

Mendocino County Precautionary Principle Policy



Photo by Evan Johnson

By Linda Helland, for the Mendocino Partnership for the Precautionary Principle

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- A workgroup has developed a Policy, modeled after San Francisco's ordinance, that would apply precautionary decision making to County processes and products.
- This will not be an ordinance, which would apply as law to private individuals and businesses. The Policy just applies to County governance.

What Would the Precautionary Principle Policy Mean?

- Decisions would be made anticipating how actions would affect the environment and health of future generations. When it is apparent that an activity is a potential threat to the environment or human health, full scientific certainty would not be necessary to initiate precautionary action.
- Instead of asking “How much environmental harm will be allowed?” decision makers could ask “How little harm is possible?”

What Would the Precautionary Principle Policy Mean?

Instruct County government to apply the 5 essential elements in major decisions:

- 1. Anticipatory Action**
- 2. Right to Know**
- 3. Alternatives Assessment**
- 4. Full Cost Accounting**
- 5. Participatory Decision Process**

Implementation

Pilot projects in 2 County Departments to be selected by the County Executive Office. Implementation guidelines will be developed during this initial phase that will then be disseminated to other County departments for use.

Possible Pilot Departments – Environmental Health

The EH Department is already applying the Principle:

- To help businesses transition to less toxic aqueous solvents for cleaning.
- Using hydrophobic mops to collect toxics in spills – separates out water from the toxin, and mops can be reused.



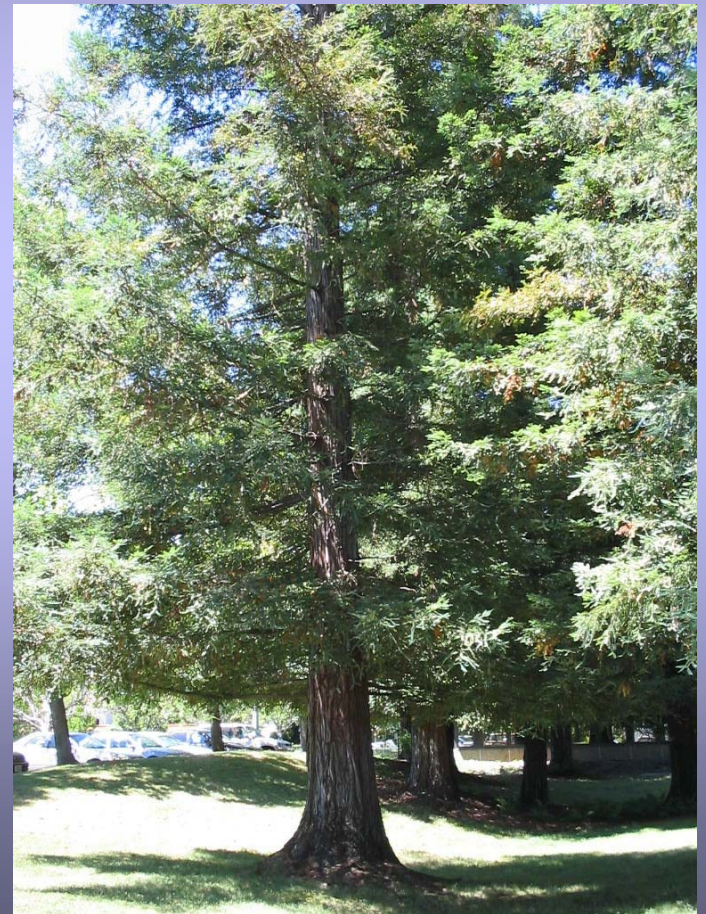
Possible Pilot Departments – Planning & Building

Choosing the Planning & Building Dept. as a pilot would honor the public's role in community design and vision, and would assure that decisions take into account the long-term effects on health and the environment.



Breaking New Ground

- If Mendocino County passes the Policy, it will be the second county in the US to do so, after San Francisco.
- Mendocino County has been a leader in other environmental policies and ordinances, such as barring the aerial application of phenoxy-based herbicides, stopping the spraying of Round-Up on roadsides in our County, and restricting the cultivation of genetically modified crops and livestock.



The Movement Begins...

In April 2005, Environmental Commons' Britt Bailey gathered a group of diverse Mendocino County residents to form the Mendocino Partnership for the Precautionary Principle to advocate for adoption of the Precautionary Principle for use in County decision-making.



A Strong Foundation...

The Partnership has strong representation from doctors and Public Health staff and administrators. From the beginning two County Supervisors supported the Principle. One of them consistently attended regular meetings of the Partnership to coordinate action.

Momentum Gathers...

In June 2005 the Mendocino County Public Health Advisory Board voted unanimously to recommend that the Board of Supervisors study the Precautionary Principle, after they saw a presentation on the Principle by San Francisco's Debbie Raphael, with the City & County of San Francisco's Toxics Reduction and Green Building Programs.



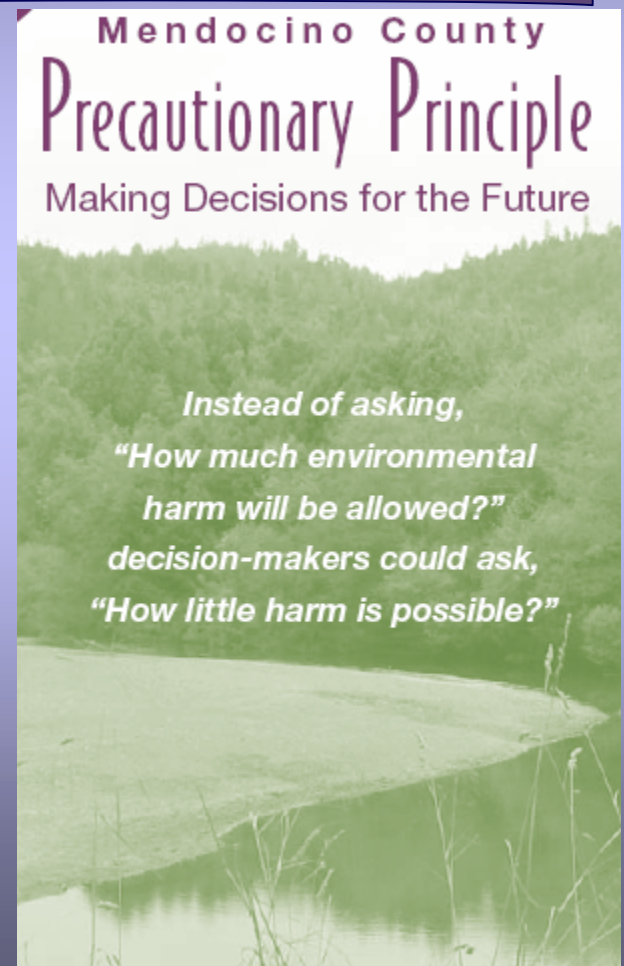
Board Considers...and Reconsiders Precautionary Principle

After first declining to send the Principle to committee, the Board of Supervisors reconsidered, and on September 27 2005 sent it to committee for a 3 month study period.



Campaign Materials Produced

- Website
www.MendoPrecaution.org
- Brochure and FAQs created
- Underwriting on community radio
- Endorsements sought



Publicity Campaign

- Radio shows about the Precautionary Principle
- 3 public fora held throughout the County with Dr. Mary O' Brien and Debbie Raphael



Study Committee Meets & Drafts Policy Language

- Throughout the study period, a committee met monthly to draft the Policy language
- Committee consisted of two supportive Supervisors, the County Executive Officer, the County Counsel, interested Department heads, and members of the Partnership

Anti-preemption clause

“In adopting the Precautionary Principle policy, Mendocino County preserves the authority to protect the safety and welfare of its residents.”

- To make explicit the County’s intention to preserve its authority to protect health, safety and welfare.
- Helps assure us our day in court if statewide preemptive legislation were to pass.

Non-Binding

“The Board of Supervisors...directs all officers, boards, commissions, and departments of the County to take a precautionary approach and evaluate alternatives when making decisions that could impact health and the environment, especially where those actions could pose threats of serious harm or irreversible damage. This policy does **not** impose on its officers and employees an obligation for breach of which it is liable in monetary damages to any person who claims that such breach proximately caused injury nor may this policy provide any basis for any other judicial relief including, but not limited to a writ of mandamus or an injunction.”

Precautionary Principle Hearing

- The Board of Supervisors will decide whether to pass the Policy on June 27, 2006
- Celebrate!
- Seek grant funding for implementation

Thank You!

*Mendocino
Precautionary Principle*



look before you leap!

www.MendoPrecaution.org

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