

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON**

RESOLUTION NO. 2023-065

Resolution Declaring Climate Change a Public Nuisance and Authorizing the Office of County Attorney to Pursue Legal Remedies for Damages Caused by Climate Change.

The Multnomah County Board of Commissioners Finds:

A. The scientific consensus is clear that the extraction, refining and combustion of fossil fuels are primarily responsible for the warming that is accelerating global climate change.

B. The scientific community has declared that because of rising greenhouse gas emissions, planet Earth is facing an unprecedented and accelerating climate emergency. Scientists have warned that anthropogenic climate change (ACC) has substantially contributed to rising land, air and oceanic temperatures, the melting of the polar ice sheets, and the increased frequency and severity of extreme heat events, wildfires, drought, floods, and storms. In sum, scientists have declared that unabated climate change presents a “code red” danger to humanity.

C. In 2022, an international group of scientists declared that, as a result of ACC, “the scale of untold human suffering, already immense, is rapidly growing with the escalating number of climate-related disasters.”

D. Changes in Oregon’s climate are already being felt. Oregon’s average annual temperature has increased by about 2.2°F per century since 1895 and of the 13 hottest years recorded in Oregon, nine have come since 2000 and seven have come since 2010.

E. A “tipping point” is a critical threshold which if crossed can abruptly and irreversibly lead to harmful changes in the Earth’s climate systems. Under the 2015 Paris climate agreement, virtually every nation agreed to try to hold global warming to 1.5 degrees Celsius (2.7 degrees Fahrenheit). The Intergovernmental Panel on Climate Change (IPCC), a body of climate experts convened by the United Nations, recently reported that we are on pace to cross the 1.5C threshold within the next ten years, far sooner than originally forecasted. The IPCC predicts that beyond 1.5 degrees C the planet will experience a climate “regime shift” in which catastrophic heat waves, droughts, floods, crop failures and species extinction ramp up in both frequency and severity.

F. According to the Oregon Climate Change Research Institute, if greenhouse gas emissions continue at current levels, the annual temperature in Oregon is projected to increase by 5°F by the 2050s and 8.2°F by the 2080s, with the greatest seasonal increases in summer.

G. Globally, the Earth’s temperature has already risen approximately 2°F (1.1 – 1.2°Celsius) since the pre-industrial era (1880 - 1900) with the rate of warming doubling since 1981. Globally, the 10 warmest years in the 143-year record have all occurred since 2010, with the last nine years (2014–2022) ranking as the nine warmest years on record.

H. The Oregon Climate Change Research Institute has found that climate change poses a significant threat to Oregon's forestry, fisheries, water supplies, and coastal resources. According to OCCRI, likely climate-related impacts include winter flooding, summer droughts, loss of shoreline, forest fires, worsening air quality, diminished fish and wildlife habitat, retreating glaciers, decreased snowpack, and increased disease vectors and invasive species.

I. Multnomah County is already experiencing a wide range of impacts because of ACC. These include worsening air quality, severe smoke intrusion from wildfires, increased risk of wildfires, "heat domes" and extreme heat, and more intense rain and storm events, among other impacts.

J. In September 2020, Multnomah County recorded the worst air quality in its history, and the worst in the world at that time, caused by a series of unprecedented wildfires in the Cascade and Coastal mountain ranges. For five consecutive days beginning on September 10, 2020, Multnomah County saw emergency room visits for asthma-like symptoms exceed normal levels by 45 to 50 visits on each day of high smoke.

K. Increased temperatures are projected to contribute to: (i) decreased winter snowpack and changes in the timing and volume of streamflows fed by snowmelt; (ii) increased summer water demand, especially during more intense and longer summer droughts; (iii) increased risk of flooding due to more intense snow events and sea level rise; (iv) increased risk of fire in forest lands, open space, and in areas where forest and residential lands overlap; (v) increased risk of heat-related morbidity and mortality during more intense summer heat waves like the Heat Dome event of June 2021; (vi) increased summer air pollution and related health impacts; (vii) decreased summer hydropower production and increased summer energy demand, especially from air conditioning; (viii) increased harm to aquatic wildlife because of warmer water temperatures in streams, rivers, lakes; and (ix) increased shifts in habitat, invasive species, and insects affecting forest health, agriculture, and ecosystem function.

L. Anthropogenic climate change is projected to soon impose on the Oregon economy costs approaching \$27 billion annually, through only six mechanisms: increases in food costs, loss of income, increases in wildfires and related smoke, increases in heat-related deaths and declines in salmon populations. This is the equivalent of about \$15,000 per Oregon household per year (excluding costs from droughts, storms, sea-level rise, increased cooling and air conditioning, irrigation water shortages, psycho-social trauma, increased pests, invasive species and disease outbreaks, increased migration, reduced outdoor recreation, and increases in violence and suicides).

M. Projected ACC impacts in Multnomah County have widespread implications for residents, infrastructure, and ecosystems translating to direct and indirect economic impacts on the County itself.

N. Impacts of ACC on the health of Multnomah County residents include: (i) increased demands on emergency medical services with more heat-related illness and mortality; (ii) increased respiratory and cardiovascular disease due to projected increases in wildfire smoke, ground-level ozone, and allergens; (iii) increased risk of poisoning from cyanotoxins produced by harmful algal blooms; (iv) increased illness associated with changes in freshwater and marine toxins and pathogens; (v) increased risk of illness associated with the anticipated spread of vector-borne diseases carried by mosquitoes, rodents, and ticks; and, (vi) increased

mental health stress and risk of injury or death associated with more extreme climate or weather-related events such as storms, heat-waves and landslides.

O. Extreme heat, exacerbated by ACC, is already exacting a heavy toll on Multnomah County and its residents. In late June of 2021, Multnomah County suffered an unprecedented “heat dome” event in which 72 residents perished, with 69 of those deaths resulting from extreme heat. In a typical year there are zero heat deaths in Multnomah County in late June. Deaths from all causes were double the normal level during the week of the Heat Dome event. During that extreme heat period, daily maximum temperature records were shattered. Temperatures in densely urbanized areas reached 116°F (with spots maxing out at 125°F) – a staggering 40°F above the average daily temperature from previous years.

P. In 2022, Multnomah County experienced the longest stretch of extreme heat on record, with four heat deaths occurring during this period. In total, there were five heat deaths in Multnomah County in the summer of 2022.

Q. The current and future impacts of climate change will exacerbate pre-existing inequities in health, housing, employment, and income and are expected to have disproportionate effects on children, older adults, outdoor workers, communities of color, low-income households, people who are socially or linguistically isolated, pregnant women, and people with chronic medical conditions.

R. In 2007, the State of Oregon declared that “it is the policy of this state for state and local governments... to prepare for the effects of global warming and by doing so, prevent and reduce the social, economic and environmental effects of global warming.” ORS 468.205(2). To prepare for, mitigate and adapt to the negative impacts of ACC, public resources and money have been invested, and will continue to need to be invested in ever-increasing amounts, thereby placing further strain on the County’s already limited budget.

S. A “public nuisance” generally refers to any conduct or action that unreasonably interferes with the health, life, property, well-being and rights of the members of the Multnomah County community. ACC is an ongoing threat that interferes with the community’s use and enjoyment of natural resources and disrupts the general welfare, causing harm to our common environmental, social, health, economic, and political interests.

T. Globally, greenhouse gasses arise from several sources. The major source of GHGs is the combustion of fossil fuels, such as oil, natural gas, and coal. Scientists have reported that the burning of fossil fuels has contributed between 70% and 79% of atmospheric carbon dioxide, which today stands at 423 ppm, up from 317 ppm in 1960. Atmospheric CO₂ today is more than 50% higher than pre-industrial levels. Historians have reported that the fossil fuel industry as early as the late 1950s was aware of serious consequences of burning fossil fuel products.

U. Burning fossil fuels generates carbon dioxide, a gas that remains aloft in the atmosphere for decades, trapping radiant heat, and warming the air, land and water. The fossil fuel industry also generates methane (CH₄), primarily from venting and leakages in the production and gas transport pipelines. Methane is a far more potent greenhouse gas with a shorter atmospheric lifespan than CO₂. Atmospheric concentrations of methane have increased 160% since pre-

industrial times. Since the early 1970's, both the cumulative giga tons of GHGs emitted, as well as the rate of emissions, have dramatically increased.

V. The Environmental Protection Agency (EPA) released a study which stated that the most severe effects of climate disproportionately fall upon low income and minority communities. Underserved communities are the least prepared for and struggle to recover from climate related events such as flooding heat waves and poor air quality.

W. High temperatures can lead not only to heat exhaustion and heatstroke, but they can also increase the formation of smog and the severity of pollen, both of which in turn contribute to respiratory problems including asthma.

X. The County has responded to the dangers of heat related health concerns by opening cooling centers throughout the County to prevent residents from having to suffer the dangerous consequences of prolonged exposure to the heat.

Y. The County has worked to face increased climate related challenges and developed the Climate Action Plan and established the Office of Sustainability to advance the County's economy, improve public health, and promote social equity through environmental stewardship initiatives.

Z. As a County, it is our responsibility to show residents how we have prepared and how we are preparing for increased climate related concerns and how we plan to address current climate related concerns.

AA. The County has begun the process of assessing the ACC impacts and the budget required to prevent, prepare, mitigate and adapt to foreseeable climate disasters, which include (but are not limited to): economic impacts of extreme heat events, drought and wildfire smoke; repairs and fortifications of infrastructure; threats to public health; impacts to water and agricultural systems, transportation and jobs; and implementing emergency response centers, community shelters, and public cooling centers.

The Multnomah County Board of Commissioners Resolves:

1. Anthropogenic climate change has increased the frequency, duration and intensity of a number of disasters, which include extreme heat events (such as "heat domes"), wildfires (and wildfire generated smoke), drought, floods and storms, among other disasters, each of which pose a threat to the public health of the members of the Multnomah County community. These anthropogenic climate change driven extreme weather events are a continuing public nuisance.

2. The Office of County Attorney is authorized to immediately pursue legal remedies for damages caused by climate change as well as future abatement and adaptation costs caused by ACC including, but not limited to, litigation.

ADOPTED this 22nd day of June, 2023.

BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON



Jessica Vega Pederson

Jessica Vega Pederson, Chair

REVIEWED:
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