



Making History: Precautionary Principle Law in the San Francisco Bay Area

The Bay Area Working Group on the
Precautionary Principle

Joan Reinhardt Reiss
Public Policy Advocate
Breast Cancer Fund
Baltimore, June 2006



www.breastcancerfund.org



Roots of Precaution

“ I will apply dietetic measures for the benefit of the sick
...**I will keep them from harm and injustice.**”

--Hippocratic Oath 400 BCE

“...when an activity raises threats to human health or the environment,
precautionary measures should be taken...”



--1998 Wingspread Statement



Bay Area Beginnings

- Bay Area Overview
- How it all began
 - Commonweal contacts the Breast Cancer Fund
 - No template
 - Trial and error



Major Influences



- **Learning from Others**

- Carolyn Raffensperger, Science and Environmental Health Network
- Joel Tickner, University of Massachusetts Lowell, Lowell Center for Sustainable Production
- Mary O'Brien, Grand Canyon Trust

- **Lessons from their work**

1. Adopt prevention in the face of uncertainty.
2. Proponents must prove the safety of an activity.
3. Explore alternatives to harmful actions.
4. Public participation in a transparent decision-making process.
5. Full cost accounting.



Getting Organized

- **First needed to organize and educate ourselves**
- **Critical involvement of:**
 - environmental justice
 - environmental health
 - impacted groups
 - health affected groups
- **Key supporters in the Bay Area**
 - Randy Hayes, Rain Forest Action Network
 - Jared Blumenfeld, Director of the SF Dept. of the Environment



Bay Area Working Group on the Precautionary Principle - 2001

- Bayview Hunters Point Advocates
- Breast Cancer Action
- Breast Cancer Fund
- Center for Environmental Health
- Commonweal
- Clean Water Action
- Environmental Justice Law Clinic, Golden Gate University
- Healthy Children Organizing Project
- Redefining Progress
- Urban Habitat





Getting the Job Done

- **Nuts and Bolts**
 - Writing the San Francisco Precautionary Principle Ordinance
 - Process
- **Opposition**
 - Who or what were we up against?
 - Strategies

1 The Board of Supervisors finds and declares that:
2 A. Every San Franciscan has an equal right to a healthy and safe environment. This
3 requires that our air, water, land, and food be of a sufficiently high standard that individuals and
4 communities can live healthy, fulfilling, and dignified lives. The duty to enhance, protect and preserve
5 San Francisco's environment rests on the shoulders of government, residents, citizen groups and
6 businesses alike.
7 B. Historically, environmentally harmful activities have only been stopped after they have
8 manifested extreme environmental degradation or exposed people to harm. In the case of PCBs, DDT,
9 lead, and asbestos, for instance, regulatory action took place only after disaster had struck. The delay
10 between first knowledge of harm and appropriate action to deal with it can be measured in human lives
11 cut short.
12 C. San Francisco is a leader in making choices based on the least environmentally harmful
13 alternatives, thereby challenging traditional assumptions about risk management. Numerous City
14 ordinances including the Integrated Pest Management Ordinance, the Resource Efficient Building
15 Ordinance, the Healthy Air Ordinance, the Resource Conservation Ordinance, and the
16 Environmentally Preferable Purchasing Ordinance apply a precautionary approach to specific City
17 purchases and activities. Internationally, this model is called the Precautionary Principle.
18 D. As the City consolidates existing environmental laws into a single Environment Code,
19 and builds a framework for future legislation, the Precautionary Principle approach will serve as a
20 policy framework to develop and implement laws for a healthier and more just San Francisco. In this
21 way, the City will create and maintain a healthy, viable Bay Area environment for current and future
22 generations, and will become a model of sustainability.
23 E. Science and technology are creating new solutions to prevent or mitigate environmental
24 problems. However, science is also creating new compounds and chemicals that are already finding
25 their way into mother's milk and causing other new problems. New legislation may be required to

Mayor Willie L. Brown Jr. Supervisor Gavin Newsom
BOARD OF SUPERVISORS

Page 2
3/1/03

**Full ordinance available at
www.takingprecaution.org**



Getting the Job Done

- **Organizing and Advocacy**
 - Strategy: What did we need to accomplish?
 - Activities
 - We the Planet Concert - 5,000 postcards
 - Hosted trainings and workshops: NGOs, business breakfast
 - Lobbied Supervisors: support letters from constituents, labor
- **Challenges along the way**
 - In organizing and coordination
 - Endurance



Getting the Job Done

• Role of the Media

- San Francisco Chronicle, "City must consider environmental impact of purchases", Rachel Gordon, June 18, 2005
- San Francisco Examiner, "City could go 'green' with purchasing", Justin Jouvenal, May 30, 2005
- Beyond Chron, " Board of Supervisors Sees Green", Alison Stevens Rodrigues, June 1, 2005
- National Public Radio, Debbie Raphael, San Francisco Department of the Environment; discusses the Precautionary Purchasing Ordinance.
- San Francisco Chronicle, "Better Safe Than Sorry", Ruth Rosen, 6/19/03.
- BAWG member, Katie Silberman (Center for Environmental Health) on KQED's Forum. May 29, 2003 and October 13, 2003.

San Francisco Chronicle
NORTHERN CALIFORNIA'S LARGEST NEWSPAPER



The Examiner.



June 2003

The San Francisco Board of Supervisors became the first government body in the United States to enact a precautionary principle law.

This law pulls together San Francisco's existing precautionary-based laws and codifies them as a San Francisco Environment Code Ordinance. The first chapter of the Environment Code is a statement mandating the adoption of the precautionary principle throughout the city and county of San Francisco.



Mayor Willie Brown and members of the Bay Area Working Group



August 2005

The San Francisco Board of Supervisors enacted the Precautionary Purchasing ordinance.

This law puts the precautionary principle into action by requiring that the City of San Francisco use safer alternatives when purchasing commodities for the City.



Mayor Newsom signs the Precautionary Principle Purchasing Ordinance. Supervisor Sophie Maxwell looks on.



The Bay Area and Beyond

- **Berkeley**

- 2004 Precautionary Purchasing Policy
- 2006 Precautionary Principle Ordinance

- **Marin County**

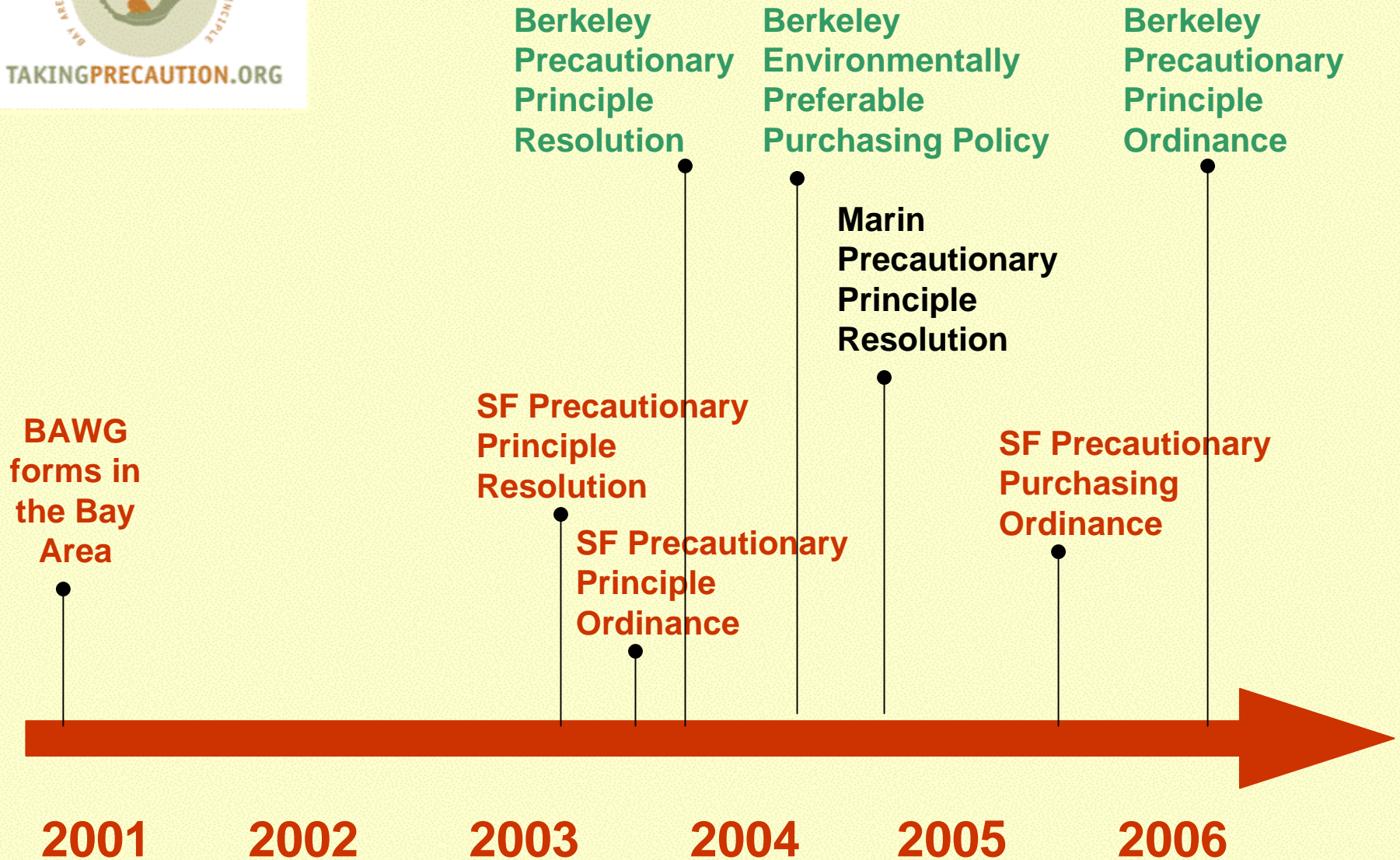
- 2003 Precautionary Principle Resolution

- **Beyond the Bay Area**

- Minneapolis, Oregon, New Mexico, New York



Bay Area Timeline





Lessons Learned

- **What we learned through the process**
 - **2 things that worked**
 - **2 lessons learned the hard way**



Next Steps for BAWG

- **BAWG and Neighborhood Assemblies Network**
 - Organizing at the community level
 - Applying precautionary approach to a community problem
 - Purpose

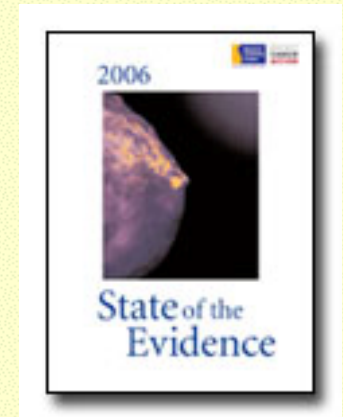


BCF's Commitment



Precautionary approach provides a foundation for The Breast Cancer Fund's work

- State of the Evidence with Breast Cancer Action
- Legislative efforts on biomonitoring and chemical policy reform
- The Campaign for Safe Cosmetics (www.safecosmetics.org)



Breast Cancer Fund's Mission:
In response to the public health crisis of breast cancer, Breast Cancer Fund identifies--and advocates for elimination of--the environmental and other preventable causes of the disease.



To Be Continued...

Never doubt that a small group of thoughtful committed citizens can change the world. Indeed, it's the only thing that ever has.

Margaret Mead