

UPDATE: Bag Ban Passes on 2nd Reading, Though Mayor Still Retains Veto Power

By Allison Jean Eaton

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UPDATE Wednesday, May 25, 6:01pm | Residents who aren't too keen on the city's new plastic bag ban have only one option left: convince the mayor of Long Beach to flex his veto power.

Last week's city council vote to ban the distribution of plastic bags by particular types of stores citywide might have been unanimous, but that's because four of the nine council members were absent.

Residents who do not support the ban were able to secure representation during the Tuesday, May 24, council meeting, when the Long Beach City Council cast an additional vote on the second reading of the ordinance (ordinances require two votes, while resolutions require only one).

Though the item still passed, this time around the vote was 5-3, with Councilman Patrick O'Donnell and Councilwomen Gerrie Schipske and Rae Gabelich casting the three dissenting votes.

Councilman Dee Andrews reportedly disappeared from the dais during that particular agenda item, though the ban would have passed regardless of how he voted because Councilman Gary DeLong cast the fifth vote in favor of the ban, locking in the simple majority needed to push the ordinance through.

Despite the ban's passage, residents who are up in arms over what some have labeled a "nanny-state" law still have a shred of hope: Mayor Bob Foster retains the power to veto the ordinance.

Gabelich said she believes the regulation of plastic bags would be better addressed at the state level, noting that doing so city by city could lead to shoppers taking their money to other communities that still allow consumers the right to choose.

Many *Long Beach Post* readers have commented below that they plan to do their shopping elsewhere because they are upset over the ban.

Schipske said in a Wednesday e-mail that she voted against the ban for myriad reasons, including its limited scope in terms of the type of bag and types of stores to which it applies, and the fact that stores already charge a hidden fee to cover the costs of paper and plastic bags by upping the cost of the items they sell.

The ordinance both bans the issuance of plastic bags and mandates that stores charge customers 10 cents per paper bag used, revenue from which would go directly back into the stores' coffers.

"It is not appropriate for a city council to slap on a fee for anything that is not related directly to local government," Schipske said. "I believe that the best approach and most reasonable thing to do would be to continue a voluntary recycle and reuse plan and perhaps even implement a plastic bag refund program whereby grocers could pay customers who return 10 or more plastic bags – nothing works better than incentives."

Foster has 10 days to sign the ordinance into law or to veto the ban, and residents are being urged to make their voices heard by contacting the mayor's office and letting him know whether they support or are against the ban.

Schipske also suggested in her e-mail that residents unhappy about the ban contact their local grocery stores, pharmacies and other stores to which the new ordinance applies and request that they begin offering the types of plastic bags that are issued by Target and Wal-Mart and to which the ban does not apply.

The ban still has a vast number of supporters in the community, as well as the backing of environmental groups Heal the Bay and the Surfrider Foundation.

UPDATE Friday, May 20, 12:01pm | After considering the very valid points made by some of our commenters, we realized that we were not clear in yesterday's post that we intended to express that a majority of people who have responded to this post are not in favor of the ban. As such, yesterday's updated post has been modified to clarify the information presented.

While it may not be valid to assume that because a majority of readers who have chosen to comment disapprove of the plastic bag ban that it is likely that a majority of residents feel the same, we feel the overall tone of the comments to this post is still worth pointing out.

UPDATE Thursday, May 19, 11:01am | Tuesday's vote to ban the use of non-biodegradable, though recyclable, plastic bags by supermarkets, grocery stores, convenience stores, pharmacies, farmers markets and other, similar retailers, is drawing both praise and criticism from Long Beach constituents

Vice Mayor Suja Lowenthal, along with support from Councilmen Robert Garcia and Gary DeLong, authored the original motion in December 2010 asking the City Council to consider directing the City Attorney's office to draft the ordinance that was approved Tuesday.

"So much evidence points to the extremely detrimental environmental, energy and pocketbook costs associated with single use bags - we've got to think differently about what is convenient or sensible in this instance," Lowenthal said in a statement released on Wednesday.

According to information provided by Lowenthal's office, part of the policy implementation will include the development of a website and hotline for affected businesses to learn more about the new restriction and to report violations.

In terms of enforcement, the city will monitor compliance using existing health and environmental monitoring activities of the affected stores.

The vice mayor "has consistently pushed for Long Beach residents to become less dependent on single use bags," and she "hopes to work with city staff to develop a strategy for free reusable bag giveaways throughout the city," according to Lowenthal's office.

Over the last three years, she has already passed out thousands of reusable bags to residents at local grocery stores during "**A Day Without a Bag**" activities in partnership with Heal the Bay and several other environmental groups.

"Reusable bags are clearly more convenient, cost effective and reliable than single use bags. [Tuesday]'s vote marks another milestone in an effort by Long Beach to take control of its own watershed by banning plastic bags from its litter stream and setting an example for cities along the Los Angeles River."

"So much evidence points to the extremely detrimental environmental, energy and pocketbook costs associated with single use bags - we've got to think differently about what is convenient or sensible in this instance," Lowenthal said in a statement.

While the ban has an array of supporters who say the move is long overdue, a majority of readers who have commented on this post are on the other side of the fence, accusing the city's elected officials of everything from "mess[ing] with our lives" to taking on a "nanny state" mentality.

Reader "Paul A." commented: "BOO! Leave us alone LB City Council! More P.C., feel good, eco-extremist, nanny state laws that mess with our lives and fix nothing."

Some readers are so upset that they have threatened to cease shopping in Long Beach. Should enough residents make good on such threats, not only would local businesses suffer a decrease in sales, but the city would also see a drop in the amount of sales tax revenue it collects.

"Off to OC for our weekly shopping," writes "Sonnyd" in a comment. "Guess we will find a restaurant in OC for our weekly Saturday lunch and shopping."

Reader "ATV" also plans to shop outside the city.

"Have a family of five and we fill two shopping carts when we check out. I will now have to shop in Lakewood," ATV writes.

And "Terrie" writes that "just to spite this ridiculous ban, I am going to always use paper bags or I will go to Orange County to shop."

Still, the ban has many supporters who are thrilled with the move, which received a round of applause following Tuesday's vote.

Writes "LB Resident HAPPY with Ba": "Many residents are happy about these measures as well. I fully support it and I hope businesses with issues can be addressed and assisted during the transition. All will be for the best in the end. Good work City Council!"

To read the ordinance in full, **click here** and click on "Plastic Bag Ban Update."

UPDATE Tuesday, May 17, 10:45pm | The Long Beach City Council voted to approve an ordinance banning the distribution of plastic bags by grocery stores, pharmacies, convenience stores and other similar retailers.

The 5-0 vote was met with a round of applause from a group of environmentalists and residents who threw their support behind the restriction, which is aimed at reducing the number of the non-biodegradable bags that litter waterways, clog storm drains and wash up on area beaches.

Council members Gary DeLong, Patrick O'Donnell and Rae Gabelich were all absent from Tuesday's meeting, and Councilwoman Gerrie Schipske left the meeting early because she was feeling ill.

Monday, May 16, 6:01pm | Elected officials are set to determine the fate of the plastic bag in the city of Long Beach Tuesday evening during the City Council's regular meeting, when council members are expected to throw their support behind banning the single-use plastic carry-alls.

The Council has for several years been toying with the idea of instating an all-out ban on the the use of plastic bags by grocery stores and other, similar retail establishments. In December the Council voted 6-2 to direct the City Attorney's Office to draft an ordinance prohibiting their distribution.

The ban is aimed at, among other issues, addressing the ongoing problems associated with the non-biodegradable bags, such as their polluting area waterways, clogging storm drains, washing up on beaches and killing sea life.

Should officials vote as it appears they will, the ban would go into effect Aug. 1 for larger stores, such as Ralphs and Vons. Smaller stores would not have to comply until Jan. 1, 2012. About 315 grocery

stores, pharmacies, convenience stores, farmers markets, supermarkets and other retailers that sell food and other small items citywide are expected to be impacted should the new ban be approved.

Once the ban is in place, shoppers would be forced to use reusable bags, which state law mandates stores offer for sale, or, at stores that choose to offer them, purchase recycled paper bags at a cost of 10 cents a piece to transport their purchases.

The L.A. County Board of Supervisors approved a similar ban last year, and the city of Long Beach is basing its ordinance loosely off of the county's ordinance, which is set to go into effect in July. The county ban only applies to stores located in county unincorporated areas.

The city was required to conduct an environmental impact review to determine potential local impacts of the ban. While it concludes that there would be no significant adverse effects on the environment, the EIR report did raise some concerns that appear to hinge upon how many people would choose to use reusable bags and how many would opt to pay for paper bags.

The study found that the ban could result in up to six additional truck trips being required in the city to deliver paper and reusable bags, which are bulkier, to stores. And should more consumers opt for paper bags, area landfills could be impacted by an increased amount of solid waste, though they could also see a decrease, according to the EIR.

One analysis found that a plastic bag ban could result in Long Beach decreasing its solid waste by up to five tons per day, though another analysis found that it could also increase it by as much as 15 tons per day, according to the EIR.

Residents continue to stand divided on the issue, with many in favor of a ban as the city continues its efforts to "go green." Proponents cite statistics such as plastic bags amounting to 25 percent of the county's litter while only representing 1 percent of the waste stream (the total flow of solid waste from homes, businesses, institutions and manufacturing plants that are recycled, burned or disposed of in landfills).

But at least as many, and likely more, others see the ban as local government infringing upon their right to choose and question the adverse environmental impacts a ban might cause.

The city of San Francisco launched its plastic-bag ban in 2007, and many have hailed it an environmental disaster because consumers switched from plastic to paper, which has led to increased logging. Long Beach officials, however, point to the city's ordinance including a charge for paper bags as a way of dissuading consumers from hopping on the paper-bag wagon.

The agenda item is likely to be one of the more hotly contested during the May 17 council meeting, which begins at 5 p.m. in the Council Chambers at City Hall, 333 W. Ocean Blvd.

*Disclosure: **Click here** to view our policy on covering the Long Beach City Council.*