

Plastic Bag Fee Working Group

Update

7/17/2025



Motion from County Council on 1/14/2025

The objectives for this effort are to:

Evaluate single use plastic bags to include factors such as ability to recycle and other alternatives and cost to County to recycle and engagement to include local businesses and other interested parties.

Previous Efforts in Los Alamos as noted by Council

- The effort to address plastic bag use in Los Alamos began in 2015 with a citizen petition to ban single-use plastic bags and impose a \$0.10 fee on paper bags. After public meetings and surveys, where 80% opposed a ban and 72% opposed reducing distribution, the Environmental Sustainability Board (ESB) recommended education over regulation.
- In 2019, another petition sought to ban plastic bags, straws, and Styrofoam, prompting the County Council to form a subcommittee.
- By FY2021 budget process, Council actions focused on education campaigns, funding washable utensils for schools, and a feasibility study on food composting, but no plastic bag ban was implemented.

Plastic Bags and Pollution

- Plastic debris constitutes the majority of marine litter worldwide.
- It takes 1,000 years for a plastic bag to degrade in the landfill. Rather than breaking down, they photo-degrade, becoming microplastics that absorb toxins and continue to pollute the environment.
- Recent studies have shown that plastic bag policies lead to a 25 to 47% decrease in plastic bags as a share of tidal items collected by litter cleanups relative to areas without policies.
- 30% - 37% reduction in entangled animals

Plastic Bags and Recycling

- New Mexicans use at least 330 million single-use plastic bags a year.
- Single-use plastic shopping bags have notoriously low recycling rates (1% - 3%) and are easily caught and transported by winds to waterways.
- Plastic bags are used to an average of 12 minutes, but a single-use plastic bag has a life expectancy of up to 1,000 years.
- Recycle plastic bags
 - Typically have to take to a drop-off location and not appropriate for curbside recycling (note: you can find locations [here](#))

Environmental Impacts of Plastic Bags

- Plastic bags - environmental impacts
 - 1.6kg of CO₂ per single use plastic bag (equivalent to driving a car 4 miles)
 - Strong plastic bag 22 kg CO₂ (14 reuses needed to offset production)
 - Paper bag 5 kg CO₂ (including the impact of cutting down the tree)
 - Organic cotton bag 270 kg CO₂ (needs to be used 170 times to offset carbon footprint)
 - Cotton non-organic 80kg (50 reuses needed)
 - Plastic bags take ~1000 years to decompose
 - Paper bag takes months to decompose
 - Cotton bags take several months to decompose
 - Several single use plastic bags are needed for what fits in one strong plastic bag

New Mexico Plastic Bag Ordinances Compared (1/3)

Jurisdiction	Date	Mandatory Bag Fee	Exemptions (Bag Type)	Exemptions (Bag Fee)
Las Cruces	8/16/2021	\$0.10 Environmental Services Fee	<p>(e) The following bags are excluded from this ordinance:</p> <ol style="list-style-type: none"> 1. Laundry dry cleaning bags, door-hanger bags, newspaper bags, or packages of multiple bags intended for use as garbage, pet waste, or yard waste; 2. Bags provided by pharmacists or veterinarians to contain prescription drugs or other medical necessities; 3. Bags used by restaurants to take away prepared food; and 4. Bags used by a consumer inside a retail establishment to: <ol style="list-style-type: none"> a. Contain bulk items, such as produce, nuts, grains, candy, or small hardware b. Contain or wrap frozen foods, meat, or fish c. Contain or wrap flowers, potted plants or other items to prevent moisture damage to other purchases, or d. Contain unwrapped prepared foods or bakery goods; and 5. Bags used by a non-profit corporation or other hunger relief charity to distribute food, grocery products, clothing, or other household items. ("Common Exemptions") 	Retail establishments shall not collect the environmental service fee from any person with a voucher or electronic benefits card issued under Women, Infants and Children Program (WIC), the Emergency Food Assistance Program (TEFAP), Temporary Assistance to Needy Families Program (TANF), or the federal Supplemental Nutrition Assistance Program (SNAP), also known as Basic Food Stamps) ("Voucher and Electronic Benefits Exemptions")
Santa Fe City	4/29/2015	\$0.10 Environmental Service Fee. 10% of fee to be retained by the retail establishment for administrative costs.	<p>The fee does not apply to:</p> <ol style="list-style-type: none"> 1. Paper bags smaller than a manufacturer's stated capacity of one-eighth barrel (882 cubic inches); 2. Common Exemptions 	Voucher and Electronic Benefits Exemptions

New Mexico Plastic Bag Ordinances Compared (2/3)

Jurisdiction	Date	Mandatory Bag Fee	Exemptions (Bag Type)	Exemptions (Bag Fee)
Bernalillo County	6/25/2019	Retail establishments may charge a fee of up to \$0.05 per approved bag or container issued to customers.	<p>Single-use carryout bags do not include bags without handles provided to the customer:</p> <p>(1) To transport produce, bulk food, candy, or meat from a product, bulk food, or meat department within a store to the point of sale;</p> <p>(2)To hold prescription medication dispensed from a pharmacy;</p> <p>(3) To segregate food or merchandise that could damage or contaminate other food or merchandise when placed together in a bag; and</p> <p>(4) To transport clothing items from a dry cleaning establishment.</p>	None
Taos	3/10/2020	\$0.10 Environmental Service Fee. 10% of fee to be retained by the retail establishment for administrative costs.	<p>A. Laundry dry cleaning bags, door-hanger bags, newspaper bags, or packages of multiple bags intended for use as garbage, pet waste, yard waste, or home food storage;</p> <p>B. Bags used by a consumer inside a retail establishment to:</p> <ol style="list-style-type: none"> 1. Contain bulk items, such as produce, nuts, grains, candy, items; 2. Required by health regulations to contain or wrap frozen foods, meat, or fish, whether or not prepackaged; 3. Contain or wrap flowers, potted plants or other items to prevent moisture damage to other purchases; or 4. Contain unwrapped prepared foods 	Voucher and Electronic Benefits Exemptions

New Mexico Plastic Bag Ordinances Compared (2/3)

Jurisdiction	Date	Mandatory Bag Fee	Exemptions (Bag Type)	Exemptions (Bag Fee)
Silver City	7/8/2014	No fee	<ul style="list-style-type: none"> i. Paper bags provided by pharmacies for the purpose of containing medications or other prescriptions; ii. Paper bags provided for the containment of carryout beverages or liquor sales; iii. Garment or laundry bags from any material; iv. Plastic bags provided to effect convenience and food safety by preventing contamination from any bulk, cooked, chilled, frozen or raw food. v. Paper bags customarily provided by a retail establishment as its primary bag as of the effective date of this section. 	None
Carlsbad	8/24/2024	Any fees imposed for alternatives to single-use plastic carryout bags may be set by the retail establishment, restaurant, or mobile food establishment; however, should a retail establishment, restaurant or mobile food establishment choose to implement a fee for recycled paper bag usage, <u>that fee may not exceed ten (.10) cents each.</u>	<p>The term single-use plastic carryout bag does not include:</p> <ul style="list-style-type: none"> (i) Produce bags or product bags; or (ii) Bags used exclusively to carry prescription drugs when dispensed from a pharmacy; or (iii) Bags used exclusively to hold cleaned laundry at a dry cleaning establishment or deliver a newspaper in bad weather; or (iv) Bags utilized at ice machines <p>Produce bag or Product bag means a bag without handles used exclusively to:</p> <ul style="list-style-type: none"> (i) Carry produce, meat, or bulk food from the produce, meat, or bulk food department of a retail establishment to the point of sale; or (ii) Contain or wrap flowers or potted plants; or (iii) Segregate food or merchandise that could damage or contaminate other food or merchandise when placed together in a bag. 	None

New Mexico Proposed Statewide Ban

- While a statewide ban on plastic bags has not yet been enacted in NM, efforts have been made to pass legislation.
- House Bill 392, the Single-Use Plastic Bag Act, proposed a statewide ban on plastic bags and a \$0.10 fee per paper bag, with \$0.03 going to the store and the remainder going to the municipality or county for litter reduction and outreach.
- The fiscal impact report estimated a statewide plastic bag ban could save \$3.8 million per year for recycling processors due to the damage that plastic bags have on recycling materials recovery facilities.

Lessons Learned from Las Cruces and Santa Fe

- Spoke with sustainability counterparts from the City of Las Cruces, the City of Santa Fe, and Santa Fe County
- Lessons Learned
 - Ensure fee/ordinance is legally enforceable
 - Recommend considering enforceable fine for businesses
 - Ensure revenue from the fee can be used efficiently
 - Recommend having a clear but broadly defined use for the revenue
 - Initial start-up of collection as the potential to be a lot of work
 - Difficult to contact managers of businesses (particularly big box stores)
 - Ensure continued education of ordinance for residents

Smith's White Rock Bag Fee Attempt

- The White Rock Smith's uses 5 cases of plastic bags a week
 - 500 bags per case \rightarrow 2500 bags/week * 52 weeks \rightarrow **130,000 bags per year**
- Plastic Bag Fee in White Rock
 - The goal was to have customers use reusable bags, but it didn't seem to catch on
 - Customers complained that the White Rock location was charging for bags and Los Alamos was not
 - The bag fee was dropped without any follow on
- We can safely assume Los Alamos Smith's uses more than 130,000 bags/year \rightarrow **over 260,000 bags per year for the county**

Next Steps?

- Community Engagement
 - Opportunities for community feedback and support
 - Survey for residents
 - Survey for business
 - Include businesses that already do not use plastic bags (Natural Grocers and The Coop)
 - General outreach and education
- Possible recommendation from ESB?