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Paper or Plastic? A Question for California's Courts

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The California Environmental Quality Act, better known as "CEQA," has proved to be fertile ground for the raising of legal challenges to public agency action through-out the state. Indeed, CEQA is without a doubt one of the most highly litigated statutory schemes in California. What's more, CEQA litigation often pushes the bounds of "environmental protection"—the law's *raison d'être*—into areas that could not have been foreseen by its original advocates and enactors.

This principle is demonstrated by the recent First District Court of Appeal opinion *Save the Plastic Bag Coalition v. County of Marin*, a case drawing upon the earlier California Supreme Court decision of *Save the Plastic Bag Coalition v. City of Manhattan Beach*. Read together in the broader context of CEQA's procedural mandates, the case represent a more limited and common sense approach to environmental legislation and litigation.

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