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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'etre*—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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