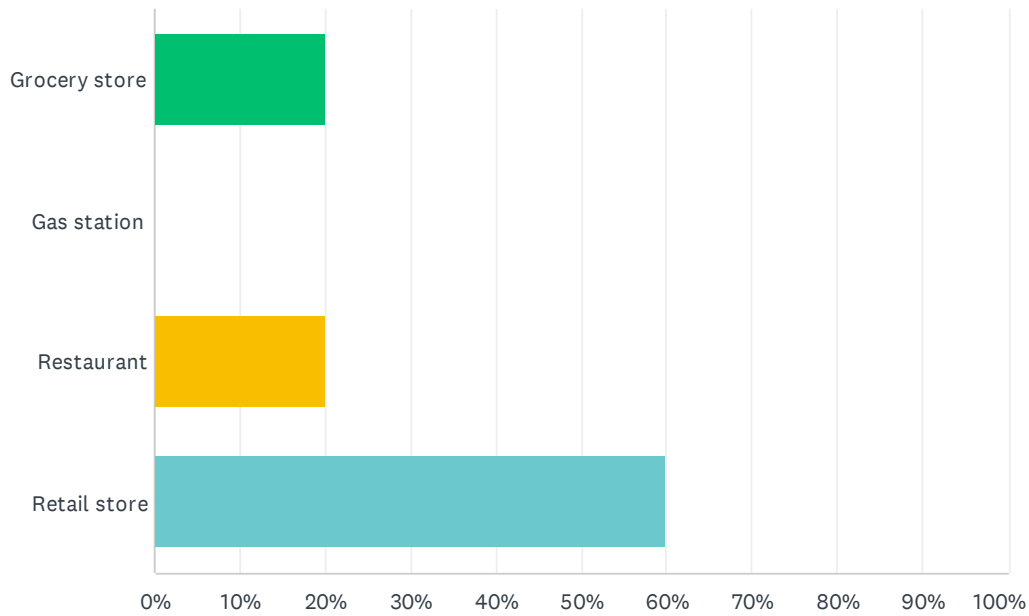
Y	Received email survey 15	COMMERCIAL BUSINESS	FRUIT OF THE EARTH ORGANICS	131 LA CUEVA ROAD	GLORIETA	NM	87535	901 EARLY ST	SANTA FE	NM	87505	LYRA BARRON	(505) 310-7917	micah.fote@gmail.com	ACTIVE
Y	Received email survey 15	COMMERCIAL BUSINESS	GABRIEL'S	#4 BANANA LANE	SANTA FE	NM	87506	# 4 BANANA LANE	SANTA FE	NM	87506	SYDNEY AND JODY	() 455-7000	gabriels.santafe@gmail.com	ACTIVE
N	Received email survey 15	COMMERCIAL BUSINESS	GALERIA ORTEGA	55 PLAZA DEL CERRO	CHIMAYO	NM	87522	P.O. BOX 434	CHIMAYO	NM	87522	ANDREW ORTEGA	(505) 351-2288	ortega@newmexico.com	ACTIVE
Y	Received email survey 15	COMMERCIAL BUSINESS	GARCIA'S GARBAGE SERV.	15 CAMINO CATALINA	SANTA FE	NM	87506	15 CAMINO CATALINA	SANTA FE	NM	87506	PEDRO GARCIA	(505) 470-0513	maryfrances.gomez@yahoo.com	ACTIVE
Y: but not an apt	Received email survey 15	COMMERCIAL BUSINESS	GEMINII GIFTS	2712B LAURENS LAURENS LANE	SANTA FE	NM	87501	P.O. BOX 5951	SANTA FE	NM	87502	JAMES ROBACKER &	(505) 316-9660	james491@centurylink.net	ACTIVE
Y: NM 14	Received email survey 15	COMMERCIAL BUSINESS	GHOST TOWN TRADING POST	2864 STATE HWY 14 LAURENS LANE	MADRID	NM	87010	2864 STATE HWY 14	SANTA FE	NM	87010	HONORE & HUGH	(505) 471-7605	honores@yahoo.com	ACTIVE
N		COMMERCIAL BUSINESS	Good Coffee, Video and Media PR		Lamy	NM	87540								
Y: A or B, NM 14		COMMERCIAL BUSINESS	GREAT MADRID GIFT EMPORIUM	2867A HIGHWAY 14	MADRID	NM	87010	2867 HIGHWAY 14	MADRID	NM	87010	HONORE AND HUGH	(505) 471-0241		ACTIVE
Y	Received email survey 15	COMMERCIAL BUSINESS	HACIENDA DONA ANDREA	78 VISTA DEL ORO	CERRILLOS	NM	87010	P O BOX 447	CERRILLOS	NM	87010	MAXIMILIANO	(505) 424-8995	stay@hdasantafe.com	ACTIVE
N		COMMERCIAL BUSINESS	HACIENDA RANCHO DE CHIMAYO	297 JUAN MEDINA RD	CHIMAYO	NM	87522	P.O. BOX 11	CHIMAYO	NM	87522	FLORENCE JARAMILLO	(505) 351-1211		ACTIVE
Y: NM 14	Received email survey 15	COMMERCIAL BUSINESS	HENDERSON STORE	1710 STATE HIGHWAY 14 N.	GOLDEN	NM	87047	1710 STATE HIGHWAY 14	GOLDEN	NM	87047	DESIRI H PIELHAU	(505) 281-5468	hendersonstore@wildblue.net	ACTIVE
Y	Received email survey 15	COMMERCIAL BUSINESS	IBARRA'S TRASH SERVICES LLC	5067 AGUA FRIA PARK RD.	SANTA FE	NM	87507	5067 AGUA FRIA PARK RD.	SANTA FE	NM	87507	MARTIN IBARRA	(505) 920-3264	edelmirajuares@gmail.com	ACTIVE
N	Received email survey 15	COMMERCIAL BUSINESS	INDIGO GALLERY	2860 NM 14 UNIT D	MADRID	NM	87010	2854 HIGHWAY 14 UNIT D	MADRID	NM	87010	JILL SHWAIKO INC	(505) 438-6202	indigoartgallery@earthlink.net	ACTIVE
Y	Received email survey 15	COMMERCIAL BUSINESS	IZANAMI (TEN THOUSAND WAVES)	21 TEN THOUSAND WAVES WAY	SANTA FE	NM	87501	21 TEN THOUSAND WAVES WAY	SANTA FE	NM	87501	WARUMONO LLC.	(505) 428-6390	lynda@tenthousandwaves.com	ACTIVE
Y		COMMERCIAL BUSINESS	J.E.M. CATERING SERVICE	19 M DRIVE	ESPANOLA	NM	87532	19 M. DRIVE	ESPANOLA	NM	87532	JUAN ELIZARIO MONTOYA	(505) 753-3058		ACTIVE
Y: NM 14		COMMERCIAL BUSINESS	JAVA JUNCTION	2855 NM 14	MADRID	NM	87010	2855 STATE HIGHWAY 14	MADRID	NM	87010	NANCY & CASEY			ACTIVE
N	Received email survey 15	COMMERCIAL BUSINESS	KELLSTEDT TRADING CO.	1101 HARRISON ROAD	SANTA FE	NM	87505	1101	SANTA FE	NM	87505	LYMAN		kellykayaker@grr.com	ACTIVE
Y	Received email survey 15	COMMERCIAL BUSINESS	KOKOMAN WINES & LIQUORS	34 CITIES OF GOLD ROAD	SANTA FE	NM	87506	11 W GUTIERREZ	SANTA FE	NM	87506	KIETH OBERMAIER.	(505) 455-2219	kokoman@cybermesa.com	ACTIVE
N		COMMERCIAL BUSINESS	Le Pommier Bistro	4 AVENIDA VISTA GRANDE	Santa Fe	NM	87508								
Y		COMMERCIAL BUSINESS	LEGAL TENDER LAMY LLC	151 OLD LAMY TRAIL	LAMY	NM	87540	541 RAILROAD	LAS VEGAS	NM	87701	ALLAN AFFELDT	(505) 730-4859		ACTIVE
Y: NM 14		COMMERCIAL BUSINESS	Lone Butte General Store	3815 NM 14	Santa Fe	NM	8505								
Y		COMMERCIAL BUSINESS	MADRES SOAPS	4 LOOKOUT MOUNTAIN	SANTA FE	NM	87508	4 LOOKOUT MOUNTAIN	SANTA FE	NM	87508	TINA LANTIERI &	(505) 999-8732		ACTIVE
Y: A or B, NM 14		COMMERCIAL BUSINESS	Maggies Diner	2867B State Hwy 14	Cerrillos	NM	87101						505-471-7605		
N	Received email survey 15	COMMERCIAL BUSINESS	MARYS BAR	15A FIRST ST	CERRILLOS	NM	87010	P.O. BOX 113	CERRILLOS	NM	87010	MARY T. MORA		kmora92549@aol.com	ACTIVE
Y	Received email survey 15	COMMERCIAL BUSINESS	MERCADITO MILAGROSO	20 SANTUARIO DRIVE	CHIMAYO	NM	87522	P.O. BOX 188	CHIMAYO	NM	87522	CHARLES MEDINA	(505) 351-4824	chimayochileman@gmail.com	ACTIVE
Y: NM 14		COMMERCIAL BUSINESS	MINE SHAFT TAVERN	2846 A NM 14	MADRID	NM	87010	2846 STATE HIGHWAY 14	CERRILLOS	NM	87010	MINESHAFT PROPERTIES,	(505) 982-2041		ACTIVE
Y	Received email survey 15	COMMERCIAL BUSINESS	MODERNGOODS	25 CALLE SAN ACACIA	SANTA FE	NM	87506	25 CALLE SAN ACACIA	SANTA FE	NM	87506	YUKI MURATA.	() 989-9010	yuki@moderngoods.com	ACTIVE
Y		COMMERCIAL BUSINESS	Nambe Trading Post	20A Summer Rd	Santa Fe	NM	87506								
N	Received email survey 15	COMMERCIAL BUSINESS	NARANJO'S TRADING	18625 US 84-285	ESPANOLA	NM	87532	P.O. BOX 2089	ESPANOLA	NM	87532	JOSE R. NARANJO	(505) 753-3107	naranjotrd@hotmail.com	ACTIVE

Y: 27 Sandia, but no "RD" suffix	Received email survey 15	COMMERCIAL BUSINESS	NEW LEAF	27 SANDIA RD	SANTA FE	NM	87508	518 OLD SANTA FE	SANTA FE	NM	87505	JOANN SABATINI	(505) 204-6897	souniosea2@aol.com	ACTIVE
Y: missing unit	Received email survey 15	COMMERCIAL BUSINESS	OJO SANTA FE	242 LOS PINOS ROAD UNIT 1	SANTA FE	NM	87507	242 LOS PINOS ROAD	SANTA FE	NM	87507	OJO CALIENTE	(505) 780-8145	amie@ojospa.com	ACTIVE
N	Received email survey 15	COMMERCIAL BUSINESS	RANCHO DE CHIMAYO	300 JUAN MEDINA RD	CHIMAYO	NM	87522	P.O. BOX 11	CHIMAYO	NM	87522	FLORENCE JARAMILLO		mrsj_rdc@yahoo.com	ACTIVE
N		COMMERCIAL BUSINESS	RANCHO DE CHIMAYO COLLECT	HWY 520	CHIMAYO	NM	87522	P.O. BOX 250	CHIMAYO	NM	87522	JOSEPH SISNEROS			ACTIVE
Y: A or B	Received email survey 15	COMMERCIAL BUSINESS	RANCHO GALLINA	31 BONANZA CREEK ROAD (31 A OR 31 B RD)	SANTA FE	NM	87508	31 BONANZA CREEK ROAD	SANTA FE	NM	87508	LESLIE MOODY &	(505) 438-1871	ranchogallina@gmail.com	ACTIVE
N	Received email survey 15	COMMERCIAL BUSINESS	RANCHO MANZANA	26 CAM DE MISION	CHIMAYO	NM	87522	HCR-64 BOX 18	CHIMAYO	NM	87522	CHUCK AND JODY APPLE		manzana@newmexico.com	ACTIVE
Y	Received email survey 15	COMMERCIAL BUSINESS	RED MESA CUISINE, LLC	1 LAGUNA LANE	SANTA FE	NM	87508	1 LAGUNA LANE	SANTA FE	NM	87508	LOIS ELLEN FRANK	(505) 466-6306	redmesacuisine@gmail.com	ACTIVE
Y		COMMERCIAL BUSINESS	REUNITY RESOURCES	1829 SAN YSIDRO CROSS	SANTA FE	NM	87507	1000 CORDOVA	SANTA FE	NM	87505	TEJINDER MICHAEL	(505) 629-0836		ACTIVE
Y	Received email survey 15	COMMERCIAL BUSINESS	ROADRUNNER CAFE, INC.	43 OGO WII	SANTA FE	NM	87506	750 CALLE ESPEJO	SANTA FE	NM	87505	ELIZABETH MONTOYA FINDLING TTEE	(505) 470-0243	emfinding@msn.com	ACTIVE
Y	Received email survey 15	COMMERCIAL BUSINESS	ROYBAL GROCERY	374 A COUNTY ROAD 84	SANTA FE	NM	87506	374 A COUNTY ROAD 84	SANTA FE	NM	87506	ELIZABETH ROYBAL AND FELICIA KELLUM	(505) 690-8412	eroybal@santafemnm.gov	ACTIVE
Y: A or B, NM 14		COMMERCIAL BUSINESS	San Marcos Café and Feed	3877 A State Rd. 14	Santa Fe	NM	87508						505-471-9298		
Y	Received email survey 15	COMMERCIAL BUSINESS	SANCHO PANZA LLC	18 E PASEO DEL CABALLO	SANTA FE	NM	87508	18 E PASEO DEL CABALLO	SANTA FE	NM	87508	CRISTINA FELDEWERT	(505) 690-0117	panzaproduce@gmail.com	ACTIVE
N: unit A1	Received email survey 15	COMMERCIAL BUSINESS	SANTA FE BREWING CO. TAP HOUSE	7 CALIENTE ROAD UNIT A1	SANTA FE	NM	87508	7 CALIENTE	SANTA FE	NM	87508	BRIAN LOCK	(505) 466-6938	brian@santafebrewing.com	ACTIVE
Y	Received email survey 15	COMMERCIAL BUSINESS	SANTA FE BREWING COMPANY	35 FIRE PLACE	SANTA FE	NM	87508	P. O. BOX 29773	SANTA FE	NM	87592	BRIAN LOCK	(505) 424-3333	brian@santafebrewing.com	ACTIVE
Y	Received email survey 15	COMMERCIAL BUSINESS	SFTC, LLC DBA SANTA FE TORTILLA COMPANY	18 BISBEE COURT	SANTA FE	NM	87508	18 BISBEE COURT	SANTA FE	NM	87508	KENNY KALFIN	(505) 473-7000	janette@santafetortilla.com	ACTIVE
N	Received email survey 15	COMMERCIAL BUSINESS	SHUGARMANS LITTLE CHOCOLATE	2842 A NM 14	CERRILLOS	NM	87010	2842 STATE	CERRILLOS	NM	87010	HARVEY	(443) 600-4285	romancing food	ACTIVE
Y	Received email survey 15	COMMERCIAL BUSINESS	SIMPLY DELICIOUS DINNER AT HOME	95 MONTE ALTO ROAD	SANTA FE	NM	87508	95 MONTE ALTO ROAD	SANTA FE	NM	87508	JULIAMME ZEPEDA	(505) 467-9249	juliannezepeda@gmail.com	ACTIVE
N: A,B or C NM 344	Received email survey 15	COMMERCIAL BUSINESS	SINGING HILLS CAMP	1441 NM 344 (PLACED ON 'C')	SANDIA PARK	NM	87047	1441 STATE HWY 344	SANDIA PARK	NM	87047	WILLIAM J L BELL	(505) 281-5474	info@oroquay.org	ACTIVE
Y		COMMERCIAL BUSINESS	Sobien's Wholesale Grocers	2823 Agua Fria (CITY)	Santa Fe	NM	87507								
Y		COMMERCIAL BUSINESS	SUNRISE GENERAL STORE	52 A OLD LAS VEGAS HWY	SANTA FE	NM	87505	1608 CERRILLOS	SANTA FE	NM	87501	SAVITABEN BHAKTA	(505) 982-6702		ACTIVE
Y	Received email survey 15	COMMERCIAL BUSINESS	TESUQUE DINING LLC	1577 BISHOPS LODGE ROAD	SANTA FE	NM	87506	1577 BISHOPS LODGE ROAD	SANTA FE	NM	87506	TESUQUE DINING LLC	(505) 301-3004	ssullivan@sfscpas.com	ACTIVE
N		COMMERCIAL BUSINESS	TESUQUE VILLAGE MARKET	138 Tesuque Village Rd	TESUQUE	NM	87506	P.O. BOX 6400	TESUQUE	NM	87574	MICHEAL STEIN	(917) 716-3884		ACTIVE
Y		COMMERCIAL BUSINESS	Thai Bistro	15 Domingo Rd	Santa Fe	NM	87508						505-709-7879		
Y		COMMERCIAL BUSINESS	TUMBLEROOT BREWING	32 BISBEE CT UNITS 3-4	SANTA FE	NM	87508	32 BISBEE CT UNITS 3-4	SANTA FE	NM	87508	JASON KIRKMAN &	(505) 603-4740		ACTIVE
Y		COMMERCIAL BUSINESS	Upper Crust of El Dorado	5 Colina Dr.	Santa Fe	NM	87508						505-471-1111		
N		COMMERCIAL BUSINESS	UTOPIA	7 CALIENTE ROAD SUITE 1	SANTA FE	NM	87508	7 CALIENTE ROAD SUITE 1	SANTA FE	NM	87508	DESTINY ALLISON	(505) 428-0024		ACTIVE
N		COMMERCIAL BUSINESS	Village Greengrocer LLC	2842 A NM 14	Cerrillos	NM	87010						505-471-3195		
N: A or B maybe unassigned, NM 14	Received email survey 15	COMMERCIAL BUSINESS	ZAKWORKS, INC. CREATIVE COMMUNICATION	3731 STATE HWY 14	SANTA FE	NM	87508	3731 STATE HWY 14	SANTA FE	NM	87508	SUSAN HAMRE	(505) 470-6422	hamresue@gmail.com	ACTIVE
Y	Received email survey 15	COMMERCIAL BUSINESS	ZIA FACTORY OUTLET	2 TAYLOR ROAD	SANTA FE	NM	87505	02 TAYLOR	SANTA FE	NM	87505	CARLOS	(505) 471-1200	carlos@gallegosre	ACTIVE

Appendix III: Santa Fe County Single-use Plastic Reduction Survey – Business

Q6 What type of business is this?

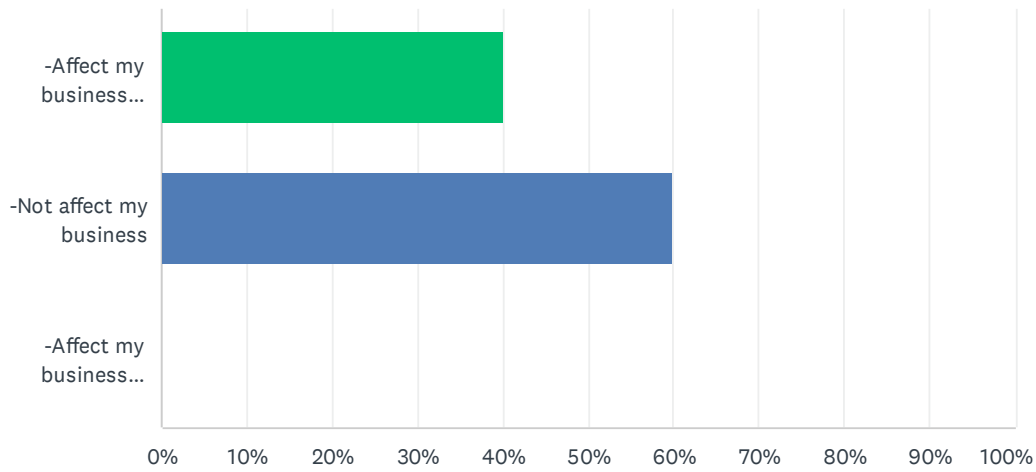
Answered: 5 Skipped: 0



ANSWER CHOICES	RESPONSES	
Grocery store	20.00%	1
Gas station	0.00%	0
Restaurant	20.00%	1
Retail store	60.00%	3
TOTAL		5

Q7 A ban on single use plastic bags would

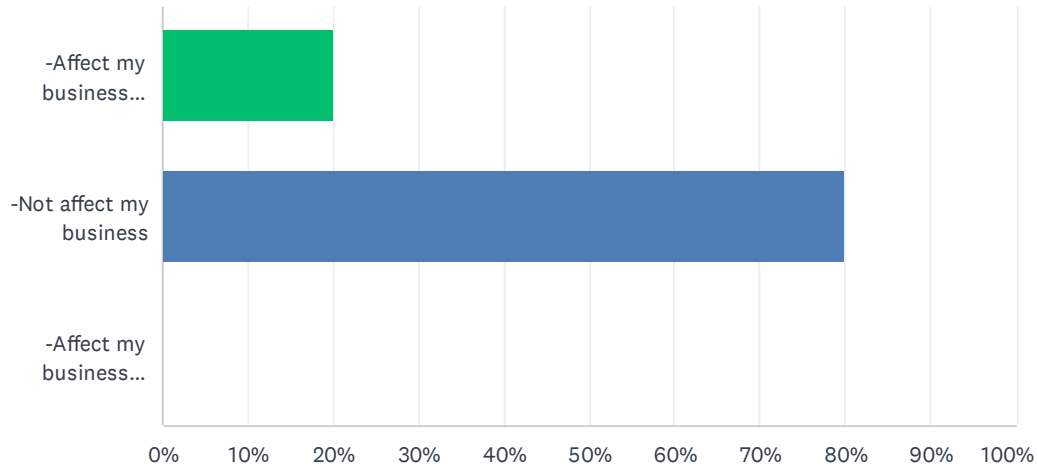
Answered: 5 Skipped: 0



ANSWER CHOICES	RESPONSES	
-Affect my business positively	40.00%	2
-Not affect my business	60.00%	3
-Affect my business negatively	0.00%	0
TOTAL		5

Q8 A ban on expanded polystyrene (Styrofoam) take-out and dine-in food containers including cups would

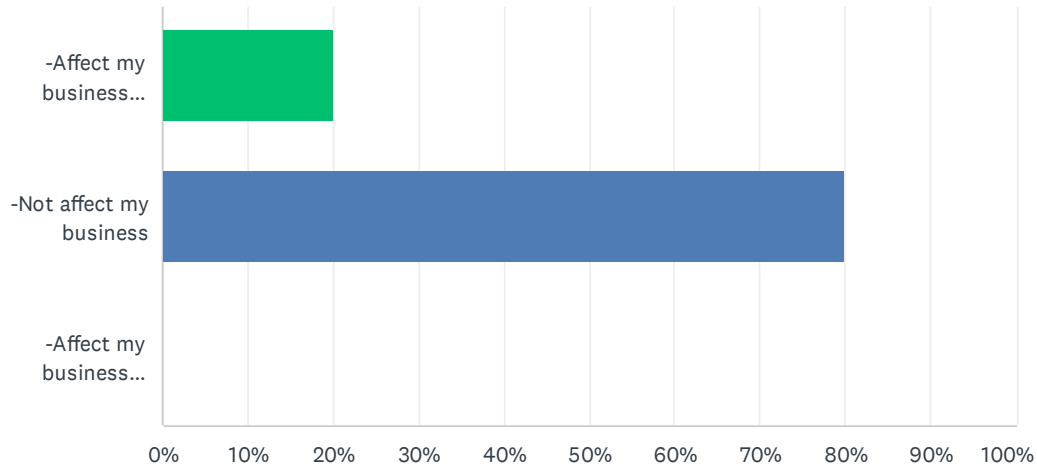
Answered: 5 Skipped: 0



ANSWER CHOICES	RESPONSES	
-Affect my business positively	20.00%	1
-Not affect my business	80.00%	4
-Affect my business negatively	0.00%	0
TOTAL		5

Q9 A requirement to only offer straws, utensils, food-service accessories upon request from customers would

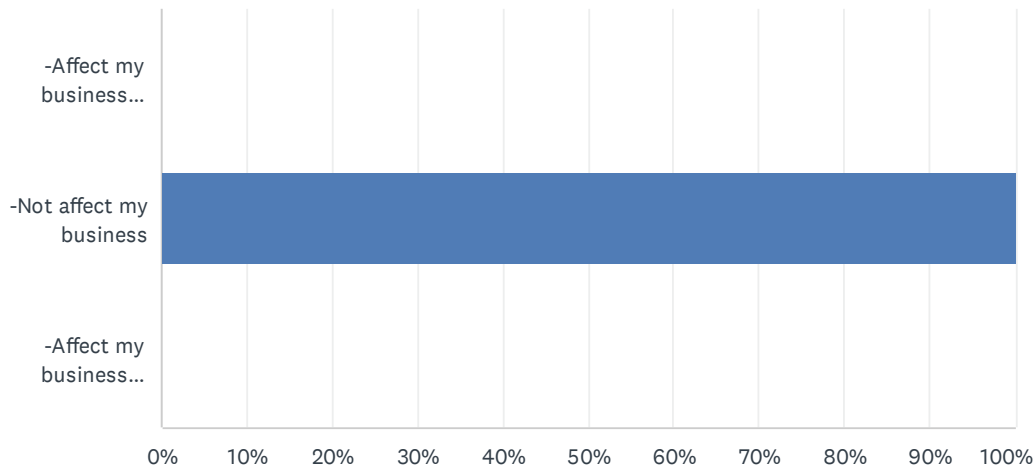
Answered: 5 Skipped: 0



ANSWER CHOICES	RESPONSES	
-Affect my business positively	20.00%	1
-Not affect my business	80.00%	4
-Affect my business negatively	0.00%	0
TOTAL		5

Q10 A ban on the intentional release of helium balloons would

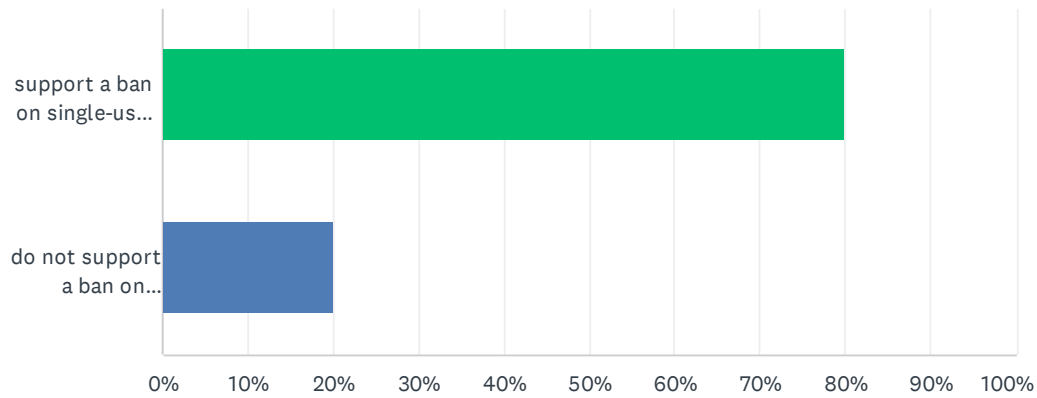
Answered: 5 Skipped: 0



ANSWER CHOICES	RESPONSES	
-Affect my business positively	0.00%	0
-Not affect my business	100.00%	5
-Affect my business negatively	0.00%	0
TOTAL		5

Q11 As a business in Santa Fe County, we....

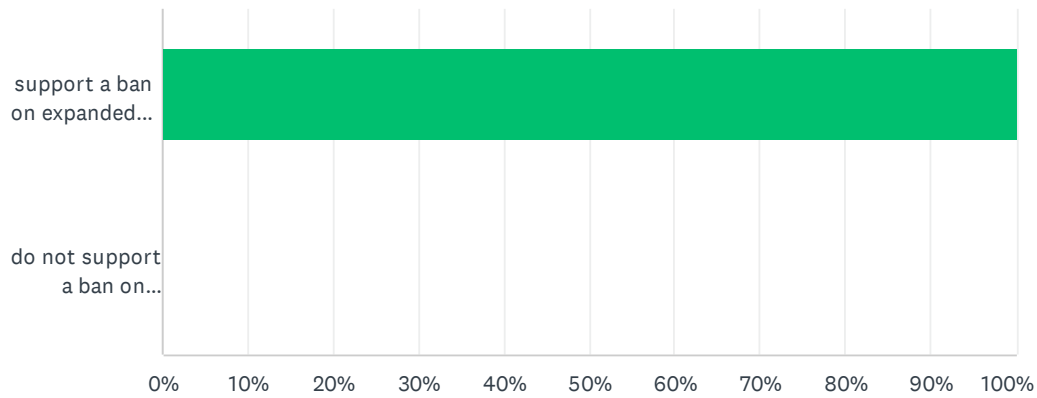
Answered: 5 Skipped: 0



ANSWER CHOICES	RESPONSES	
support a ban on single-use plastic bags at the point of sale	80.00%	4
do not support a ban on single-use plastic bags at the point of sale	20.00%	1
TOTAL		5

Q12 As a business in Santa Fe County, we....

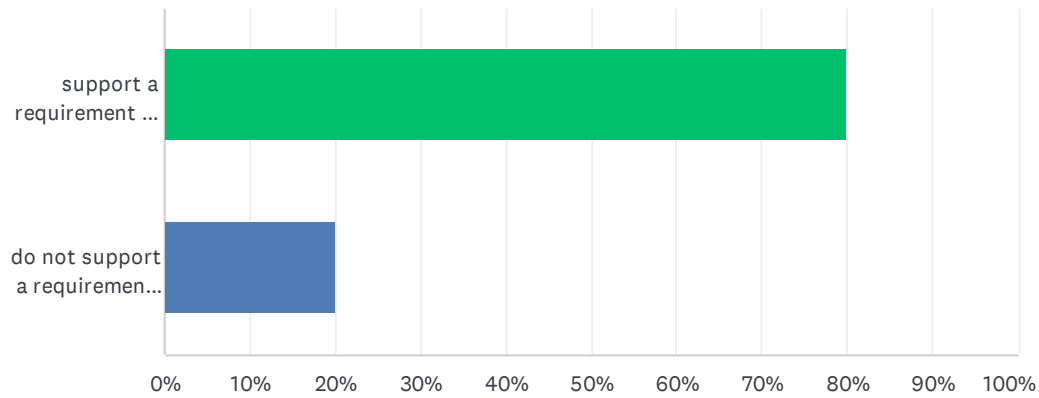
Answered: 5 Skipped: 0



ANSWER CHOICES	RESPONSES	
support a ban on expanded polystyrene (Styrofoam) take-out and dine-in food containers including cups....	100.00%	5
do not support a ban on single-use plastic bags at the point of sale	0.00%	0
TOTAL		5

Q13 As a business in Santa Fe County, we....

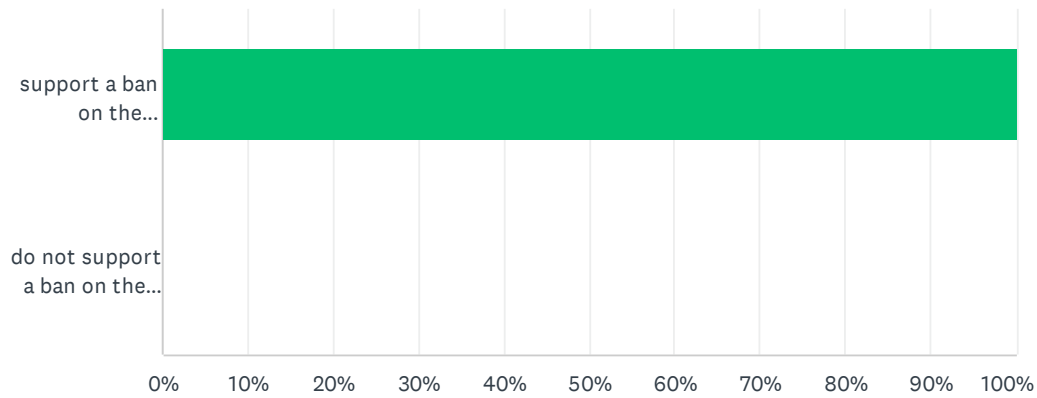
Answered: 5 Skipped: 0



ANSWER CHOICES	RESPONSES	
support a requirement to only offer straws, utensils, food-service accessories upon request from customers	80.00%	4
do not support a requirement to only offer straws, utensils, food-service accessories upon request from customers	20.00%	1
TOTAL		5

Q14 As a business in Santa Fe County, we....

Answered: 5 Skipped: 0



ANSWER CHOICES	RESPONSES	
support a ban on the intentional release of helium balloons	100.00%	5
do not support a ban on the intentional release of helium balloons	0.00%	0
TOTAL		5

#1

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, April 17, 2023 11:55:12 AM
Last Modified: Monday, April 17, 2023 12:09:15 PM
Time Spent: 00:14:03
IP Address: 67.0.4.141

Page 1

Q1

What is the name of your business?

Rancho Gallina Eco-Retreat

Q2

Your Title/Position

Owner/innkeeper

Q3

Physical address

31 Bonanza Creek Road

Q4

Mailing/Billing Address

Same

Q5

Contact Email

Ranchogallina@gmail.com

Q6

What type of business is this?

Restaurant,
Other (please specify):
B&B/Inn

Q7

A ban on single use plastic bags would

-Affect my business positively,

-If the effect is positive or negative, please explain why you chose this answer:

It would mean less plastic brought on site by guests & caterers, less garbage overall

Q8

A ban on expanded polystyrene (Styrofoam) take-out and dine-in food containers including cups would

-Affect my business positively,

-If the effect is positive or negative, please explain why you chose this answer:

Less non-recyclable garbage brought on site by guests and caterers, less trash on the road (maybe)

Q9

A requirement to only offer straws, utensils, food-service accessories upon request from customers would

-Affect my business positively,

-If the effect is positive or negative, please explain why you chose this answer:

Less garbage, more use of available reusable utensils on the property

Q10

A ban on the intentional release of helium balloons would

-Not affect my business**Q11**

As a business in Santa Fe County, we....

support a ban on single-use plastic bags at the point of sale**Q12**

As a business in Santa Fe County, we....

support a ban on expanded polystyrene (Styrofoam) take-out and dine-in food containers including cups....**Q13**

As a business in Santa Fe County, we....

support a requirement to only offer straws, utensils, food-service accessories upon request from customers**Q14**

As a business in Santa Fe County, we....

support a ban on the intentional release of helium balloons**Q15**

Comments/Notes

Enforcement would be nice - we still get tons of plastic bags brought in even though they have been banned in the city.

Also, question 6 is broken - requires a choice even if you fill in the box with another type of business. We are not a restaurant, just had to choose one to get out of the survey.

Q16

If you are against a ban on single use plastic items, what are the conditions in which you would be willing to support such a ban?

NA

#2

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, April 17, 2023 2:36:16 PM
Last Modified: Monday, April 17, 2023 2:40:40 PM
Time Spent: 00:04:24
IP Address: 172.59.1.247

Page 1

Q1

What is the name of your business?

Modernngoods LLC

Q2

Your Title/Position

Owner/Designer

Q3

Physical address

36 Calle San Acacia , Santa Fe NM 87506

Q4

Mailing/Billing Address

Same

Q5

Contact Email

yuki@modernngoods.com

Q6

What type of business is this?

Retail store,
Other (please specify):
Design consultancy

Q7

A ban on single use plastic bags would

-Affect my business positively,

-If the effect is positive or negative, please explain why you chose this answer:

I think we as individuals and as businesses need to do our part to reduce single use plastics

Q8

A ban on expanded polystyrene (Styrofoam) take-out and dine-in food containers including cups would

-Not affect my business**Q9**

A requirement to only offer straws, utensils, food-service accessories upon request from customers would

-Not affect my business**Q10**

A ban on the intentional release of helium balloons would

-Not affect my business**Q11**

As a business in Santa Fe County, we....

support a ban on single-use plastic bags at the point of sale**Q12**

As a business in Santa Fe County, we....

support a ban on expanded polystyrene (Styrofoam) take-out and dine-in food containers including cups....**Q13**

As a business in Santa Fe County, we....

support a requirement to only offer straws, utensils, food-service accessories upon request from customers**Q14**

As a business in Santa Fe County, we....

support a ban on the intentional release of helium balloons**Q15**

Comments/Notes

Thank you for considering our environment!

Q16

If you are against a ban on single use plastic items, what are the conditions in which you would be willing to support such a ban?

I support the ban and have no additional conditions

#3

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, April 17, 2023 4:46:04 PM
Last Modified: Monday, April 17, 2023 4:53:14 PM
Time Spent: 00:07:09
IP Address: 180.150.46.91

Page 1

Q1

What is the name of your business?

Sancho Panza Produce

Q2

Your Title/Position

Owner

Q3

Physical address

18 E Paseo del Caballo

Q4

Mailing/Billing Address

18 E Paseo del Caballo Santa Fe 87508

Q5

Contact Email

Panzaproduce@gmail.com

Q6

What type of business is this?

Grocery store,
Other (please specify):
Berry grower

Q7

A ban on single use plastic bags would

-Not affect my business

Q8**-Not affect my business**

A ban on expanded polystyrene (Styrofoam) take-out and dine-in food containers including cups would

Q9**-Not affect my business**

A requirement to only offer straws, utensils, food-service accessories upon request from customers would

Q10**-Not affect my business**

A ban on the intentional release of helium balloons would

Q11**support a ban on single-use plastic bags at the point of sale**

As a business in Santa Fe County, we....

Q12**support a ban on expanded polystyrene (Styrofoam) take-out and dine-in food containers including cups....**

As a business in Santa Fe County, we....

Q13**support a requirement to only offer straws, utensils, food-service accessories upon request from customers**

As a business in Santa Fe County, we....

Q14**support a ban on the intentional release of helium balloons**

As a business in Santa Fe County, we....

Q15

Comments/Notes

I use clamshell packaging to protect and prolong life of berries. I do use the paper pint cartons when able to do so.

Q16

If you are against a ban on single use plastic items, what are the conditions in which you would be willing to support such a ban?

Not against ban

#4

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, April 17, 2023 8:10:00 PM
Last Modified: Monday, April 17, 2023 8:24:48 PM
Time Spent: 00:14:47
IP Address: 172.59.0.33

Page 1

Q1

What is the name of your business?

Galeria Ortega

Q2

Your Title/Position

Owner

Q3

Physical address

55 Plaza Del Cerro, Chimayo

Q4

Mailing/Billing Address

55 Plaza Del Cerro

Q5

Contact Email

ortega@newmexico.com

Q6**Retail store**

What type of business is this?

Q7**-Not affect my business**

A ban on single use plastic bags would

Q8**-Not affect my business**

A ban on expanded polystyrene (Styrofoam) take-out and dine-in food containers including cups would

Q9**-Not affect my business**

A requirement to only offer straws, utensils, food-service accessories upon request from customers would

Q10**-Not affect my business**

A ban on the intentional release of helium balloons would

Q11**do not support a ban on single-use plastic bags at the point of sale**

As a business in Santa Fe County, we....

Q12**support a ban on expanded polystyrene (Styrofoam) take-out and dine-in food containers including cups....**

As a business in Santa Fe County, we....

Q13**support a requirement to only offer straws, utensils, food-service accessories upon request from customers**

As a business in Santa Fe County, we....

Q14**support a ban on the intentional release of helium balloons**

As a business in Santa Fe County, we....

Q15

Comments/Notes

Small color plastic bags are often used as gift bags

Q16

If you are against a ban on single use plastic items, what are the conditions in which you would be willing to support such a ban?

Ban t shirt plastic bags; but keep plastic gift bags

#5

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Monday, April 24, 2023 1:49:41 PM
Last Modified: Monday, April 24, 2023 1:56:09 PM
Time Spent: 00:06:28
IP Address: 50.227.249.114

Page 1

Q1

What is the name of your business?

Santa Fe Brewing Co.

Q2

Your Title/Position

President/Owner

Q3

Physical address

35 Fire Place, Santa Fe, NM. 87508

Q4

Mailing/Billing Address

PO BOX 29773 Santa Fe NM. 87592

Q5

Contact Email

brian@santafebrewing.com

Q6

What type of business is this?

Retail store,
Other (please specify):
Manufacturing

Q7

A ban on single use plastic bags would

-Not affect my business,

-If the effect is positive or negative, please explain why you chose this answer:

We occasionally use single use plastic bags for when merchandise is purchased and the customer wants to take the items they purchased in a bag.

Q8

A ban on expanded polystyrene (Styrofoam) take-out and dine-in food containers including cups would

-Not affect my business,

-If the effect is positive or negative, please explain why you chose this answer:

NA

Q9

A requirement to only offer straws, utensils, food-service accessories upon request from customers would

-Not affect my business,

-If the effect is positive or negative, please explain why you chose this answer:

NA

Q10

A ban on the intentional release of helium balloons would

-Not affect my business,

-If the effect is positive or negative, please explain why you chose this answer:

NA

Q11

As a business in Santa Fe County, we....

support a ban on single-use plastic bags at the point of sale**Q12**

As a business in Santa Fe County, we....

support a ban on expanded polystyrene (Styrofoam) take-out and dine-in food containers including cups....**Q13**

As a business in Santa Fe County, we....

do not support a requirement to only offer straws, utensils, food-service accessories upon request from customers**Q14**

As a business in Santa Fe County, we....

support a ban on the intentional release of helium balloons**Q15**

Comments/Notes

Many of these do not apply to us.

Q16

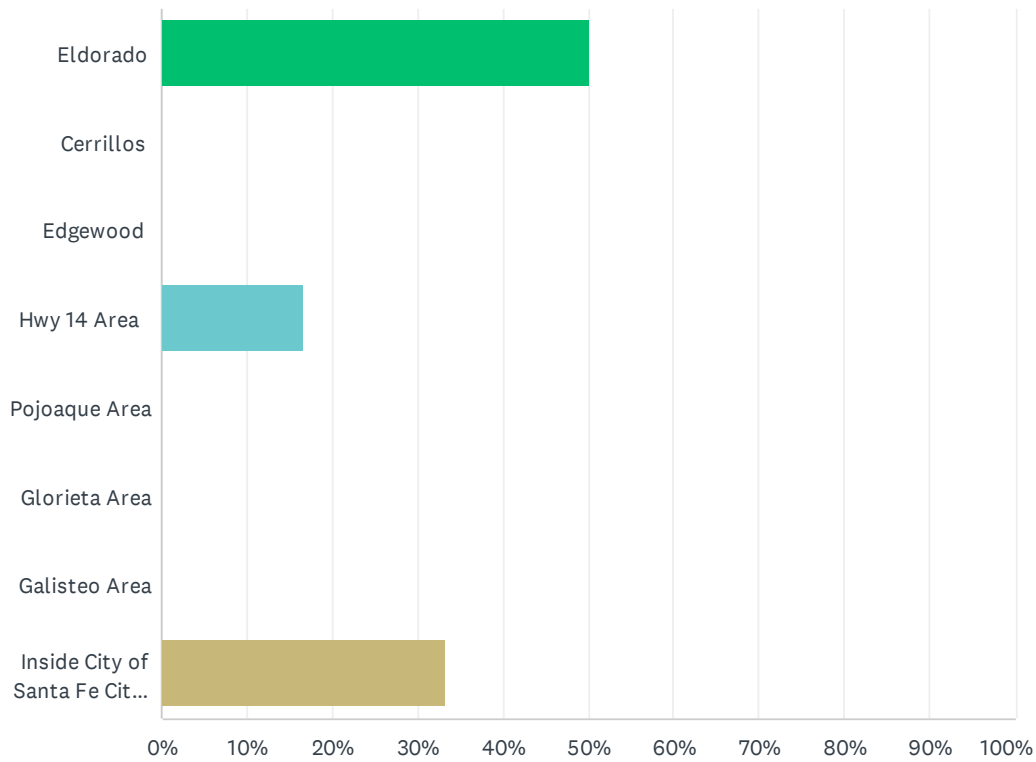
If you are against a ban on single use plastic items, what are the conditions in which you would be willing to support such a ban?

If there is a ban I would like an alternative option for each.

Appendix IV: Santa Fe County Single-use Plastic Reduction Survey – Residential

Q1 In what area of the county do you live?

Answered: 6 Skipped: 0



ANSWER CHOICES	RESPONSES	
Eldorado	50.00%	3
Cerrillos	0.00%	0
Edgewood	0.00%	0
Hwy 14 Area	16.67%	1
Pojoaque Area	0.00%	0
Glorieta Area	0.00%	0
Galisteo Area	0.00%	0
Inside City of Santa Fe City Limits	33.33%	2
TOTAL		6

Q2 Name (optional)

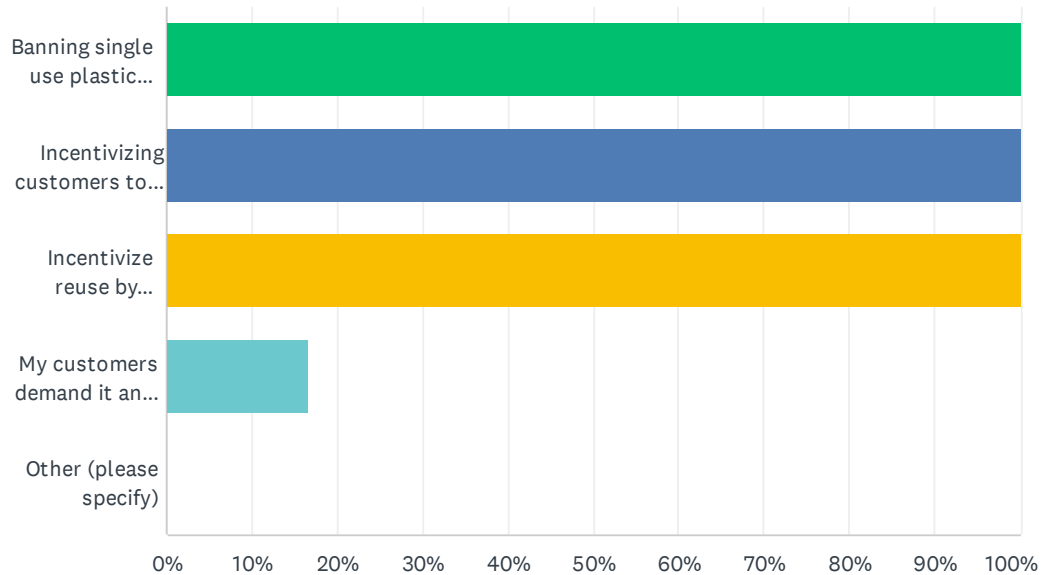
Answered: 3 Skipped: 3

Q3 Email address (optional)

Answered: 1 Skipped: 5

Q4 How would you support reducing plastic waste through your business operations in Santa Fe County? Select all that apply.

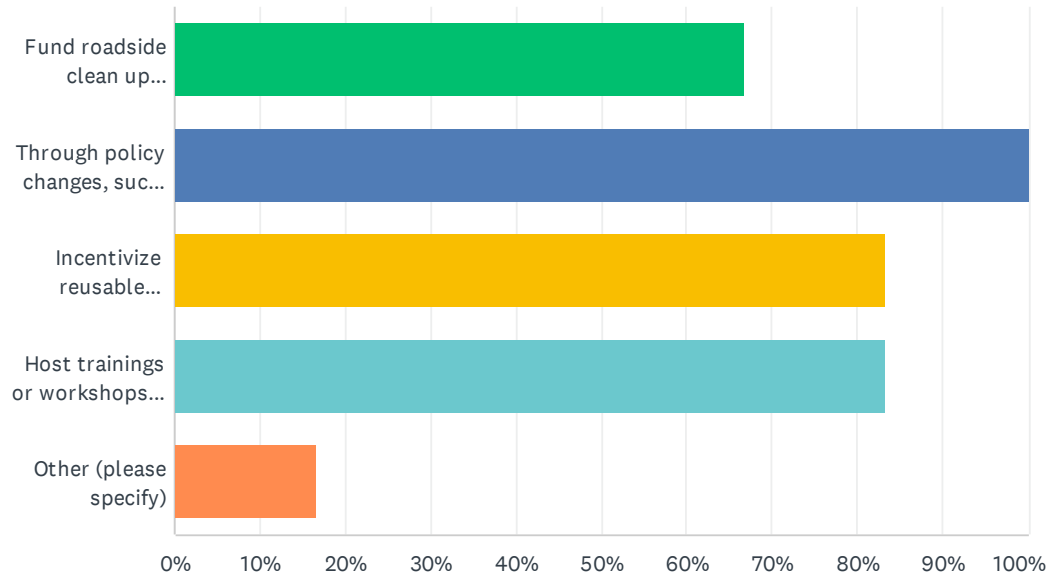
Answered: 6 Skipped: 0



ANSWER CHOICES	RESPONSES	
Banning single use plastic items county wide to make it an even playing field for all businesses within the County	100.00%	6
Incentivizing customers to bring in their own bags or take out food containers	100.00%	6
Incentivize reuse by selling reusable items to customers as a discount program	100.00%	6
My customers demand it and I'd like to keep them happy	16.67%	1
Other (please specify)	0.00%	0
Total Respondents: 6		

Q5 How can Santa Fe County work to reduce single use plastic litter and waste? Check all that apply.

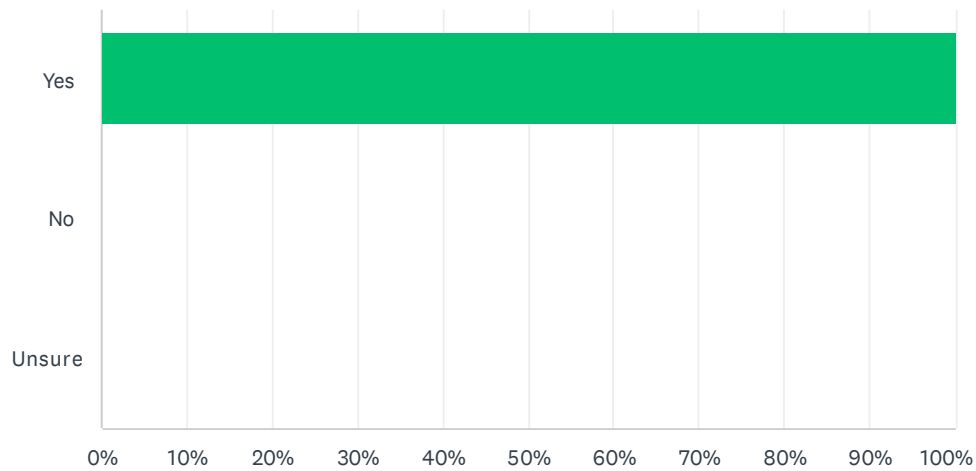
Answered: 6 Skipped: 0



ANSWER CHOICES	RESPONSES	
Fund roadside clean up projects	66.67%	4
Through policy changes, such as City of Santa Fe's ban on single-use plastic bags	100.00%	6
Incentivize reusable products through economic development division.	83.33%	5
Host trainings or workshops on how to reduce waste in the first place.	83.33%	5
Other (please specify)	16.67%	1
Total Respondents: 6		

Q6 I support a ban on single use plastic bags within Santa Fe County at the point of retail sales with some common sense exemptions (such as bags used to hold vegetables inside a store)

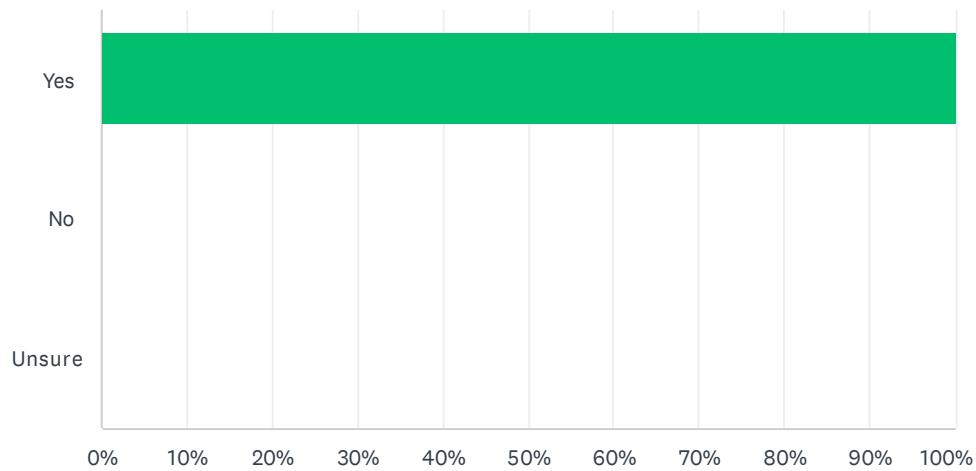
Answered: 6 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	6
No	0.00%	0
Unsure	0.00%	0
TOTAL		6

Q7 I support a charge of \$.10 in Santa Fe County at the point of sale for a paper bag in order to incentivize people to bring their own bags (similar to what the City of Santa Fe does).

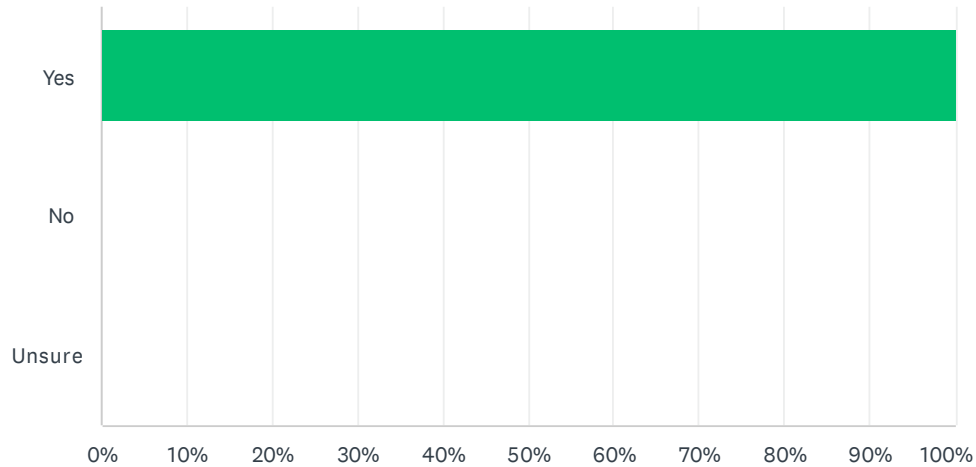
Answered: 6 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	6
No	0.00%	0
Unsure	0.00%	0
TOTAL		6

Q8 I support a ban on expanded polystyrene (Styrofoam) take-out and dine-in food containers including cups within Santa Fe County.

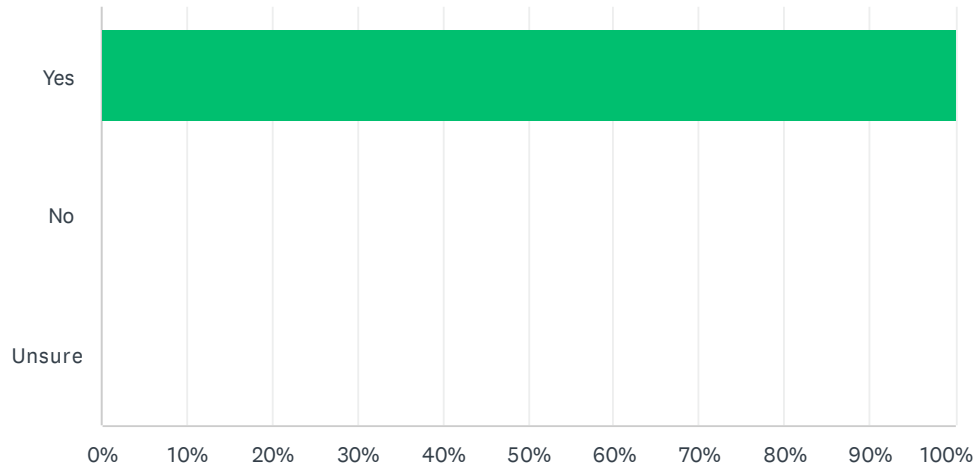
Answered: 6 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	6
No	0.00%	0
Unsure	0.00%	0
TOTAL		6

Q9 I support a requirement within Santa Fe County to only offer straws, utensils, food-service accessories upon request from customers.

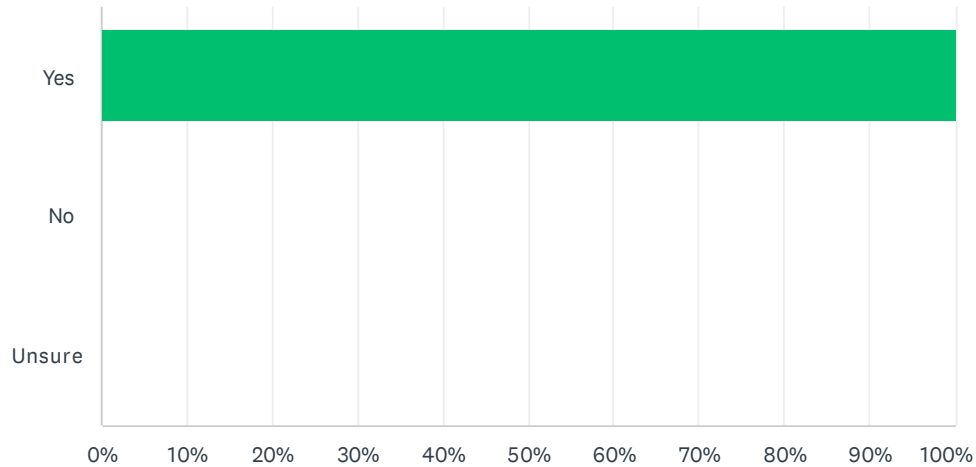
Answered: 6 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	6
No	0.00%	0
Unsure	0.00%	0
TOTAL		6

Q10 I support a ban on the intentional release of helium balloons within Santa Fe County.

Answered: 6 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	100.00%	6
No	0.00%	0
Unsure	0.00%	0
TOTAL		6

Q11 If you are against a ban on single use plastic items, what are the conditions in which you would be willing to support such a ban?

Answered: 6 Skipped: 0

Q12 Comments/Notes

Answered: 6 Skipped: 0

Appendix V: Other Ordinances Reviewed

Ordinances from NM and other jurisdictions the SUWG studied in preparing the draft

<u>Jurisdiction</u>		<u>Comments</u>
Santa Fe NM County (draft)-		
SU plastic bag ban	Yes	
Fee for paper bags	\$0.10	No charge to low income persons
% to jurisdiction	90	
Bag exceptions	Yes	Pre-checkout bags, pet waste, trash, dry-cleaning, and more
SU styrofoam ban	Yes	Applies to all food & drink containers
SU straws etc. by request only	Yes	Stirrers & splash guards banned outright
		On-site utensil & condiment stations excepted
Balloon release ban	Yes	Only if intentional & outdoors, meteorologic balloons excepted
Penalties	Yes	Warning, \$100 2nd offense, \$250 3rd offense
Santa Fe NM City-		
SU plastic bag ban	Yes	
Fee for paper bags	\$0.10	No charge to low income persons
% to jurisdiction	90	
Bag exceptions	Yes	Pre-checkout bags, pet waste, trash, dry-cleaning, and more
SU styrofoam ban	No	
Balloon release ban	No	
Penalties	No	Not listed. Likely same as any ordinance violation
Taos NM Town-		
SU plastic bag ban	Yes	
Fee for paper bags	None	
% to jurisdiction	N/A	
Bag exceptions	Yes	Pre-checkout bags, pet waste, trash, dry-cleaning, and more
SU styrofoam ban	Yes	Applies to all food & drink containers
SU straws etc. by request only	No	Straws & stirrers banned outright
Balloon release ban	No	
Penalties	Yes	First warning, then misdemeanor
Bernalillo NM County-		
SU plastic bag ban	Yes	
Fee for paper bags	\$0.05	Not mandated, but maximum retailers may charge
% to jurisdiction	0	
Bag exceptions	No	
SU styrofoam ban	Yes	
SU straws etc. by request only	No	
Balloon release ban	No	
Penalties	Yes	Warning, \$100, \$250

Silver City NM Town-

SU plastic bag ban	Yes	Applies to bags less than 2.25 mils thick.
Fee for paper bags	None	Not mandated, paper bags must have 40% recycled paper content, retailer may charge for reusable bags
% to jurisdiction	N/A	
Bag exceptions	Yes	Pre-checkout bags, pet waste, trash, dry-cleaning, and more
SU Styrofoam ban	No	
SU straws etc. by request only	No	
Balloon release ban	No	
Penalties	Yes	\$100 to \$500, each day of violation a separate offense

Las Cruces NM City-

SU plastic bag ban	Yes	Non-profits & hunger relief agencies exempt
Fee for paper bags	\$0.10	No charge to low income persons
% to jurisdiction	50	
Bag exceptions	Yes	Pre-checkout bags, pet waste, trash, dry-cleaning, and more
SU Styrofoam ban	No	
SU straws etc. by request only	No	
Balloon release ban	No	
Penalties	Yes	Warning, then \$100 for each day violation continues

State of Vermont-

SU plastic bag ban	Yes	
Fee for paper bags	\$0.10	
% to jurisdiction	0	
Bag exceptions	Yes	Pre-checkout bags, pet waste, trash, dry-cleaning, and more
SU Styrofoam ban	Yes	Applies to all food & drink containers
SU straws etc. by request only	Yes	Stirrers banned outright
Balloon release ban	No	
Penalties	Yes	Warning, \$25, \$100, each day of violation a separate offense

State of New Mexico 2013 Bill (defeated)-

SU plastic bag ban	Yes	
Fee for paper bags	None	
% to jurisdiction	N/A	
Bag exceptions	Yes	Pre-checkout bags, pet waste, trash, dry-cleaning, and more
SU Styrofoam ban	No	
SU straws etc. by request only	No	
Balloon release ban	No	
Penalties	Yes	Counties, Municipalities can levy fines, if not ED will at \$25 for each day violation continues

Albuquerque NM City (repealed)-

SU plastic bag ban	Yes	
Fee for paper bags	None	At choice of retailer, not mandated; if charged, retailers encouraged not to charge low income persons
% to jurisdiction	N/A	
Bag Exceptions	Yes	Food service, dry-cleaners; recyclable or compostable
SU Styrofoam ban	No	
SU straws etc. by request only	No	
Balloon release ban	No	
Penalties	Yes	Warning, \$100, \$250

Appendix VI: Proposed Ordinance

**THE BOARD OF COUNTY COMMISSIONERS
OF SANTA FE COUNTY
ORDINANCE NO. 2023- ____**

**AN ORDINANCE PROHIBITING THE USE OF SINGLE-USE PLASTIC AND
POLYSTYRENE PRODUCTS IN SANTA FE COUNTY; IMPOSING AN
ENVIRONMENTAL SERVICE FEE ON SALES OF PAPER BAGS; ENCOURAGING
USE OF REUSABLE BAGS; PROHIBITING THE INTENTIONAL RELEASE OF
HELIUM BALLOONS, PROVIDING EXEMPTIONS; ESTABLISHING
ENFORCEMENT AND PENALTIES FOR VIOLATION**

**BE IT ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF
SANTA FE COUNTY:**

Sec. (X-X) SHORT TITLE; PURPOSE..

A. This Ordinance shall be cited as the " Single- Use Plastic Product Ordinance."

Sec. (X-X). DECLARATION OF POLICY AND FINDINGS (Reference Memorandum and Resolution 2022-031)

This country, and our entire globe, is being severely impacted by plastic pollution. The World Economic Forum estimates that, global plastic production will triple by 2050, and that the world's oceans will contain more plastic waste than fish (by weight). Thousands of single-use plastic bags, expanded polystyrene containers and other single-use plastic and polystyrene products contribute to public litter, and deteriorate the health of our ecosystem. A plastic bag has on average, a 12-minute lifespan from when it's initially used by a customer at a retail establishment, to the time of being discarded. It is estimated that those same plastic bags may persist in the environment for hundreds of years while they photodegrade, breaking down into micro-plastics that never go away and that have been shown to harm wildlife and human reproductive health.

Sec. (X-X). Purpose "The production and disposal of single-use plastic bags, single-use polystyrene containers, single-use food ware products and intentionally released balloons create significant environmental impacts including the contamination of the environment, ingestion and entanglement by wildlife, and widespread litter. Single-use polystyrene containers create non-recyclable and non-degradable refuse streams while more environmentally sensitive alternatives are available. The purpose of this ordinance is to protect and enhance the county's unique and precious environment, wildlife, and beauty through the reduction of single-use non-compostable

or non-recyclable bags and containers, and to encourage the use of reusable or sustainable options.

APPLICABILITY –Applicable to all retail establishments as outlined within this ordinance within areas of Santa Fe County under Santa Fe County’s jurisdiction.

Sec. (X-X). --Definitions

Balloon – an inflatable object made from the following materials, including but not limited to: plastic, latex, Mylar, metallized nylon, and metallized plastic.

Condiment packets – metal or plastic containers which hold catsup, mayonnaise, and other sauces or spices.

Disposable Food or Beverage Packaging – a. A bowl, carton, clamshell container, cup, plate, lid, straw, tray, utensil or other item designed for one-time use to package, contain, or aid in the consumption of foods or beverages for transportation, sale, or distribution; or b. All packaging used to contain foods and beverages prepared by food or beverage vendors, including take-out food and beverages, and leftovers from partially consumed meals.

Expanded polystyrene plate, cup, or food container – a product made of expanded polystyrene foam that is manufactured, sold or provided by a retail business, including a grocery store, restaurant, food truck or fast food operation, to a customer for the sole purpose of being utilized once and then disposed of by the end user. This includes products intended for use on-site at a retail establishment, food boxes manufactured for single items, such as hamburgers, and larger take-out containers and take-home food cartons.

Plastic - a synthetic material made from linking monomers through a chemical reaction to create a polymer chain that can be molded or extruded at high heat into various solid forms, including material derived from either petroleum or a biologically based polymer, such as corn or other plant sources.

Plastic splash guard – a device that fits into the sip-hole of a beverage container lid, intended to prevent a beverage from splashing, that is made of plastic and designed as a single-use product.

Plastic utensils - service ware such as a knife, fork, spoon made of plastic.

Pre-check out bags - single use plastic bags provided to customers for: (a) loose items, such as fruits, vegetables, nuts, ground coffee, grains, candies or small hardware items; (b) uncooked meat, poultry or seafood

Recyclable cardboard box – a box made of non-waxed cardboard or paper

Recycled content paper bag – a paper bag that contains at minimum forty percent post-consumer recycled content and is one hundred percent recyclable

Reusable carryout bag – a bag that is designed and manufactured for multiple uses, is made of cloth or other machine-washable fabric and has stitched handles; or a polypropylene or recycled-content polyethylene terephthalate bag that has stitched handles

Retail establishment – any retail business including, but not limited to, a convenience store, restaurant, grocery store, pharmacy, food truck, home improvement stores, liquor stores, gas stations, seasonal or temporary business, farmers market or farm stand, food delivery service providers, and seller of merchandise and dry goods to consumer. For purposes of this ordinance, food banks and dry cleaners are not defined as retail establishments.

Single-use plastic bag – a carryout bag made from plastic that is provided to a customer at the point of sale for the purpose of transporting groceries, food or other goods and is not specifically designed and manufactured for multiple uses.

Single-use plastic stirrer – a device that is used to mix beverages and designed as a single-use product made of plastic.

Single-use plastic straw – a single-use, disposable tube made of plastic derived from either petroleum or a biologically based polymer, such as corn or other plant sources, used to transfer a beverage from a container to the mouth of the person drinking the beverage.

Sec. (X-X). – Prohibitions of each item & Exemptions

1. Single-use plastic bag

Retail establishments, food providers and entities that deliver goods are prohibited from making available or delivering goods in a single-use plastic bag or any other bag or box that is not a reusable carryout bag, recycled content paper bag or recyclable cardboard box. Retail establishments shall charge an environmental service fee no less than \$.10 fee for the recycled-content paper bags. Except that retail establishments shall not collect the environmental services fee from any persons with a voucher or electronic benefits card issued under Women, Infants and Children Program (WIC), the Emergency Food Assistance Program (TEFAP), Temporary Assistant to Needy Families Program (TANF) or the federal Supplemental Nutrition Assistance Program (SNAP) also known as basic food stamps.

- a. Retail establishments shall provide, on the customer transaction receipt the number of recycled content paper bags provided and the total amount of the environmental service fee charged.
- b. Ten percent (10%) of the environmental service fee collected by a retail establishment shall be retained for administrative costs incurred by the collection and reporting of the environmental service fee to the county. The remainder of the environmental service fee collected shall be transmitted to the county of Santa Fe. The county shall dedicate the environmental service fees towards environmental and sustainability educational programs and services provided to the public, and towards the purchase of reusable bags to be provided to the public, free of charge.

The prohibition of Subsection ____ of this section does not apply to:

- (1) pre-check out bags provided to customers for: (a) loose items, such as fruits, vegetables, nuts, ground coffee, grains, candies or small hardware items; (b) uncooked meat, poultry or seafood;
- (c) prepared takeout food with a high liquid content that is intended for consumption away from a restaurant's or food provider's premises;
- (2) laundry, dry cleaning or garment bags, including bags provided by hotels to guests to contain wet or dirty clothing;
- (3) bags sold in packages containing multiple bags intended for use to collect garbage, pet waste or yard waste;
- (4) bags used to contain or transport live animals, such as fish or insects sold in pet stores;
- (5) bags used to transport chemical pesticides, drain-cleaning chemicals or other toxic chemicals sold at the retail level;
- (5) bags used to protect paper newspapers from inclement weather when delivered to customers at their homes;
- (6) any bag similar to those exempted by this subsection, as determined by the Santa Fe County Commission

2. Expanded polystyrene plate, cup or food container

A retail establishment shall not provide or sell to any customer, singularly or in bulk, any expanded polystyrene cup, plate, or food container. No retail establishment or food or beverage vendor shall serve or sell prepared food or beverage in polystyrene packaging and shall not package eggs, bakery products, fruits or vegetables, or other prepared food in polystyrene packaging;

The prohibition of Subsection ____ of this section does not apply to:

- a. Food or beverages that have been pre-packaged in expanded polystyrene and provided to a retail establishment by a vendor located outside of Santa Fe County.

3. Single-use plastic stirrer and plastic splash guards

A retail establishment shall not provide a single-use plastic stirrer or a plastic splash guard to a customer.

4. Single-use plastic straw, plastic utensil, and condiment packet

A retail establishment shall not provide a single-use plastic straw, plastic utensil or condiment packet to a customer for in-house or take-out or delivery orders, unless that customer verbally or electronically requests a single-use plastic straw, plastic utensils, or condiment packets.

The prohibition of Subsection ____ of this section does not apply to:

- a. Retail establishments providing food for consumption both on-site or off-site with self-service stations in-house
- b. Retail establishments are exempt from this requirement when providing drinks to persons with disabilities that need straws.
- c. Retail establishments are exempt from this requirement as needed to comply with all Americans with Disabilities Act requirements.

5. Intentional outdoor balloon releases

No person, nonprofit organization, firm or corporation, and its political subdivisions, shall knowingly release or intentionally cause to be released outdoors a plastic balloon filled with helium or a gas lighter than air.

The prohibition of Subsection ____ of this section does not apply to:

- i. Balloons which are used to carry scientific instruments during the performance of an experiment or for meteorological purposes; or
- ii. Occupied hot air balloons

Sec. (X-X). Enforcement & Effective Date

If Code Enforcement confirms that a violation has occurred the Code Enforcement Officer may issue a Notice of Violation to the offending party that indicates the nature of the violation and that the violation must cease immediately. If the offending party agrees to remedy the violation, then the offending party will have fifteen (15) working days to come into compliance. If the offending party refuses to remedy the violation, the Code Enforcement Officer may issue a final Notice of Violation and file a criminal complaint in Court seeking penalties as outlined below.

- (a) Any owner of a retail establishment found in violation of any provision of this ordinance is subject to the following penalties:
 - (1) A formal warning for the first offense;
 - (2) A civil fine of \$100.00 for the second offense;
 - (3) A civil fine of \$250.00 for third offense and subsequent offenses.
- (b) Each calendar day during which the civil violation occurs shall constitute a separate and distinct offense.
- (c) Any county employee authorized to enforce codes and ordinances shall be empowered to enforce this ordinance, unless otherwise directed by the board of county commissioners.
- (d) Any person who is found in violation of this ordinance may request a hearing be scheduled by a county hearing officer. The request shall be made in writing to the county business license clerk within 15 business days of the formal violation. The hearing shall be held within 20 working days (excluding weekends and holidays) of receipt of the request unless the hearing is continued with the agreement of the parties. The county hearing officer shall determine whether a violation of this ordinance occurred. A hearing officer shall mail a written notice of decision to the owner within five working days of

the hearing. If the hearing officer determines a violation of this ordinance did occur, the hearing officer shall impose the fine as prescribed. If the hearing officer determines a violation did not occur, the imposition of a fine will be removed and no fine will be imposed.

- (e) Failure to pay a fine imposed by this ordinance may prevent the issuance of a business license or business license renewal from Santa Fe County
- (f) The Board of County Commissioners may promulgate rules and regulations for the enforcement subsection of this ordinance as needed adhere to requirements outlined in this ordinance.
- (g) This ordinance is effective January 1, 2025

Sec. (X-X). Related Education and Outreach

- a. No less than 90 days prior to the effective date of the ordinance from which this ordinance is derived, the Board of County Commissioners and Sustainability Division shall initiate a public education campaign in both English and Spanish about the new regulations, and supporting facts for this ordinance, encouraging the use of reusable or sustainable options and the recycling of single-use items. The education campaign will include outreach efforts to retail establishments within the County.
- b. The Sustainability Division with Support from the Single-Use Plastics and Polystyrene Working Group shall make a presentation to the Board of County Commissioners that summarizes the ordinance's effectiveness and with recommendations on how to curb any issues with the ordinance identified by the public and the retail establishments, no later than one year after the adoption of this ordinance.
- c. After January 1, 2025, the Santa Fe County Sustainability Division with support from the County Managers office, and Code Enforcement shall design and post on the Santa Fe County website, educational materials to be downloaded for display in retail sales establishments. Educational materials shall include the following elements, including but not limited to –
 - i. An announcement of the effective date of this ordinance;
 - ii. A reminder to bring reusable bags; and
 - iii. A reminder of the mandatory recycled paper bag fee of 10 cents or more.
 - iv. Summary of the prohibited items, exemptions and requirements of the ordinance
- d. After January 1, 2025, Santa Fe County Sustainability Division and Code Enforcement shall issue a news release including:
 - i. An announcement of the effective date of this ordinance;
 - ii. A reminder to bring reusable bags; and
 - iii. A reminder of the mandatory recycled paper bag fee of 10 cents or more.

iv. Summary of the prohibited items, exemptions and requirements of the ordinance

- e. Growth Management Code Enforcement, supported by Sustainability Division shall provide a written notice to each affected retail establishment at least 90 days prior to the effective date of this ordinance.
- f. The Board of County Commissioners may promulgate rules, regulations and outreach strategies for the Public Information campaign for the success of the respective ordinance.
- g. A retail establishment affected by regulations pursuant to this ordinance shall clearly and visibly display at the store entrance and at each check-out counter or register signage developed by the Sustainability Division, as described in this ordinance.
- h. To further promote the use of reusable bags and reduce the quantity of single use carry out bags entering the County's waste system, retail establishments are encouraged to make reusable bags for sale at checkout counters and provide boxes for use at checkout counters free of charge.

Sec. (X-X). Severability clause.

If any section, paragraph, sentence, clause, word or phrase of this ordinance is for any reason held to be invalid or unenforceable by any court or competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this ordinance. The commission hereby declares that it would have passed this ordinance and each section, paragraph, sentence, clause, word or phrase thereof irrespective of any provision being declared unconstitutional or otherwise invalid.