

## Undeterred, Manhattan Beach looks to curb plastic

**City looks for ways to limit disposable bags in spite of court ruling against ban.**

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A recent court rejection of Manhattan Beach's ban on plastic bags hasn't warmed the city any toward the synthetic carriers.

Already appealing the February ruling, Manhattan Beach is also pursuing other ways to reduce plastic in town, including backing two pieces of proposed state legislation that would impose in-store fees on paper or plastic carryout bags.

Under Assembly Bills 68 and 87, both recently endorsed by city leaders and set Monday for a state Assembly commission hearing, shoppers would pay a 25-cent fee on every plastic or paper carryout bag they get at a supermarket, pharmacy or convenience store chain .

Though the bills would not ban plastic bags, the legislation would encourage consumers to carry reusable totes - which was always the intention behind Manhattan Beach's ill-fated prohibition,

Mayor Portia Cohen said.

"I thought there might be some confusion with respect to us supporting legislation to charge for plastic bags," she said. "It sounds like a conflict, but it's really a dual tactic to discourage the use of plastic bags."

Assemblyman Mike Davis, D-Los Angeles, proposed AB 87, and Assemblywoman Julia Brownley, D-Santa Monica, introduced AB 68.

More than 70 miles of coast and wetlands make up Brownley's district, which prompted her to draft legislation that she believed could ease marine pollution, spokeswoman Linda Rapattoni said.

The language in the two bills is similar, both directing funds from their imposed fees to the abatement of litter from single-use bags. But AB 68, also supported by nonprofit environmental group Heal the Bay, explicitly states the legislation would not preempt a municipality from banning single-use bags, as Manhattan tried in July.

Superior Court Judge David Yaffe rejected the ban earlier this year, agreeing with a group of plastics manufacturers that Manhattan Beach should have studied how a proliferation of paper bags - a likely result of banning plastic carriers - might harm the environment.

Manhattan won't likely know the results of its appeal for a year, and the city has backed away from conducting an environmental impact report,

which Cohen estimated could cost more than \$100,000.

Instead, Manhattan Beach hoped to piggyback onto an environmental analysis set to be conducted by Los Angeles County.

In January 2008, the county Board of Supervisors approved a program calling for supermarkets and large retailers to voluntarily reduce distribution of plastic carriers.

Should businesses not meet a 65 percent reduction goal by 2013, the county could impose an all-out ban on plastic bags.

Part of the supervisors' direction at the time included asking staff to prepare a draft ordinance banning plastic bags and study the possible environmental consequences of a prohibition by April 2010.

According to the Environmental Programs Division of the county Public Works Department, work has begun on the environmental study, which could take up to a year to complete. The analysis should also take a countywide scope, which would allow communities to incorporate its results into their own bans on plastic bags, Cohen said.

"Our ban would not be enforceable for at least a year, if not longer, which is fine because the ban was only a mechanism toward the real goal, which is influencing folks to use reusable bags," she said.

To that end, Manhattan Beach has opposed two other pieces of proposed state legislation that city leaders did not believe would encourage consumers to rely on reusable bags.

"My sentiment is these are all means to an end, and we will continue to persuade folks to use the reusable carryout bags," Cohen said. "I think time will help change behavior. I'm positive about it."

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