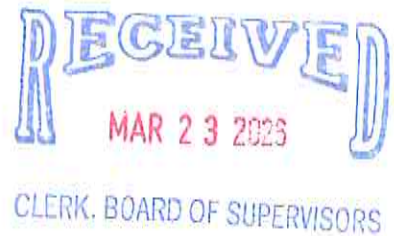


12585 W. McKinley Ave.
Kerman, CA 93630
March 17, 2026



To the Fresno County Board of Supervisors:

As an 11 year-old boy, I loved playing softball. One of the few spaces we had available as a ball field was at the edge of the cemetery of our local church. The cemetery grew and before long, there was no room left for our little ball field. I was very disappointed and swore to myself that when it eventually came time that when it eventually came time that I need a space in the cemetery, I would find another way that would not take space away from kids needing a space to play.

As time went by, I needed a plan to follow through with my promise. There were no many options, but the one that fit the best was that of cremation. It was not an option which made me feel totally comfortable, however. It involved a very energy-intensive process to dispose of the body and the left-overs did not provide a product which was of much benefit to the earth. I kept wishing for a process which would be safe for the human environment and one that would allow for my remains to give a little back to the earth from where I came.

A few years ago, I came across a company which was providing exactly what I was looking for. This was a company that converted the expired human body into composted material that could be used to supply nutrition to living plants, keeping the cycle of life in motion. I looked into the process to make sure it was a safe system to avoid spreading disease, and was satisfied that it was so. The disadvantage was that at that time, the service was only provided in the State of Washington and transporting a corpse from California was unreasonable. I was encouraged when California joined the growing number of states that provide this option.

I was even more pleased when the San Joaquin River Conservancy agreed to be part of the system in providing an area where the compost would be used to nourish plants in our local area. My life long wishes were coming true. The Conservancy area would provide a local spot where friends and family, after my passing, could go to enjoy the beauty of nature and at the same time remember me. It was a win-win situation. Private property can be used for compost usage, but after property changes ownership, access can be cut off. Public property can provide access for family and friends with no disturbance caused to others.

I was then again greatly disturbed to hear of the recent decision to prevent usage of human composting in the San Joaquin Conservancy area, for some reason which I do not understand. As an 11 year-old, I was disappointed in losing our ball field but surely understood to reasoning behind the decision. As a 75 year-old adult, I cannot say the same for this decision. I do not understand why compost that is safe and beneficial to our environment should not be welcomed with open arms. Our natural world takes such a beating from our human activities. I would think it would be encouraged to give a little back, I can only think that this decision is grounded in 14th century style aversion to human death rather than anything more rational. If I am wrong, I would appreciate being made aware of this. I would hope there would be some reconsideration of this matter for those of us who are looking for an end of life contribution.

A Fresno County resident.

Les Behr
Les Behr, MD



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April 6, 2026

Members of the Board of Supervisors
County of Fresno
2220 Tulare Street, 5th Floor
Fresno, CA 93721
Sent via Electronic Mail

Re: Opposed Unless Amended – Proposed County Ordinance the Land Application of Human Derived Materials

Dear Mr. Chairman and Members of the Board:

On behalf of my client, Earth Funeral, I write to respectfully express an oppose unless amended position on the proposed ordinance governing the land application of human-derived materials.

We appreciate the Board's intent to address public health and land use considerations. However, as currently drafted, the ordinance raises several concerns that warrant thoughtful revision.

We ask the Board to consider one central question as it deliberates this action: should Fresno County families who have chosen natural organic reduction as their final wish be treated differently than families who have chosen cremation or conventional burial?

We do not believe the science, the law, or basic fairness supports that outcome, and we want to provide additional background information on natural organic reduction.

We offer the following information and recommendations for your consideration.

An Introduction to Natural Organic Reduction

Although California's AB 351 does not take effect until 2027, natural organic reduction (NOR) is already a licensed, regulated form of final disposition of human remains just like traditional options, burial and cremation in states like Nevada and Washington. It has been authorized by thirteen states outside of California and NOR facilities have been commercially operating since 2020.

In Washington and Nevada, NOR takes place entirely inside a licensed facility. The process accelerates the natural microbial decomposition of human remains using natural materials, water, heat, and oxygen. As a thermophilic process, NOR generates sustained high temperatures to ensure pathogen destruction and compliance with public health and regulatory standards.

Each reduction is handled with dignity, care, and rigorous oversight. An individual is placed in a vessel with organic materials like wood chips and wildflowers. Over the course of approximately one month, the body is gently transformed to nutrient rich soil. Every step of the NOR process occurs indoors, under the supervision of licensed funeral professionals, and is subject to state regulatory oversight where the process takes place.

The soil is rigorously tested during the process to ensure it is safe for families to handle as well as for the natural environment. Earth Funeral performs additional independent testing through accredited third-party labs to test for heavy metals, pathogenic bacteria, and nutrient concentrations. NOR is the only method of disposition that performs this kind of rigorous testing.

Scientific and Public Health Considerations

The ordinance raises concerns regarding pathogens, PFAS, medications, and heavy metals that do not accurately reflect the established science.

State regulations require each NOR process to sustain temperatures between approximately 131°F and 160°F in order to neutralize common pathogens and meet safety standards. In addition, the resulting material is tested to confirm compliance with environmental and health thresholds.

By comparison, conventional burial places untreated human remains directly into the ground without temperature control, containment, or testing. Cremation, while widely accepted, results in airborne emissions. Fresno County does not impose comparable pathogen testing requirements on burial or cremation.

This disparity underscores a central concern: families who choose NOR should not be subject to a fundamentally different regulatory standard absent a clear scientific basis.

Recommended Amendments

1. Remove the Private Right of Action

The inclusion of a private right of action, particularly one allowing treble and punitive damages, is unnecessarily punitive and creates significant risk of inconsistent and potentially abusive enforcement.

We appreciate the County's resource constraints with respect to enforcement of ordinances. However, in this instance, the risk of broad public harm is limited while exposure to unwarranted

and abusive litigation is high. We believe this ordinance is most appropriately enforced by public agencies with the expertise and discretion to ensure uniform application. We strongly request removing this provision in its entirety.

2. Narrow the Scope of the Prohibition

As drafted, the ordinance applies an overly broad prohibition barring the public from private land that contains NOR soil. This is excessive.

We recommend narrowing the restriction to simply state that NOR soil be limited to private land at the owner's discretion. We support restrictions regarding food production.

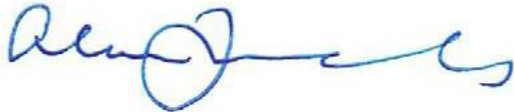
Conclusion

Natural organic reduction is already being chosen by Fresno County families. As proposed, this ordinance would effectively signal that those families' choices are unwelcome, placing Fresno County at odds with both statewide policy direction and evolving consumer preferences.

With the targeted amendments outlined above, the Board has an opportunity to adopt a more balanced approach, one that protects public health while respecting consumer choice, scientific evidence, and the dignity of families making deeply personal decisions.

Thank you for your consideration and for your service to Fresno County.

Respectfully submitted,



Alan Fernandes, Attorney Shareholder

Cc: Mr. Paul Nerland, County Administrative Officer