

SaveThePlasticBag.com

MEDIA RELEASE

July 28, 2009

SUMMARY

SaveThePlasticBag.com ("STPB") is pleased to announce that it has settled its lawsuit against the City of Palo Alto. **The City has accepted and agreed that it must prepare an Environmental Impact Report ("EIR") before banning plastic bags.**

A copy of the settlement agreement can be downloaded at www.savetheplasticbag.com.

BACKGROUND

The Palo Alto City Council adopted an ordinance on March 30, 2009 banning plastic carryout bags **at just four stores** in the City. **The Council instructed staff to prepare documents to expand the ban to "all retail establishments" in the city.**

STPB sued the City on the ground that the City had failed to prepare an EIR pursuant to the California Environmental Quality Act ("CEQA") before adopting the ordinance. An EIR is required because banning plastic bags means that consumers will shift to paper bags, which are far worse for the environment.

According to the independent Scottish Government report, paper bag production and transportation result in 3.3 times more global warming greenhouse gas emissions than plastic bags. However, at the Palo Alto Council meeting before the ordinance was adopted, a City staff person stated to the Council as follows in support of the ordinance banning plastic bags at four stores:

When we sit up in the seventh floor conference room and see the map of the sea level rise within ninety years that could swallow up large portions of Palo Alto, it does seem like we have to make more progress on some of these things faster.

No one corrected him. **Banning plastic bags makes global warming worse, not better!** It is essential that the truth about paper bags be told in an EIR, so that the City Council will have correct information before proceeding.

The Scottish Government report was the most comprehensive study to date on the environmental impacts of plastic and paper bags. The report contains the following findings:

[A] paper bag has a more adverse impact than a plastic bag for most of the environmental issues considered. Areas where paper bags score particularly badly include water consumption, atmospheric acidification (which can have effects on human health, sensitive ecosystems, forest decline and acidification

of lakes) and eutrophication of water bodies (which can lead to growth of algae and depletion of oxygen).

Paper bags are anywhere between six to ten times heavier than lightweight plastic carrier bags and, as such, require more transport and its associated costs. They would also take up more room in a landfill if they were not recycled.

Reusable bag production and transportation also have an environmental impact that must be determined and taken into account in an EIR. Every manufactured product has a negative environmental impact.

85% of plastic bags are made in the United States by approximately 4,200 workers, including many in California. Most reusable bags such as those used at Trader Joe's and Whole Foods are made in China or other parts of Asia. There should be serious reflection before deciding to destroy an American manufacturing industry, related businesses, and thousands of jobs and family livelihoods in favor of products made overseas.

THE SETTLEMENT AGREEMENT

The City made a settlement offer to STPB. In the offer, it agreed not to ban plastic bags at any more stores unless and until the City completes an EIR that complies with CEQA. The City stated that "the City accepts and agrees that an EIR is required under CEQA before taking any such actions."

STPB accepted the offer, because four stores covered by the March 2009 ordinance is minimal and the City has now accepted that an EIR is required before going banning any more bags at any more stores.

STPB previously sued the City of Manhattan Beach, which passed a plastic bag ban covering 217 stores and restaurants. STPB claimed that the ordinance was invalid as there was no EIR. The Los Angeles Superior Court ruled in STPB's favor and overturned the ordinance, agreeing that an EIR was required.

STPB has promised to sue any city or county that adopts an ordinance restricting or banning the distribution of plastic bags without first preparing an EIR that complies with CEQA. STPB also reserves the right to challenge any ordinance on the ground that a city or county does not have the power to ban plastic bags.

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