

# How To Fight Back Against Bag Bans

---

## THE ONLY WAY TO FIGHT BACK AGAINST BAG BANS IS TO REPEAL THE LOCAL ORDINANCE OR STATE LAW THROUGH THE INITIATIVE PROCESS

**By Anthony van Leeuwen, 18 January 2014**

### Readers recently asked some pertinent questions:

**One reader asked:** *OK, so what can we do about it? We live in an apathetic state run by far-left zealots. Courts have upheld the ban. The tax on paper bags might be illegal, but people won't care. They just follow rules like lemmings off a cliff. How can we fight this?*

**Another reader asked:** *Do you have any advice or measures one could take to fight this ridiculous ban?*

### Response

To fight back against plastic carryout bag ban we recommend the following steps and actions:

- 1) Go to the [Fight The Plastic Bag Ban](#) website and in the right hand column, under "Follow blog via Email" enter your email address and click the **Follow** button. You will then receive an email anytime a new article is posted or updated, allowing you to keep abreast of what is going on.
- 2) Go to the [Fight The Plastic Bag Ban](#) website and in the right hand column, under "Opposed to Bag Bans" find a website or citizens group local to your area. Consider following those sites and finding out what they are up to. If they request help, consider providing it.

[Stop The Bag Ban](#) – San Jose, California  
[Save Our Bags](#) – San Jose, California  
[Repeal Bag Fees Throughout California](#) – San Francisco, California  
[Save Our Choice](#) – Issaquah, Washington  
[No Durango Bag Tax](#) – Durango, Colorado

- 3) Go to the [Fight The Plastic Bag Ban](#) website and press the **Documents** menu item. This brings up a page with lots of articles on various aspects of bag bans. Start with the article titled "*The Lies, Myths, Half Truths, and Exaggerations of Bag Ban Proponents*" to learn what is false and true. Afterwards proceed to read articles that catch your interest. Becoming knowledgeable about the many aspects of plastic, paper, reusable bags, bag bans, and associated issues is key. Feel free to download any of our papers, read them, and pass them on to your friends.

NOTE: Some of our papers are specific to the State of California and Ventura and Santa Barbara Counties. If you are interested in adapting these papers to your geographic area, county or state, please contact us.



- 4) Find out what is going on in your local area with respect to a bag ban. If a bag ban has not been implemented you are in luck. Should the bag ban be under consideration, there may be opportunities for you to comment on the proposed ordinance or on the associated Environmental Impact Report (if one is needed in your geographic area).
- 5) If your community is in the process of adopting an ordinance be sure to attend the city council or county Board Of Supervisor's meeting. During the agenda item or during the public comment section you may be afforded 2 to 5 minutes to speak on the issue. Be prepared. Use notes. Prepare several short speeches that focus on different aspects of the bag ban. That way, if someone else goes up before and speaks about "ABC", you will not have to repeat "ABC" and at the last minute you can choose to speak about "XYZ" instead.

**NOTE:** Be polite and civil. Public officials will listen to what you say. However, nothing you say will change their mind, because being seen as "Green" is more important than any facts you present! Do Not Give Up! Keep Fighting!

- 6) Write letters of opposition to the city council or county board of supervisors. Get your friends and associates to write letters as well. Letters signed by multiple individuals are OK too.

**NOTE:** Local public officials will rarely reply or acknowledge receipt of your letter or email. Do not be discouraged! Keep Fighting!

- 7) Write letters of opposition to your California state assembly member and state senator. The following are bills currently under consideration in California in 2013-2014:
  - a. SB 405 Padilla Solid waste: single-use carryout bags.
  - b. SB 700 Wolk Natural resources: parks: carryout bags.
  - c. AB 158 Levine Solid waste: single-use carryout bags.
  - d. AB 1337 Allen Solid waste: plastic bag: recycling.

**NOTE:** State lawmakers will generally reply to your letter or email with a form letter. They may not respond for weeks. Do not get discouraged! Keep Fighting!

- 8) Write letters to the editor of your local paper expressing your opposition to plastic carryout bag bans. Get your friends to write letters of opposition as well. Remember, public officials and their staffs scour the newspaper to keep up with what is going on in the local community.
- 9) During an election season, if city council members or county supervisors voted for a plastic bag ban, write letters to the editor reminding folks who voted for that plastic bag ban! Get your friends to write letters as well.
- 10) If you have writing skills, develop and submit guest column articles to your local newspaper. Most papers are in support of plastic bag bans and will publish columns in support on occasion. By writing a well written article in opposition to plastic bag bans and submitting the article for publication will help educate your fellow citizens. Remember, public officials and their staffs scour the newspaper to keep up with what is going on in the local community.



- 11) Create an E-mail mailing list of local officials and send them articles posted on the [Fight The Plastic Bag Ban](http://fighttheplasticbagban.com) website. We recommend one (1) article per month. Encourage your friends to do the same. The more people who ask a local official to read a particular article, the greater the chance the official will actually read the email and the article.
- 12) Another tactic is to review the Draft Environmental Impact Report (EIR) that must be prepared in California before a jurisdiction can pass an ordinance to ban plastic bags. A letter of opposition to the proposed ordinance is accepted as well and will be included in the final EIR that is published. A person with technical skills in reviewing documents, and who is familiar with the material on the [fighttheplasticbagban.com](http://fighttheplasticbagban.com) website will see plenty of material to comment on. Most EIRs are low budget documents without sufficient quality control. You will find spelling errors, math errors, unclear wording, incorrect information, sloppy logic and incorrect conclusions, unsubstantiated claims and information, and much more. Remember, the jurisdiction will have to answer every comment submitted by the public. Your letter and comments including attached documents will be included in the Final EIR.

**NOTE:** If you point out a technical error, unclear wording, or spelling error, they will normally make the correction in the final EIR. If you make an assertion of a fact, you must document that fact by identifying the source of that information or your assertion will be dismissed as unfounded. Remember, they will try to dismiss everything you say. Don't Give Up, Keep Fighting.

- 13) Consider forming or joining a citizens committee to oppose the bag ban. The more members the better, as long as all are committed to overturning the bag ban and are willing to support that effort with their time. This step is very important if you are considering the next step, an initiative to overturn the bag ban.
- 14) Consider developing a citizen's initiative and collecting signatures to put an initiative on the ballot to overturn the bag ban. A future article on how to go about doing this is planned and will identify the legal hoops you have to go through. The article will be written by people who have done that.
- 15) If there is a bag ban in your community, consider doing your shopping in areas where a bag ban does not exist. Remember, local retailers generally support the local jurisdiction's bag ban, because if you pay for carryout bags, that is more money in their pocket. You owe them nothing.
- 16) Consider purchasing your own plastic carryout bags from Amazon.Com or from your local Smart & Final. Use them when you shop as a protest to local officials. Be sure to offer a few bags to other store patrons who are struggling with their purchases. Be sure to use and dispose of bags in a responsible manner.
- 17) Consider using paper bags. The out of pocket cost is competitive with the cost and time commitment of using reusable bags. The more people using paper bags will let officials in the local jurisdiction know their ordinance is not working very well.



**The Only Solution That Works:** A grassroots effort to change public policy in the local jurisdiction is difficult and time consuming. However, with hard work it can be successful. If not the first time, the second, or third time. Consider, the fact that in Homer, Alaska a few individuals put the issue on the ballot and voters overturned the bag ban. Similarly, in Durango, Colorado a few citizens put the issue on the ballot, and voters overturned the bag tax. In Issaquah, Washington a dedicated bag ban opponent on his third try successfully put the issue on the ballot so that voters will have a choice to overturn the ban in February 2014.