

Santa Cruz County bans plastic bags, imposes fee on paper bags

By Jason Hoppin Santa Cruz Sentinel

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SantaCruzSentinel.com

jhoppin@santacruzsentinel.com

SANTA CRUZ - Hoping to make free takeout bags a relic of the past, the county Board of Supervisors on Tuesday unanimously approved one of the stiffest plastic and paper bag laws in the state.

Cheered by environmentalists and ocean advocates, the new law was approved under the threat of a lawsuit. Applying to supermarkets and fast-food joints alike, it prohibits free plastic bags and, for grocery shoppers, levies a fee on paper bags.

"I think people in this county are ready for it," said Board of Supervisors Chairman Mark Stone, the author of the ban.

While state lawmakers twice declined to pass a statewide plastic bag ban, several California cities have done so. The first was San Francisco in 2007, then came Oakland, Santa Monica, Palo Alto, Long Beach, San Jose and more.

That makes Santa Cruz County, a bastion of progressive politics, relatively late to the game when it comes to bag bans.

But it is the thoroughness of the new law that sets it apart. It not only bans plastic bags at supermarkets, restaurants and convenience stores, it adds fees for paper bags, though there are exceptions. Those on public assistance would not be charged for paper bags, and restaurant customers would be allowed one to go, also at no cost.

"Maybe it is more than what other jurisdictions would do, but that's Santa Cruz," Stone said.

The city of Monterey recently published a draft of a bag ban law, and advocates hope that Santa Cruz, Watsonville and Capitola follow suit. Eventually, they hope state lawmakers revisit and adopt the law.

"I think we're really getting the momentum now to put the pressure on the state Legislature to do it," said Laura Kasa, executive director of Save Our Shores, which pushed for the ban and holds beach cleanups throughout the year.

Stone emphasized that the law is not just aimed at plastic bags, but paper as well. The two are being handled differently because of a state law banning taxes on plastic bags.

"Paper bags are fraught with all kinds of other issues," Stone said. "The more we can use multiple-use bags, the better off we are."

Plastic bags for produce, meat and frozen products would remain available. The law does not go into effect until next year, when the 10-cent per-bag fee on paper also would go into effect. After one year, the fee rises to 25 cents, and the county's 500 retailers would keep the fee.

Numerous local grocers have done away with plastic takeout bags, including New Leaf Community Markets, Staff of Life, Shopper's Corner and more. News Leaf announced Tuesday its customers have avoided 3 million plastic bags. Large chains such as Safeway, which operates seven stores in the county, have signed off on the ban.

What remains to be seen is how small businesses, particularly restaurants, adapt to the ban. Carolyn Rudolph, owner of Charlie Hong Kong, said her business operates without plastic bags and does not automatically bag to-go orders.

"As a restaurant, I think it's an opportunity for us all to make a statement," Rudolph said. "More and more, when you read the restaurant magazines, this is the direction everyone's going."

The California Restaurant Association opposed the law, primarily due to health and safety concerns. CRA Director of Local Government Affairs Amalia Chamorro said restaurants could be blamed if a customer falls ill after putting to-go food in one of their own, unclean reusable bags.

"We don't know what people used those bags for. They may have put their gym clothes, their shoes [in there]," Chamorro said.

The San Francisco-based Save the Plastic Bag Coalition also has argued against the law. It recently litigated a Manhattan Beach bag ban before the state Supreme Court, and argues that the county's environmental review supporting the law is both misleading and insufficient.

It disputes numerous findings by the county, including that plastic bags drifting into the Pacific Ocean have "displaced plankton" and entangled or been ingested by about 270 marine species. It has lodged other complaints as well.

"The erroneous findings will be a basis for our lawsuit against Santa Cruz County," the coalition recently wrote to the county.

Both Stone and Kasa said they were comfortable with the new law's environmental underpinnings.

"I believe the county did an extensive job. I think they looked at everything that needed to be looked at," Kasa said.