



City Council

March 16, 2021

California Department of Public Health
regulations@cdph.ca.gov

RE: Syringe Exchange Program Regulatory Consistency and Opposition to Seizure of Local Control

To Whom it May Concern:

On behalf of the City Council, the City of Yuba City registers its strong opposition to the current practice of the State legislature and regulatory agencies proposing and passing multitudes of bills and regulations that directly impact and interfere with the ability of cities to control their own destiny through use local authority. Specifically, the City Council registers its opposition and objection to the California Department of Public Health's (CDPH) efforts to eliminate local control under a series of regulatory actions including DPH-18-015 (Syringe Exchange Program Regulatory Consistency) related to needle exchange programs.

The improper collection and disposal of used hypodermic needles and syringes is inimical to, and presents an imminent threat to, the health, property, safety and welfare of the public. Within the Yuba-Sutter region, including the City of Yuba City, there are local conditions that have been exacerbated by needle exchange programs. This includes a collection of needles and syringes near the levees and river bottoms that present a threat to the health, property, waterways, safety and welfare of the public in the event of high-water levels. Such programs are also inconsistent with the goals of the City's General Plan including those related to exposure to hazardous materials and hazardous waste. To address this issue, the City Council of the City of Yuba City has enacted ordinances and regulations for the public peace, health and welfare of the City and its residents pursuant to the City's police power as granted broadly under Article XI, section 7 of the California Constitution.

Now the CDHC is effectively seeking to remove local control through regulatory actions by enacting DPH-18-015 to remove requirements for compliance with local ordinances. These regulations usurp the authority of local jurisdictions to determine for themselves the policies and practices that best suit their cities and residents, and instead impose mandates that do not take into account the needs and differences of jurisdictions throughout the State.

The City Council of the City of Yuba City feels strongly that our local government is best able to assess the needs of our community and objects to the proliferation of State legislation and regulations that deprives us of that ability. The City Council registers its strong opposition and objection to the CDHC's efforts to eliminate local ability and control under the guise of regulatory actions including DPH-18-015 (Syringe Exchange Program Regulatory Consistency).

Sincerely,

Mark Boomgaarden, Mayor
City of Yuba City