



Humboldt County



2014 State & Federal Legislative Platform



2014

LEGISLATIVE

PLATFORM



COUNTY OF HUMBOLDT BOARD OF SUPERVISORS



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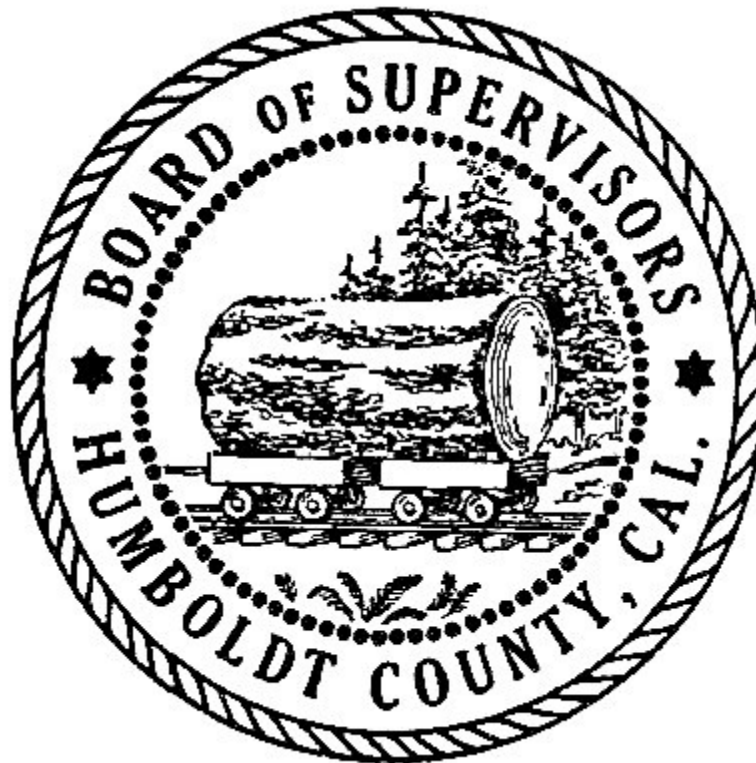
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STATE LEGISLATIVE GOALS

Humboldt County's primary, overarching goal for 2014 is the protection and preservation of the County's ability to fund local programs. Other goals include:

SUPPORT STATE APPROPRIATIONS FOR PUBLIC INFRASTRUCTURE PROJECTS.

SUPPORT LEGISLATION THAT ADVOCATES FOR MAXIMUM LOCAL CONTROL AND FLEXIBILITY IN THE ALLOCATION OF RESOURCES AND THE ADMINISTRATION OF COUNTY PROGRAMS.

SUPPORT RELIEF FROM STATE MANDATES AND/OR ELIMINATION OF STATUTORY BARRIERS SUCH AS:

- Broaden and extend the current authority to waive regulations and statutes to provide cooperative services in a more cost-efficient manner.
- Oppose attempts to shift costs from the State to counties for mandated and/or non-mandated programs.

OPPOSE REDUCTIONS TO THE CURRENT LEVEL OF STATE FUNDING FOR COUNTY PROGRAMS.

SUPPORT AND ADVANCE LOCAL INTERESTS IN NATURAL RESOURCE DISCUSSIONS.

STATE LEGISLATIVE PROPOSALS

AGRICULTURE

WILLIAMSON ACT CONTRACT CANCELLATION “FEE”

A landowner is able to terminate a Williamson Act contract upon payment of a cancellation fee. Under current law however, the Department of Conservation and a landowner may negotiate the cancellation value of the land held under a Williamson Act contract. The agreed cancellation value of the land then becomes the basis for the contract cancellation fee. Negotiations between these two parties can significantly reduce the cancellation fee. Government Code Section 51203(d) eliminates any input from county or city governing bodies for approval of the valuation. Significantly reducing the cancellation fee undermines the financial penalty for Williamson Act contract cancellations and allows a landholder to receive a property tax benefit without any repercussions for terminating a Williamson Act contract. This issue has become more critical due to the loss of subvention funding from the State and all program costs are now borne by local jurisdictions.

The County supports a revision to Government Code 51203(d) that ensures the County can provide input into the cancellation value of the land.

DIRECT MARKETING PROGRAM MODERNIZATION

State Law (Food and Agriculture Code Sections 47003 – 47050) currently authorizes the Direct Marketing Program which allows California farmers to market their products directly to consumers with exemptions from California Department of Food (CDFA) and Agriculture Standardization Program requirements for minimum size, standard pack and labeling. The role of Direct Marketing has changed considerably since its establishment in 1977 and the line between direct marketing and buying and reselling products has been rendered indistinguishable due to statutory changes. This changing role and definition of Direct Marketing has created significant challenges for enforcement and requires an update of State law to address and reflect the current needs of the Direct Marketing Program. In addition, State law currently limits the fees counties may charge for the enforcement of Direct Marketing requirements to \$60.00 per hour.

The County supports passage of new legislation authorizing changes to Direct Marketing laws that clarify emerging enforcement issues, defines “locally grown” to benefit both consumers and producers by enabling additional purchasing and marketing opportunities, and provides counties adequate cost recovery authority.

GENERAL GOVERNMENT

EXTEND KINGPIN LENGTH THROUGH RICHARDSON GROVE

Route 101 is the primary north-south route serving the north coast of California and is critical to the commerce of Humboldt and other surrounding counties. Route 101

STATE LEGISLATIVE PROPOSALS

through Richardson Grove is a narrow two-lane road with large old growth redwood trees adjacent to the traveled way.

Ninety-percent of the equipment used to transport cattle and other livestock to out-of-state markets involve trailers with a kingpin lengths of 43 feet, and State statute prohibits trailers with a kingpin length of 40 feet from traveling on a section of Highway 101, therefore putting livestock and dairy ranchers from Humboldt, Del Norte, and Mendocino counties at a great economic disadvantage. This prohibition covers tighter than normal turns along a very short section of Highway 101 at Richardson Grove. In response to this State statute, in 2007, Senate Bill (SB) 773 was chaptered (Chapter Number 440, Statutes of 2007) and extended the overall kingpin length from 40 to 43 feet for cattle trailers, and expired on January 1, 2012. In 2011, Assembly Bill (AB 349) was chaptered (Chapter Number 172, Statutes of 2011) and also extended the kingpin length to 43 and is set to expire in January 1, 2015. In order to be competitive, our local dairy and beef industries need to use out-of-state haulers for movement of their products. They are limited by statute to trailers with a kingpin length of 40 feet or less.

Further extension of the kingpin length was previously assumed to be unnecessary due to the pending Caltrans project to make minor adjustments to the roadway alignment of Route 101 through Richardson Grove State Park. This project will improve safety and provide practical access for standard length trucks conforming to the Surface Transportation Assistance Act, which are currently prohibited north of Leggett. This platform was removed due to the belief that this project would be completed by December 31, 2014. It currently appears that the Richardson Grove project will not be completed by December 31, 2014 and therefore, in order to protect local industry, the County supports an additional extension.

REDUCED VOTER APPROVAL THRESHOLD

Currently, State law requires a two-thirds voter approved threshold for local initiatives for projects such as public library construction and transportation. This current two-thirds requirement is unfair in a political system based on the concept of majority rule. Changing the vote threshold to 55 percent would enable local governmental jurisdictions to more effectively address local issues.

The County supports a constitutional amendment that would reduce the vote threshold required to pass local initiatives from a two-thirds majority to 55 percent.

CALIFORNIA PUBLIC RECORDS ACT REIMBURSEMENT

Humboldt County, like many local jurisdictions, receives numerous requests for documents under the Public Records Act. The requests often ask for voluminous information that takes a great deal of staff time to compile. Requests may involve documents spanning several decades in time and/or numerous departments. In some instances, County staff have spent hundreds of hours compiling information on one request alone.

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The federal Freedom of Information Act and the State's public records request equivalent for Courts can require requesting parties to provide reimbursement of staff time, but California's Public Records Act only allows for the collection of photocopy fees and postage charges for documents selected from search results. Local governments cannot afford to add staff solely to comply with Public Records Act requests.

The County supports legislation that would allow local governments to charge requesting parties for reimbursement of staff time involved in fulfilling Public Records Act requests.

STATE ASSISTANCE WITH MARIJUANA

Local governments are tasked with regulating the medical marijuana industry as well as addressing recreational use of marijuana within their jurisdictional boundaries. Medical marijuana is a full-fledged industry. So too is recreational marijuana. Industries are routinely regulated by State, local or Federal agencies. Local governments are not in a position to effectively regulate these contradictory uses of marijuana for several reasons. One, there is inconsistent regulatory control over medical marijuana and its continued prevalence in our communities. Two, as a recreational industry, marijuana is not taxed, and does not provide financial resources to local governments but instead drastically drains already limited County resources. This industry impacts law enforcement and our environment. Marijuana is responsible for the destruction of our environment due to the clearing of land, grading, road-building, water diversions from streams and application of herbicides, pesticides and fertilizers. The State has not provided a regulatory framework for medical marijuana. The State has not enforced appropriate land use activities as it has with other industries such as timber, ranching, or farming. The State has provided insufficient funding to local governments to address any and all of these concerns.

The County supports the following in regards to marijuana: having the authority to tax items that are used in the cultivation of marijuana; legislation that would provide direction to responsible State agencies to regulate the environmental impacts of land use activities associated with the cultivation of marijuana similar to all other land use industries; and The County supports a regulatory framework for medical marijuana that delineates the clear roles and responsibilities of the jurisdictions involved.

SEPARATING TRIAL COURT RETIREMENT SYSTEMS FROM COUNTY PERS

Existing Public Employees' Retirement System (PERS) law requires that, in the case of a trial court within a county contracting with PERS for retirement benefits, the trial court and the county must participate under a joint contract with PERS. This results in pooled assets and liabilities, a single employer contribution rate, and a single benefit package.

Chapter 850, Statutes of 1997, enacted the Lockyer-Isenberg Trial Court Funding Act of 1997 to provide for the creation of a Task Force on Trial Court Employees and altered funding mechanisms for local trial courts. This led to transferring funding responsibility from the counties to the State. Also, Senate Bill 2140 (2000) granted courts the status of

STATE LEGISLATIVE PROPOSALS

independent employers. Trial Courts and counties now function independently across the state of California. For over a decade the County of Humboldt has separated county functions from courts. Previously, court staff were considered county employees.

The County supports legislation which would separate the Courts PERS contracts for trial courts located within California counties. In the current system courts provide for their own capital needs, develop and fund their own budgets, and maintain their own checking accounts. With capital and budget needs separated from the county, it is illogical for trial courts to be part of county PERS contracts.

MITIGATION OF IMPACTS FROM TRIBAL GAMING COMPACTS

The State Gambling Control Commission and the State Control Officer dedicate funding for local communities from revenue generated by casinos on tribal land.

Pursuant to Senate Bill 621 (2003), a county receiving grant funding to limit impacts from Tribal Casinos must utilize funding for the following grant priorities: law enforcement; fire services; environmental impacts; waste disposal; behavioral health; public health; medical services; water supply; planning and adjacent land uses; recreation and youth programs; child care programs.

Total grant funding made available to municipalities, government organizations, businesses and non-profits within Humboldt County is only 5 percent of the total funds available in the Tribal Casino Accounts, with the State receiving the remainder of the funds, or 95 percent. Five percent of these funds is insufficient to offset the social and environmental impacts of casinos. Since local communities do not receive any tax revenue from the Tribal Casinos, it is imperative that this grant revenue increase.

The County of Humboldt supports legislation which would increase funding to mitigate impacts from Tribal Gaming Compacts. Additionally if the State renegotiates contracts with Native American tribes, the County supports legislation which would allow more County and local government involvement to address environmental, social, and planning concerns of the local community.

HEALTH AND HUMAN SERVICES

CLEAN AND SOBER HOUSING LICENSURE AND REGULATION

The state Department of Health Care Services currently licenses and regulates alcohol and drug abuse recovery treatment facilities that provide 24-hour residential nonmedical treatment or detoxification services for adults. Licensure requirements do not extend to adult recovery maintenance facilities, commonly known as 'clean and sober housing'. Licensure of recovery maintenance facilities would help ensure a safe environment for recovering addicts in their transition to sober living, and for the surrounding community.

The County supports state licensure and regulation of adult recovery maintenance facilities.

STATE LEGISLATIVE PROPOSALS

REMOVING BARRIERS TO CalFRESH ELIGIBILITY

The 2011 Local Public Safety Realignment transferred responsibility for specified adult offenders to counties. Currently, a person convicted of certain drug-related felonies is automatically disqualified from receiving CalFresh nutrition benefits. Offenders who comply with the terms of probation or parole would benefit from this assistance. Supplemental food and nutrition assistance is a vital component of rehabilitation and successful reintegration into our community.

The County supports removing barriers to CalFresh enrollment.

TRANSFER OF IN-HOME SUPPORTIVE SERVICES COLLECTIVE BARGAINING

SB 208 (Steinberg, 2010) shifts collective bargaining for In-Home Supportive Services providers to a Statewide Authority for eight California counties. Proposals to shift all counties' collective bargaining for In-home Supportive Services providers to state responsibility have been introduced. Wage and benefit negotiations are best managed at the state level.

The County supports expediting the centralization of In-Home Supportive Services collective bargaining with the Statewide Authority.

NATURAL RESOURCES

STATEWIDE REGULATION OF SINGLE-USE CARRYOUT BAGS

Despite recycling and voluntary efforts to control pollution from plastic bags in California, only 5 percent of plastic carryout bags are recycled and the rest either take up valuable landfill space or are discarded in the environment. Paper bags made from raw materials are not environmentally sound alternatives to plastic bags because the production of these bags contributes to deforestation, natural resource depletion, greenhouse gas emissions, and waterborne wastes.

The County supports legislation that would provide a uniform statewide approach that would prohibit supermarkets and large convenience stores from distributing a single-use bag made of plastic, paper or other material and require the retailer to offer reusable bags for sale.

OAK WOODLANDS RESTORATION

Oak woodlands have important economic and ecological value. In the north coast these woodlands are under threat of loss due to the encroachment of Douglas-fir from the lack of periodic wildfire. Forest management practices have the ability to restore these stands. However, current California Forest Practice Rules limit needed management actions. While the rules allow for harvest of the invading conifers, 912.7. 932.7,

STATE LEGISLATIVE PROPOSALS

952.7 *Resource Conservation Standards for Minimum Stocking*, outlines required conifer stocking standards after timber operations have been completed. These rules mandate conifer planting, even if the goal of timber operations WAS to restore oak woodlands and thereby reduce conifers. In addition, restocking conifers in oak woodlands creates issues with converting one species (oak) to another species (conifer).

The County of Humboldt supports revisions to the CA Forest Practice Rules that would create an exemption to the restocking of conifers if the goal of the original timber operation was to restore oak stands. This could follow the current exemption for aspen stands where restocking is not required.

PLANNING AND BUILDING

HOUSING ELEMENT COMMENT PERIOD

California Government Code Section 65585 defines the process and timeline for review of a local government's draft Housing Element by the Department of Housing and Community Development (HCD). The process requires that HCD shall complete its review and provide its response to the planning agency within 90 days of receipt of the draft, during which time it shall consider comments from any public agency, group or person. This allows that HCD may consider comments or information that were not made available to the planning agency at the time of its review. The process also does not establish any deadline for receipt of comments by HCD.

The County supports changes to Housing Element law to provide that HCD shall only consider comments on substantive issues that were previously submitted into the record for review by the planning agency in their approval, and to establish a reasonable deadline for receipt of comments by HCD.

REDUCED STATE REGULATIONS FOR COMMUNITY DEVELOPMENT AND DESIGN

The County of Humboldt has grappled with conflicts between local residential housing needs and State laws which preempt local land use authority. Specifically the process to develop the Regional Housing Needs Allocation (RHNA), as mandated by State Housing Law as part of the procedure in updating local housing elements of the General Plan, has resulted in a development pattern which does not match community need.

The RHNA quantifies the need for housing within a jurisdiction during specified planning periods. Additionally, State law dictates standards for meeting the assigned housing inventory requirements.

Given the current RHNA process, and the historical local distribution of RHNA requirements to the County by the Humboldt County Association of Governments, the County is compelled to site affordable housing in unincorporated areas that are distant from essential services and community centers. This development pattern is against the

STATE LEGISLATIVE PROPOSALS

wishes of the community and is inconsistent with Legislative policies such as Senate Bill 375 (2008).

Many residents in Humboldt County believe more flexibility is required to address housing needs within the local community. Although the County understands the need for consistent housing and community development policies across the State of California, stringent rules and regulations which do not allow for flexibility and ignore local considerations create a hostile environment for local governments to address the needs presented by citizens.

The County of Humboldt supports legislation which would reduce the State level input on community design and would create more flexibility for local officials and staff to develop a RHNA which best suits the community.

PUBLIC SAFETY

BOARD REPRESENTATION ON THE EXECUTIVE COMMITTEE OF THE COUNTY COMMUNITY CORRECTIONS PARTNERSHIP

The County would like to seek Board representation on the Executive Committee of the County Community Corrections Partnership (CCCP). Section 33 of AB 117 removed Board representation and required a 4/5 vote of the Board of Supervisors to reject local plans developed by the CCCP.

Removal of the Board of Supervisors from this decision-making role violates the central principle of county government that it is Boards of Supervisors that are responsible for the decisions about allocating funds that come to the county to implement local programs. The County supports legislation which would restore Board representation to the CCCP.

PUBLIC WORKS

FINANCIAL RELIEF FROM STATE REGULATORY REQUIREMENTS FOR MUNICIPAL STORM WATER DISCHARGE

In February 2013, the State Water Resources Control Board significantly expanded the permitting requirements related to municipal storm water in cities and unincorporated areas. The areas subject to the MS4 general permit in Humboldt County were expanded to include the unincorporated Eureka area, the community of Shelter Cove, and the City of Trinidad in addition to McKinleyville and the cities of Eureka, Arcata, and Fortuna. The small, rural community of Shelter Cove and the small City of Trinidad are subject to the permit because they each discharge to state-designated Areas of Special Biological Significance.

Humboldt County continues to support efforts to improve and maintain storm water quality. However, the MS4 General Permit is an unfunded mandate that requires

STATE LEGISLATIVE PROPOSALS

extensive new programs and practices and shifts enforcement responsibilities to local communities while the state continues to collect and retain substantial fees. The administrative, reporting, and monitoring burden of the new storm water permit is substantial. For example, Humboldt County is required to perform expensive sampling and laboratory testing of storm water discharges in the remote, rural area of Shelter Cove for at least two years to prove that the storm water does not exceed standards established for more urban areas more likely to have pollutant sources. This requirement threatens to divert needed funds from the County's other commitments to environmental stewardship and be counterproductive for achieving real water quality benefits. The City of Trinidad faces the same situation.

Financial relief is needed to assist economically disadvantaged communities to comply with the state storm water permitting requirements. Options include (1) authorize state funds from Proposition 84 and/or the 2014 water bond to be used for financial assistance with municipal storm water programs; (2) reduce state fees charged to cities and counties for the storm water permit; and (3) provide regulatory flexibility so the permit requirements are not radically disproportionate to the actual environmental risks.

The County supports legislation and/or state regulations to reduce state fees and authorize state funding in order to assist economically disadvantaged communities to comply with the State Water Board's 2013 Phase II Small Municipal Separate Storm Sewer System (MS4) General Permit. The County also seeks legislative delegation support before regulatory bodies in ensuring that the State and Regional Water Boards provide needed flexibility for local agencies to comply with the new permit requirements.

SURVEYOR MONUMENT PRESERVATION

Government Code sections 27584 & 27585 authorize the Board of Supervisors to establish a survey monument preservation fund for retracement or re-monumentation surveys of major historical land division lines upon which later surveys are based. County Ordinance No. 1835 was passed on June 21, 1988 which established the Fund locally. This ordinance established a user fee which in accordance with Government Code Section 27585, is collected by the County Recorder at the time of the recording of any grant deed except those which convey lots created by a recorded tract map, or lots conveyed to or from a government entity.

Several County Surveyors have found that the exemption of subdivision lots from the collection of this fee has been confusing, and therefore the fee is not always properly collected. Proposed legislation would remove this exemption, simplifying the process and enhancing the fund.

The County supports legislation that would remove the exemption from the survey monument fee in Government Code Section 27585.

STATE LEGISLATIVE PROPOSALS

REINSTATE DOUBLE FINE ZONE FOR EXPRESSWAY BETWEEN ARCATA AND EUREKA

In 1995, Senate Bill 414 was introduced by Senator Mike Thompson. This bill introduced 14 double fine zones across the state. The bill was set to expire on January 1, 2004, but under Assembly Bill 1238 (2003), State Highway 101 in Humboldt County was the only double fine zone to be extended to January 1, 2006.

In 2005, the County received a grant with support from the Office of Traffic Safety through the California Highway Patrol to promote public awareness about how to drive safely while traveling along the State Highway 101 corridor between Eureka and Arcata.

Senator Wesley Chesbro introduced Assembly Bill 1384 in 2005. This bill extended designation of the State Highway Route 101 between Eureka and Arcata as a double fine zone from January 1, 2006 through January 1, 2010.

Due to safety concerns the County of Humboldt seeks to reinstate the segment of State Highway Route 101 between the Eureka Slough Bridge and the Gannon Slough Bridge as a Safety Enhancement-Double Fine Zone, pursuant to Section 97 of the California Streets and Highways Code.

ENVIRONMENTAL STREAMLINING FOR FISH PASSAGE PROJECTS

Local governments frequently undertake projects that will improve the passage of fish through streams and rivers by removing blockages and improving culverts. Often the permit process can delay and increase costs for these projects. Fish passage enhancement projects should be considered water quality improvement and not be delayed in the permit process. Legislative and regulatory efforts should focus on streamlining the delivery of projects that improve fish passage for salmonoids and therefore enhance the environment.

The County supports streamlining the permit process for fish passage enhancement projects.

LOCAL REHABILITATION PROJECT ELIGIBILITY FOR STIP FUNDING

Existing law generally provides for allocation of transportation funds pursuant to the State Transportation Improvement Program (STIP) process. The law also provides for 75% of funds available for transportation capital improvement projects to be made available for regional projects, and 25% for interregional projects. The law describes the types of projects that may be funded with the regional share of funds, and includes local road projects as a category of eligible projects. Legislation that specifically states that local road rehabilitation projects are eligible for STIP funds is necessary to protect the ability of local agencies to prioritize the regional project share to the needs of the local agency.

STATE FUNDING PROPOSALS

The County supports legislation that would state that local road rehabilitation projects are eligible for State Transportation Improvement Program (STIP) funds.

STATE FUNDING PROPOSALS

AGRICULTURE

FUNDING FOR HIGH-RISK EARLY PEST DETECTION AND EXCLUSION PROGRAMS

Early pest detection and surveillance programs prevent the establishment and spread of plant pests that endanger agriculture, the environment and the economy of the State and Humboldt County. State funding cuts to the California Department of Food & Agriculture budget have significantly reduced funding available for High-risk Pest Exclusion Programs placing local and State agricultural and environmental resources at greater risk. Loss of funding for High-risk Pest Exclusion Programs has placed a greater burden on other monitoring programs to identify early introductions of harmful disease and insect pests. State funding for the High-risk Pest Exclusion Program in Humboldt County has been cut by approximately 89%. The current fiscal year's contract reimburses Humboldt County \$5,470 for High-risk pest Exclusion Activities.

The County supports State and federal legislative and administrative proposals to provide funding resources for State and County High-risk Pest Exclusion programs.

ECONOMIC DEVELOPMENT

INFRASTRUCTURE PROJECTS FOR ECONOMIC DEVELOPMENT

SUPPORTED BY: City of Eureka

In Humboldt County's Comprehensive Economic Development Strategy there are eight targets of opportunity: diversified health care, specialty food, flowers and beverages, building and systems construction, investment support services, management and innovation services, niche manufacturing, forest products, and tourism. In order to develop a strong economy investment needs to occur in these areas. In particular, investment in building and systems construction for the City of Eureka would support economic development. This includes construction of a food/beverage bottling line, construction of an ice and cold storage facility, and reconstruction of docks to support marine facilities, economic feasibility of establishing alternative modes of transportation, and the replacement of aging fuel dispensers to support watercrafts.

The County supports funding for economic development projects that are of regional significance.

STATE FUNDING PROPOSALS

EDUCATION

FUNDING TO CONNECT PUBLIC LIBRARIES TO A STATE-WIDE HIGH-SPEED INTERNET NETWORK

Not all public libraries in California are able to offer high-speed Internet services to all users. The California Library Association in conjunction with the Corporation for Education Network Initiatives in California is working to connect public libraries to a state-wide high-speed Internet network called California Research & Educational Network. These efforts would benefit Humboldt County libraries by giving all of the County's branches access to high-speed Internet.

The County supports State funding to provide high-speed Internet to all public libraries.

GENERAL GOVERNMENT

FULFILL THE PROVISIONS OF THE PAYMENT IN LIEU OF TAXES ACT RELATED TO FISH & GAME PROPERTY

According to State Fish & Game Code Section 1504, the State is committed to making payments in lieu of property taxes to local agencies in areas where state wildlife management areas affect local property tax collections. In Humboldt County, local agencies have not been paid since 2001. Although most of this funding would flow to special districts, a portion of these funds is directed to the County's General Fund, Roads Fund, and Library.

The County supports legislative action that would fund the required payments.

RESTORATION OF PROPERTY TAX ADMINISTRATION PROGRAM

In 1992, the State enacted the Educational Revenue Augmentation Fund (ERAF), which shifted property tax revenues from local governments to the State. Although counties assess property values, act as a hearing board for property tax appeals, and collect property tax payments, the State receives more than 65% of every property tax dollar collected in Humboldt County. The State recognized that it was in its own best interests to ensure that properties were being assessed to the greatest extent possible. Therefore, in 1994, the State established the Property Tax Administration Program (PTAP). PTAP provided funds to each county to support the work of the Assessor's Office and the rest of the property tax administration system. Humboldt County received \$210,806 in PTAP funding in FY 2004-05, the last year the program was funded.

The County supports funding that re-establishes and restores funding for the State's share of property tax administration costs.

STATE FUNDING PROPOSALS

SEPARATING SUPERIOR COURT EXPENSES FROM COUNTIES

Two pieces of legislation, the Lockyer-Isenberg Trial Court Funding Act of 1997 and the Trial Court Facilities Act of 2002, transferred from counties to the State fiscal responsibility for court operations and trial court facilities. The Superior Court Law Enforcement Act of 2002 further delineated responsibility for court security services by county sheriffs to the courts. Despite these extensive Acts and their transfer of responsibilities, Humboldt County continues to bear a significant burden for the costs of services provided to the local Superior Court.

1) GRAND JURY

Despite the transfer of fiscal responsibility in 1997 for court operations from the County to the State, the fiscal responsibility for the Grand Jury still resides with the County per Penal Code 931, while the authority to impanel the Grand Jury remained with the Superior Court per Penal Code 914. The County has no control over the Grand Jury's empanelment and no subsequent control over their expenditures.

The County supports legislation to move fiscal responsibility for the Grand Jury from the County to the State.

2) COURTHOUSE

The Superior Court of Humboldt County occupies 33% of the County owned courthouse. The unintended consequence of the court facilities transfer act is the Humboldt County General Fund now expends approximately \$211,300 annually in rent for displaced County services that should be performed in the County's building. In addition, on an annual basis the County continues to expend \$933,701 for the Trial Court Maintenance of Effort payment and \$177,273 for the Court Facilities Payment.

Humboldt County supports legislation for the Superior Court of Humboldt County to receive funding for a new court facility.

3) COURTHOUSE SECURITY

Due to the unique configuration of the Humboldt County Courthouse it is necessary to maintain two entrances for ingress and egress, and therefore two security screening stations. The cost to operate two security screening stations far exceeds the State's appropriation to the local Superior Court of Humboldt County.

As security screening is a requirement of the State, the County of Humboldt supports legislation for the Superior Court of Humboldt County to receive additional funding for security screening.

STATE FUNDING PROPOSALS

HEALTH AND HUMAN SERVICES

REALIGNMENT

Legislation in 1991 and 2011 realigned responsibility for most Health and Human Services programs from the State to counties. In addition, 2013 legislation redirected a significant portion of 1991 health realignment funds from counties to fund state Medi-Cal expansion. Data and outcomes from these major shifts must be compiled and fully analyzed before any additional programs, such as child care, are considered for realignment to county responsibility.

The County opposes realignment of additional health and human services program responsibilities from the State to counties.

MEDI-CAL MENTAL HEALTH AND SUBSTANCE USE DISORDER BENEFITS

The 2013-2014 State budget expanded the scope of mental health and substance use disorder benefits available to Medi-Cal beneficiaries beginning in 2014. The state Department of Health Care Services is working to define the expanded benefits and divide responsibility and funding for providing them between counties and Medi-Cal managed care health plans.

The County supports clearly defined implementation of new Medi-Cal benefits and full funding for county responsibilities.

PLANNING AND BUILDING

GRANT FUNDING FOR INFILL DEVELOPMENT

The County's General Plan Housing Element includes designation of "Housing Opportunity Zones" to promote infill housing development. The County adopted an ordinance to relax requirements in these zones. The County would also like to provide financial incentives for residential development in these areas.

The County strongly supports legislation that would provide grant funding from the California Department of Housing and Community Development for infill development incentives in Housing Opportunity Zones.

GRANT FUNDING FOR LOW-INCOME HOUSING PROJECTS

The County depends on grant funding to create housing affordable to low income and senior citizens. Competition for affordable housing grant funding is increasing as city and county budgets are cut back and the demand for low income housing grows. An alarming trend is the increase in importance of providing match funding to secure competitive grants. While this policy extends State and federal grant dollars it confers

STATE FUNDING PROPOSALS

advantage to wealthy jurisdictions and discriminates against economically disadvantaged communities.

The County supports grant guidelines and legislation that waive match requirements for economically disadvantaged jurisdictions. The County also supports financing mechanisms that can assist local jurisdictions in establishing permanent sources of funding for low income housing development, such as the Local Housing Trust Fund Program operated by Housing and Community Development.

FUNDING FOR ENERGY CONSERVATION AND RENEWABLE ENERGY GENERATION PROJECTS

Assessments of renewable energy generation capacity in Humboldt County indicate the County could be a significant exporter of electricity generated from renewable sources. The development of these resources, including solar, wind, biomass and wave energy, will assist the County in reaching AB 32 carbon emission reduction targets and stimulate the County's economy.

The County supports legislation that would accelerate the development of renewable energy resources including price supports, grant funding and utility policy that facilitates export of renewable energy generated from the County. The County also supports incentives and policies to promote residential and commercial energy conservation, including Property Assessed Clean Energy (PACE) financing.

PUBLIC SAFETY

FUNDING TO CITIES FOR PUBLIC SAFETY REALIGNMENT

SUPPORTED BY: City of Eureka

Local governments currently have insufficient jail space, probation officers, housing and job placement programs, medical and mental health facilities, and lacks a uniform definition of recidivism across all jurisdictions.

The County supports a uniform definition of recidivism and adequate funding to cities and counties to properly address and make public safety realignment a success.

STABLE FUNDING FOR JUVENILE JUSTICE

Juvenile Justice funding is imperative to address high risk youth in local communities. Juvenile Justice funding deals with the supervision and treatment needs of a local community's high risk youth. Funding provides treatment and confinement solutions for a community's youth who are at highest risk to re-offend and hardest to place due to their co-occurring mental health disorders, thereby putting community safety in jeopardy.

STATE FUNDING PROPOSALS

The County supports legislation for continued and increased provision of resources for juvenile justice programs in order to provide for stable and secure sources of funding.

NATURAL RESOURCES

LONG-TERM FUNDING FOR NATURAL RESOURCE AFFAIRS

Humboldt County is located on California's Pacific North Coast and is home to significant water resources that include the Eel, Klamath, Mad and Trinity Rivers; home to fish populations of salmon, groundfish and crab; and home to dense forests which include coastal Redwoods. These considerable natural resources were once abundant and contributed notably to the local economy.

Decisions and regulatory management of these natural resources often occur at the State and federal levels. These decisions have had cumulative impacts on water resources, fisheries and timber, and therefore on the community as well. State and federal decisions need to adequately account for local priorities, knowledge and needs in order to minimize adverse economic and social impacts, while appropriately managing and restoring these significant natural resources.

The County strongly supports legislation that provides stable funding for long-term engagement, administration and capacity development for natural resource affairs in the County of Humboldt.

WILLIAMSON ACT FUNDING RESTORATION AND RESTITUTION

The Williamson Act (California Land Conservation Act) is a State/county partnership to preserve and prevent the loss of farmland. When land is enrolled in a Williamson Act agreement, the landowner is taxed at a rate based on the actual use of the land for agricultural purposes, as opposed to its Proposition 13 or unrestricted market value. The program is estimated to save agricultural landowners from 20 to 99% in property tax liability each year. In return, the landowner commits to restricting the use of his/her land to agricultural and open space for at least nine years. The written agreements are automatically renewed each year. In Humboldt County there are approximately 199,000 acres eligible for subvention funding under Williamson Act contracts. Humboldt County continues to process new applications for entry into the Williamson Act Program.

There is a conceptual discussion at the State level of restoring Williamson Act subventions with Cap-and-Trade funding. The County strongly supports this concept, and supports full restoration of subvention funds, including funding for subvention at their highest historical level. In addition, the County strongly requests restitution for the subvention payments that were not received in Fiscal Years 2008-09 in the amount of \$22,396, 2009-10 in the amount of \$219,155 and 2010-11 in the amount of \$161,804. The County did not receive subvention funds for fiscal years 2011-12, 2012-13, and 2013-14, a loss of approximately \$450,000.

STATE FUNDING PROPOSALS

PUBLIC WORKS

FUNDING FOR BUCKHORN GRADE IMPROVEMENT PROJECT

The Buckhorn Grade Improvement Project is of critical importance to the economic stability and development of Humboldt County and adjoining counties. Humboldt is one of only two counties in California that is entirely inaccessible to the size of truck that carries most goods in the state. The Buckhorn Grade on State Route 299 between Eureka (U.S. Highway 101) and Redding (Interstate 5) is a 7.2-mile stretch of highway consisting of narrow roads, hairpin curves and steep inclines, making it inaccessible to the majority of long-haul trucks. Although \$8 million in federal funds have been appropriated for the revised project description (for a less-costly on-alignment alternative) and environmental impact report, up to \$150 million is estimated to be needed for construction of the complete project.

This project is supported by California Department of Transportation, Humboldt, Trinity and Shasta Counties.

The County supports legislation that provides funding for further development of the Buckhorn Grade Improvement Project on State Route 299.

SAFE DRINKING WATER, WATER QUALITY, AND FLOOD PROTECTION ACT OF 2014

SUPPORTED BY: City of Eureka

The Safe Drinking Water, Water Quality, and Flood Protection Act of 2014, which, if approved by the voters, would authorize the issuance of state bonds in the amount of \$6.475 billion to address critical water needs throughout the state. The bill specifies funding amounts for drinking water supplies, water system infrastructure improvements, Integrated Regional Water Management programs, wastewater treatment projects, water quality and watershed protection projects, disaster preparedness, flood control, and storm water management.

Senate Bill 42 is supported by the Northern and Coastal California Water Bond Coalition which is an affiliation of over 40 counties, cities, special districts, and nonprofit organizations spanning northern and central coast California. Humboldt County joined this coalition on June 25, 2013 (Resolution 13-45). The coalition is working to ensure that the needs of rural and coastal communities are reflected in the 2014 water bond. Senate Bill 42 will need to be reconciled with Assembly Bill 1331 (Climate Change Response for Clean and Safe Drinking Water Act of 2014) in coordination with the Governor's office. Both bills would replace the previous water bond measure which was developed in 2011 but withdrawn prior to the 2012 election.

There are still substantial unmet funding needs for a variety of water-related projects in the northern California region. Challenges include aging infrastructure, competing demands for finite resources, regulatory compliance and permitting, and climate change.

STATE FUNDING PROPOSALS

The 2013 Flood Futures report from the state Department of Water Resources provides a detailed assessment of statewide needs for improved flood protection, including rehabilitation of levees such as the Redwood Creek Flood Control Project in Orick.

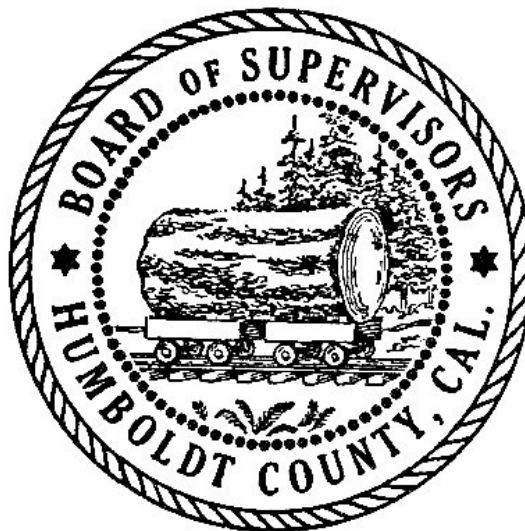
The County supports legislation to place a measure on the ballot for the November 4, 2014 statewide general election authorizing the issuance of bonds to finance a safe drinking water, water quality, and flood protection program.

INCREASED FUNDING FOR CALIFORNIA AID TO AIRPORTS PROGRAM (CAAP)

The purpose of the CAAP is to assist in establishing and improving a statewide system of safe and environmentally compatible airports whose primary benefit is for the General Aviation (GA). The CAAP includes an Annual Credits program pursuant to Public Utilities Code (PUC) section 21682; the Airport Improvement Program Matching Grants pursuant to PUC section 21683.1; and Acquisition and Development Grants pursuant to PUC section 21683. The State has recently proposed to cease this CAAP funding program for airports and replace it with discretionary grant funding.

Among the funds received by Humboldt County is an annual amount of \$10,000 for each of five of the County's airports (ACV falls under different sections of State funding). These funds are especially important to the more remote and less populated counties of California, such as Humboldt. However, all the CAAP programs are important for the maintenance and support of our airports. The amount allocated to GA has remained flat and the purchasing power has seriously eroded over time through inflation.

The County supports increasing the baseline amount of funding (\$10,000/year) for GA to account for inflation over the time the program has existed.



FEDERAL LEGISLATIVE GOALS

Humboldt County's primary, overarching federal legislative goals for 2014 include:

SUPPORT INCREASING THE FEDERAL FINANCIAL PARTNERSHIP IN COUNTY PROGRAMS.

- Support funding for public infrastructure programs such as transportation and water infrastructure.

SUPPORT RELIEF FROM FEDERAL MANDATES AND STATUTORY BARRIERS.

- Support broadening of allowable uses of Secure Rural Schools Act (Title III) funding to include fire protection services.

SUPPORT FEDERAL FINANCIAL PARTICIPATION IN LOCAL COMMUNITY TECHNOLOGY ADVANCEMENTS.

- Support funding for broadband service to rural north coast of California.

OPPOSE REDUCTIONS TO THE CURRENT LEVEL OF FEDERAL FUNDING FOR COUNTY PROGRAMS.

SUPPORT AND ADVANCE LOCAL INTERESTS IN NATURAL RESOURCE DISCUSSIONS.

FEDERAL LEGISLATIVE PROPOSALS

GENERAL GOVERNMENT

AMERICAN WITH DISABILITIES ACT REFORMS THAT WILL NOT UNDULY BURDEN BUSINESSES

The Americans with Disabilities Act (ADA) was passed in 1990 and later amended in 2009. Under Title III of the ADA, no individual may be discriminated against on the basis of disability with regards to the full and equal enjoyment of the goods, services, facilities, or accommodations of any place of *public accommodation* by any person who owns, leases (or leases to), or operates a place of *public accommodation*. "Public accommodations" include most places of lodging, recreation, transportation, education, and dining, along with stores, care providers, and places of public displays, among other things.

Under Title III, all "new construction" after the effective date of the ADA must be fully compliant with the Act's Guidelines. Title III also has application to existing facilities. One of the definitions of "discrimination" under Title III is a "failure to remove" architectural barriers in existing facilities. This means that even owners of facilities that have not been modified or altered in any way after the law was passed still have legal obligations. The ADA's standard is whether "removing barriers" is *readily achievable*, defined as "...easily accomplished without much difficulty or expense."

Locally owned Humboldt County businesses, as well as businesses throughout the state of California, have been subject to civil lawsuits accusing them of discriminating against disabled persons in violation of the ADA. Unfortunately, these lawsuits have also forced the closure of several Humboldt County businesses. These businesses provided jobs and were staples to the community. The County does not believe the intent of the ADA was to increase lawsuits to local business and impose expensive upgrades to businesses that would then force their closure.

In California, Governor Brown signed into law last year legislation (Senate Bill 1186) designed to protect California business from predatory lawsuits filed under the ADA. Although there are several positive features of the new law, there are a number of harmful unintended consequences that will likely lead to an increase in ADA lawsuits. For example, the law's provisions that ban so-called "demand letters" from litigious plaintiffs who threaten to sue over a potential ADA violation unless a business pays to settle the lawsuit have led plaintiffs to stop sending pre-litigation letters altogether. As a result, businesses are being served with ADA lawsuits without any warning, which eliminates the opportunity for a business owner and an aggrieved party to come to an out-of-court settlement.

In addition, certain provisions of SB 1186 – including those allowing for an early evaluation and stay of court proceedings – have no effect in Federal Court. Accordingly, many predatory plaintiffs are now filing their lawsuits in U.S. District Courts instead of California courts.

Because attorneys can continue to file frivolous lawsuits in Federal court, the County supports common-sense reforms to the ADA that would allow local businesses to remain open while working toward compliance with the requirements of the Act.

FEDERAL LEGISLATIVE PROPOSALS

LOCAL AUTHORITY TO LEVY INTERNET SALES TAX

The Supreme Court ruled in 1992 that retailers are not required to collect sales taxes in states where they lack a physical presence. While the purchaser is still generally responsible for paying the use tax, the rate of compliance is low. States and local governments have been struggling with reduced revenues and increased demand for services, and the collection of Internet sales taxes is a revenue source that has been untapped. Legislation pending before the Senate and House would allow states to require remote sellers to collect and remit sales and use taxes.

Humboldt County supports legislation that would allow local jurisdictions to recover revenues from purchases made by remote means.

FEDERAL REPORTING REQUIREMENTS FOR STATE AND LOCAL PENSIONS

The County opposes legislation - the *Public Employee Pension Transparency Act* (HR 1628; S 779) - that challenges the validity of current state and local government accounting rules and practices and would mandate inappropriate federal reporting requirements on state and local governments regarding their pension costs. In addition, the legislation sets a precedent for federal intervention into areas that are the financial responsibility of, and have thus been historically regulated by, states and/or localities.

This legislation represents a lack of understanding regarding the strong accounting rules and strict legal constraints already in place that require open and transparent governmental financial reporting and processes. The County opposes this legislation because it conflicts with existing governmental accounting standards, and increases state and local government costs.

LIMIT CORPORATE AND UNION CONTRIBUTIONS IN ELECTIONS

The United States Supreme Court ruled that corporations and unions have the same political speech rights as individuals under the First Amendment. The Court found no compelling government interest for prohibiting corporations and unions from using their funds to make election-related expenditures. Thus, it struck down a federal law banning this practice and also overruled two of its prior decisions.

The County supports a Constitutional Amendment to reverse the ruling in *Citizens United v. Federal Election Commission*.

CHANGES TO LEGAL STATUS OF MARIJUANA AND NEED FOR UNIFIED REGULATIONS

As a result of recent changes in the federal government's treatment of marijuana, there needs to be a discussion on the application of a consistently applied regulatory system. The current landscape of medical marijuana dispensaries is problematic given the significant variations in the regulation of those businesses from one jurisdiction to another. If Congress or the Administration decides to change the legal status of marijuana, such changes must be accompanied by a uniform, precise, and clear

FEDERAL LEGISLATIVE PROPOSALS

regulatory framework that explicitly states the roles and responsibilities of all jurisdictions.

The County takes the position that any change to the legal status of marijuana at the federal level must be accompanied by a thorough regulatory framework that delineates the clear roles and responsibilities of the jurisdictions involved.

HEALTH AND HUMAN SERVICES

MEDICAID INMATE EXCLUSION REPEAL

Currently, a person incarcerated in a county jail or juvenile detention center may not receive federal Medicaid benefits once he or she enters the facility. When the Affordable Care Act is implemented in 2014, however, Medicaid or other health insurance benefits are required to be maintained for pre-adjudicated individuals. Administrative guidance is pending from the Centers for Medicare and Medicaid (CMS).

The County supports federal regulations that will facilitate continued Medicaid coverage and/or rapid eligibility determination for persons who are in custody but not convicted.

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES REAUTHORIZATION

The American Recovery and Reinvestment Act of 2009 included investments in county programs that provided employment for nearly 600 Humboldt County youth and low-income residents. The County Department of Health and Human Services partnered with the non-profit and private sector to utilize more than \$5.6 million in federal funds made available through the Act to encourage economic recovery, much of which was used for temporary employment subsidies that benefitted local businesses during the recession.

Reauthorization of the Temporary Assistance to Needy Families (CalWORKS/TANF) program is pending in Congress. The County supports federal investment in safety net programs, including increasing funds for subsidized employment opportunities.

ENHANCED AWARENESS OF MENTAL HEALTH SERVICES

Legislation to strengthen the country's mental health system has been introduced in response to several highly publicized tragedies. For example, the *Mental Health Awareness and Improvement Act* (S 689) and the *Mental Health First Aid Act* (S 153) are measures that would support training programs to help the public identify, understand, and address crisis situations safely, as well as increase familiarity with mental health services available in local communities. The legislation would provide grants for mental health awareness training programs for groups such as teachers, first responders, police officers, school and college administrators, veterans, and nurses.

The County supports efforts aimed at strengthening the country's mental health system.

FEDERAL LEGISLATIVE PROPOSALS

PLANNING AND BUILDING

RETURN SENIOR HOUSING MODEL TO HOME PROGRAM FUNDING

The County of Humboldt relies on the Housing and Urban Development HOME Program funds to develop multi-family housing. As the senior population increases, secondary units are imperative. In the beginning years of the HOME Program there was an innovative second-unit program, known as the senior housing model, designed to allow low-income families to place a second unit on their property to care for an elderly person. This is no longer an eligible activity.

The County of Humboldt supports legislation that would return the senior housing model concept as an eligible activity.

PUBLIC WORKS

KLAMATH BASIN ECONOMIC RESTORATION ACT

Humboldt County is a signatory party to the Klamath Hydroelectric Settlement Agreement (KHSa) and the Klamath Basin Restoration Agreement (KBRA), a set of agreements signed in February 2010 to provide a framework for resolving the most contentious disputes involving dams and water diversions in the Klamath River basin. Humboldt County was one of nearly 30 parties that actively participated in the nearly four-year negotiation process that led to the development of the agreements.

The Klamath River basin has struggled with competing demands for water for over a century. For over ten years, water conflicts in the Klamath River basin have caused suffering among various communities and have been the focus of regulatory proceedings and litigation without resolution. Humboldt County's economy is directly linked to the Klamath River through fishing, recreation, and tourism, and its communities continue to experience hardships due to the unhealthy river conditions and impaired fishery stocks.

Efforts to achieve a more comprehensive solution to the Klamath River basin water management issues gained momentum in 2006 as government agencies, tribes, irrigators, a private utility company, and conservation groups began to have constructive discussions outside the courts. The product of the multi-year negotiation process is the agreement package which is intended to provide for a transition to sustainability for Klamath River fisheries, economic stability for affected agricultural interests, and substantial improvement to the overall ecosystem health of the Klamath River basin. These agreements provide an unprecedented opportunity to achieve major positive changes to water management within the Klamath basin and significant improvements to Klamath River salmon runs, working with a model of collaboration among stakeholders with different interests.

FEDERAL LEGISLATIVE PROPOSALS

The County supports legislation that would authorize restoration of the Klamath Basin and the settlement of the hydroelectric licensing of the Klamath Hydroelectric Project and would also provide funding for the implementation of the KBRA and KHSR.

TRINITY RIVER DIVISION – HUMBOLDT COUNTY’S WATER CONTRACT WITH U.S. BUREAU OF RECLAMATION

Humboldt County has a vested interest in the Trinity River Division, the Central Valley Project, and the State Water Project due to the 1955 Trinity River Division Act (Public Law 84-386) and a contract executed on June 19, 1959 between Humboldt County and the U.S. Bureau of Reclamation. Subsequent to the contract execution, California’s State Water Board issued eight (8) long-term permits to the Central Valley Project permit holders. Specifically, Section 5 of the 1959 Contract states:

Whereas, the said Act of August 12, 1955, provides in Section 2 thereof in part as follows”...2) that not less than 50,000 acre-feet shall be released downstream annually from the Trinity Reservoir and made available to Humboldt County and downstream users.”

In March 2003, the Humboldt County Board of Supervisors formally requested to the U.S. Department of the Interior that the water right of “not less than 50,000 acre feet” be made available for release. To date, and despite numerous requests, the County has not been provided a response, however the County has been repeatedly assured that this request remains under discussion at the highest levels of the Department.

Furthermore, Humboldt County has an interest in the Bay Delta Conservation Plan because to date, the plan’s modeling assumptions include existing State water rights and laws, federal contractual obligations for the Central Valley Project and the Trinity River Restoration Program Record of Decision, but Humboldt County’s contractual flows have not been included in the modeling assumptions. On September 11, 2012, the Humboldt County Board of Supervisors adopted Resolution 12-74 that opposes the proposed construction of two peripheral tunnels to divert water from the Sacramento River unless State and Federal agencies affirm specific conditions identified in the Resolution.

The County supports the U.S. Bureau of Reclamation fully recognizing Humboldt County’s vested right to not less than 50,000 acre-feet annually of water from the Trinity Reservoir. The County opposes any further water diversions from the Trinity River Division or releases from its reservoirs to supplant the loss of flows to the Sacramento Delta as a result of the Bay Delta Conservation Plan water diversion and conveyance infrastructure. The County supports accounting for encumbered flows associated with Humboldt County’s vested right in the proposed Bay Delta Conservation Plan modeling and operations.

ENVIRONMENTAL STREAMLING FOR FISH PASSAGE PROJECTS

Local governments frequently undertake projects that will improve the passage of fish through streams and rivers by removing blockages and improving culverts. Frequently,

FEDERAL LEGISLATIVE PROPOSALS

the permit process can delay and increase costs for these projects. Fish passage enhancement projects should be considered water quality improvement and not be delayed in the permit process. Efforts in the legislative and regulatory arenas aimed at streamlining the delivery of projects that will enhance the environment such as projects that improve fish passage for salmonoids should be undertaken.

The County supports streamlining the permit process for fish passage enhancement projects.

FEDERAL APPROPRIATION REQUESTS

AGRICULTURE

REAUTHORIZATION OF A NEW FARM BILL

An extension of the *Food, Conservation, and Energy Act of 2008* (2008 Farm Bill) expired on September 30, 2013. As a result, dozens of programs that benefit Humboldt County's agricultural producers and rural communities will no longer be eligible for federal funding.

Humboldt County supports the reauthorization of the federal Farm Bill, including provisions protecting funding for the Supplemental Nutrition Assistance Program (SNAP), rural development programs, and renewable energy development.

It should be noted that Congress recently convened a House and Senate conference committee, which is charged with reconciling differences between the two chambers' Farm Bill reauthorization measures (HR 2642/S 954)

STABLE FUNDING FOR FOREST LEGACY PROGRAM

The Forest Legacy Program (FLP) was established in 1990 under the federal Farm Bill to protect forest lands. Although city and county governments are able to direct development away from sensitive lands through zoning, this federal program helps to establish easements which restrict development and require sustainable forestry practices on private lands. FLP-funded acquisitions serve public purposes specified by participating states and the landowner.

To qualify for participation in the FLP, private landowners must submit a multiple resource management plan. The federal government may fund up to 75 percent of the project cost, while private landowners, state and local governments are required to pay at least 25 percent of the project cost. Additionally, land owners have the added benefit of reduced taxes on the land. As of 2010, the Forest Legacy Program had protected nearly 21,000 acres of privately held forested land in California. A large portion of that land is in the Chalk Mountain Area in Humboldt County. Humboldt County is home to nearly

FEDERAL APPROPRIATIONS REQUESTS

1,500,000 acres of public and private forest, and home to over 40 percent of all remaining old-growth Coast Redwood forests in California.

In Fiscal Year 2010, federal funding for the FLP grew by 60 percent to \$79.5 million. Conversely, the Fiscal Year 2011 Continuing Resolution cut funding by 31 percent to \$53 million.

The County of Humboldt supports adequate funding for the Forest Legacy Program and programs which promote conservation efforts for the old-growth Coast Redwood forests. The County encourages the State of California and the federal government to engage in acquisition of partial interest in privately owned forest lands, while maintaining private ownership, to conserve natural lands for timber, wildlife habitat, open spaces and recreation.

ECONOMIC DEVELOPMENT

FUNDING FOR BROADBAND SERVICE TO RURAL AREAS

Humboldt County is served by a north-south fiber optic line from Ukiah to Eureka and will be served by an east-west line running from the Central Valley along the Highway 36 corridor. This infrastructure provides improved telecommunications service to developed areas of the County, but additional investment is necessary to make “last mile” and “middle mile” connections between developed areas and small outlying communities.

The County strongly supports legislation to provide funding or business incentives to assist companies in bringing broadband service to unserved and underserved areas.

SUPPORT PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAMS

In 2008, the State of California passed legislation (Assembly Bill 811) to give localities the authority to create Property Assessed Clean Energy (PACE) programs, providing businesses and homeowners the ability to finance energy-efficiency and clean-energy upgrades to their property. These upgrades provide consumers the opportunity to obtain lower energy costs while reducing greenhouse gas emissions.

The County of Humboldt, in partnership with the counties of Del Norte, Lake, Mendocino, Modoc, Sonoma and Trinity, was the recipient of a \$4.38 million American Recovery and Reinvestment Act PACE grant funded through the California Energy Commission. The program was expected to leverage an additional \$22 million in financing and create more than 150 full-time jobs.

On July 6, 2010, the Federal Housing Finance Agency (FHFA) issued a statement amounting to a prohibition of PACE financing for homes that might be financed with FHFA-approved mortgages. The FHFA statement resulted in the loss of the \$4.38 million grant and a cessation of PACE programs nationwide.

FEDERAL APPROPRIATIONS REQUESTS

The County supports the right to implement PACE programs and establish property assessment liens for energy conservation and renewable energy investments. PACE programs create jobs, stimulate business growth, reduce greenhouse gas emissions and add lasting value to residential and commercial properties without increasing risks of mortgage defaults. Therefore, the County supports legislation that would prevent Fannie Mae, Freddie Mac, and other Federal residential and commercial mortgage lending regulators from adopting policies that contravene established state and local PACE laws.

REAUTHORIZATION OF THE WORKFORCE INVESTMENT ACT

A well-trained workforce and a system that supports people to transition from a declining industry into a growing one are essential to a healthy economy. The County supports additional federal funding to train workers who are laid off from their jobs, adults who have been unemployed long-term and youth seeking to prepare for success in the workplace. The Humboldt County Workforce Investment Board is an effective working collaboration of business, government and non-profit leaders. The County has successfully utilized these funds to identify growing industries—Targets of Opportunity—to listen to employers and translate their highest needs into meaningful programs, and to link transitioning and young workers with growing industries.

The County supports re-authorization and full funding of the Workforce Investment Act.

DEVELOP LEGISLATION, BOND GRANT GUIDELINES THAT INCLUDE BROWNFIELD REMEDIATION

Rural areas of Humboldt County include large unused vacant industrial sites, particularly former mill sites. Clean-up of these apparent toxic Brownfield sites is the single largest hindrance to redevelopment of these areas. These sites can cost tens of thousands into the millions of dollars depending upon the amount of toxins found. The County has received funding from the U.S. Environmental Protection Agency in the past to assess the characterization and cleanup of Brownfield sites. The County's goal is to receive additional funding to expand the program and provide greater incentives to property owners to cleanup and redevelop Brownfield properties.

The County strongly supports legislation and developing bond grant guidelines that include Brownfield Remediation funding.

HEALTH AND HUMAN SERVICES

FUNDING FOR SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

CalFRESH, California's food stamp program, is the federal food assistance program known as the Supplemental Nutrition Assistance Program (SNAP). As an entitlement, SNAP funding is guaranteed and is not subject to the appropriations process. However, policy changes can be made to SNAP through the Farm Bill reauthorization, which expired September 30, 2012. Congress is considering proposals to drastically reduce SNAP eligibility and benefits in the re-authorization of the Farm Bill.

FEDERAL APPROPRIATIONS REQUESTS

The County opposes efforts to reduce funding or access to SNAP benefits and supports federal legislation to increase access to food and nutrition benefits.

NATURAL RESOURCES

LONG-TERM FUNDING FOR NATURAL RESOURCE AFFAIRS

Humboldt County is located on California's Pacific North Coast and is home to significant water resources that include the Eel, Klamath, Mad and Trinity Rivers; home to fish populations of salmon, groundfish and crab; and home to dense forests that include coastal Redwoods. These considerable natural resources were once in abundance to the community and contributed significantly to the local economy. Decisions and regulatory management of these natural resources often occur at the state and federal levels. These decisions have had cumulative impacts on water resources, fisheries and timber, and on the community as well. State and federal decisions need to adequately account for local priorities, knowledge and needs in order to minimize adverse economic and social impacts, while appropriately managing and restoring these considerable natural resources.

The County strongly supports legislation that provides stable funding for long-term engagement, administration and capacity development for natural resource affairs in the County of Humboldt.

PLANNING AND BUILDING

RESTORE CDBG PROGRAM FUNDING TO FISCAL YEAR 2011 LEVELS

The CDBG program facilitates affordable housing, service provision to low-income and vulnerable citizens, job creation and efforts to support economic growth. At least 70 percent of the funds must be used on programs benefiting low- and moderate-income individuals. The County of Humboldt has benefited from the CDBG program and has received \$11.5 million in CDBG funding over the past seven fiscal years.

CDBG funds have been targeted for cuts in recent budget cycles, making it increasingly challenging to maintain adequate funding for the block grant.

The County of Humboldt supports legislation that would return funding to fiscal year 2011 levels or increase funding for the CDBG program. The County also opposes efforts to reduce funding and operational flexibility for the program.

RESTORE HOME PROGRAM FUNDING TO FISCAL YEAR 2009 LEVELS

The County of Humboldt relies on the Housing and Urban Development HOME Program funds to develop multi-family housing. Since 2009, funds at the federal level

FEDERAL APPROPRIATIONS REQUESTS

have decreased by 50 percent. This has meant that only six to eight projects are funded annually for the entire State of California.

The County of Humboldt supports legislation that would return funding to the fiscal year 2009 levels, or increase funding for the HOME program. The County also opposes efforts to reduce funding and operational flexibility for the program.

PUBLIC SAFETY

FUNDING FOR COMMUNITY ORIENTED POLICING PROGRAMS (COPS)

SUPPORTED BY: City of Blue Lake

The *COPS Improvement and Reauthorization Act of 2013* (HR 421) extends the authorization of appropriations for the program for federal fiscal years 2013-2017. COPS provides competitive grant funding to rural, economically depressed areas for the hiring of police officers. The City of Blue Lake has been the recipient of COPS funding in the past.

The County supports the *COPS Improvement and Reauthorization Act of 2013*.

PUBLIC WORKS

REDUCED MATCH FOR FEDERAL AVIATION ADMINISTRATION FUNDING

The current Federal Aviation Administration (FAA) funding bill increased the local match requirements from airport owners for Airport Improvement Project (AIP) funding from five percent to 10 percent, while failing to increase the allowable Passenger Facility Charge that is used by the Aviation Division of the Humboldt County Department of Public Works. The increase in local match costs combined with a failure to allow airports to increase their PFC's will reduce the number of projects that can be performed under the AIP program for Humboldt County airports simply due to the longer time it will take to collect the funds for the local match. The AIP program has allowed the Aviation Division of the Humboldt County Department of Public Works to significantly improve airports while also providing for a large number of jobs in the community, especially during the current recession. Increasing the match requirement and not allowing local agencies to increase the funding source that provides for the local match negatively impacts the County's ability to improve our airport system and provide jobs for the local community.

The County supports legislation that amends FAA funding to reduce the match requirements from 10 percent to five percent.

FEDERAL APPROPRIATIONS REQUESTS

APPROPRIATION FOR REDWOOD CREEK LEVEE REHABILITATION AND ESTUARY RESTORATION

Humboldt County maintains the Redwood Creek federal flood control project, which was constructed by the U.S. Army Corps of Engineers from 1966 to 1968 to protect the community of Orick from floodwaters. The levee system is impaired by the deposition of large volumes of sediment each winter, which reduces the capacity of the levee relative to design conditions. Sediment impairment occurred the first winter after construction, and recent technical studies demonstrate fundamental design flaws as the root cause of the problem. The County has been forced to perform annual gravel extraction to re-gain some flood capacity, however the scale of the problem overwhelms the County's ability to remediate the system. The cost to reclaim the full design capacity of this flood control system through sediment removal is \$4.4 million; however, permits and approvals for such an action are not obtainable due to the environmental impacts, and similar work would be needed periodically due to the annual influx of sediment.

Construction of the flood control project caused major physical changes to the lower reach of Redwood Creek and its estuary. The estuary volume has been reduced by approximately one-half of its pre-levee size due to sediment deposition, causing both fish habitat and water quality to become impaired. The net result has been a reduction in the ecological function of the estuary in terms of productivity for fish and other aquatic species. Restoration of the Redwood Creek estuary would provide substantial benefit for the recovery of three salmonid species listed as threatened under the federal Endangered Species Act, and would complement other large-scale restoration efforts conducted by the National Park Service within Redwood National Park, which occupies the lower one-third of the watershed.

A large-scale, multi-objective water resources project is needed to achieve a sustainable solution for flood protection, ecosystem restoration, and endangered species recovery in lower Redwood Creek. The County is seeking a Congressional appropriation for the U.S. Army Corps of Engineers to initiate a new-start Reconnaissance Study to analyze opportunities to provide adequate flood protection to the community of Orick and restore the Redwood Creek estuary. It should be noted that the Corps is on record indicating that the Redwood Creek levee system is not performing as intended and that a Reconnaissance Study is needed to address urgent flood protection and ecosystem restoration concerns.

RETAIN STATE, COUNTY ROADS IN INDIAN RESERVATION ROADS (IRR) INVENTORY

California's tribes have long been underserved in the federally funded IRR program. As a result, the roads, bridges and transit systems that make up the California State Transportation System and provide access to the 109 federally recognized Tribes and rancherias in California are in such poor condition that the health, safety, security and economic well-being of Tribal members and California's traveling public are in jeopardy. Efforts are continually underway to erase those improvements and decrease the amount of money flowing to California.

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The changes proposed to the IRR funding would remove state and county roads from the IRR inventory. These changes would reduce current funding available to California tribes by nearly one-third. To date, Humboldt County has received over \$1.3 million from local Tribes for improvements on county roads, with \$2.5 million in additional projects moving forward. This funding could be compromised by proposed changes in IRR funding allocations.

The County opposes changes to the Indian Reservation Roads Program that would remove state and county roads from the IRR inventory.

REAUTHORIZATION OF SECURE RURAL SCHOOLS

SUPPORTED BY: Humboldt County Office of Education

The 100-year plus partnership that was created between the federal government and rural communities in 1908 compensated counties affected by placement of timber into federal ownership. The partnership stipulated that 25 percent of the revenues derived from the U.S. Forest Service activities (timber sales, mineral extraction and grazing fees, etc.) would be returned to the counties that housed these forests. These revenues supported schools and the maintenance of infrastructure, and the health of watersheds and ecosystems.

By 2000, these revenues dwindled – as policies and lawsuits restricted much of the economic activity that supported these payments. To ensure that the terms of the partnership were upheld, in 2000 Congress passed the *Secure Rural Schools and Community Self-Determination Act* (SRSCA). Under the Act, which sunset in October of 2011, final payments were made to counties in December of the same year. While the funding provided for county roads decreased over the last four years of the bill, it was still significant in maintaining Humboldt County's road system. In fiscal year 2010-11, Humboldt County Roads received \$675,049, in fiscal year 2011-12 Humboldt County Roads received \$536,000. With the adoption of the Federal Transportation Bill the program received a one-year extension, which provided \$480,000 in fiscal year 2012-13.

With the adoption of the Federal Transportation Bill (MAP-21), the program received a one-year extension, which provided \$480,000 to the County in fiscal year 2012-13. On October 2, 2013, a new one-year extension of the program was included as part of the *Helium Stewardship Act* (PL 113-40). It is critical to the County Road system that this funding is continued into the future. Unless Congress extends or reauthorizes the SRSCA, Counties can expect to receive their final payments sometime between November 2013 and January 2014.

As part of a long-term reauthorization bill, the County supports re-establishing active management of the nation's forests, promoting responsible timber production on Forest Service commercial timber land, and revising Title III of the Act to allow fire protection funds to be spent as flexibly as possible, as funds are currently limited to fire protection

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activities on federal lands, severely restricting fire departments from containing fires adjacent to federal land.

LONG-TERM FEDERAL TRANSPORTATION BILL

While Congress has enacted a two-year funding bill (MAP-21) for transportation, it was only approved after numerous extensions of the prior highway funding bill (SAFETEA-LU). The short length of MAP-21 (two years) compared with the length of prior funding bills (five to six years) will lead once again to a system where long-term planning of transportation projects is compromised. SAFETEA-LU expired in 2009 and it took Congress three years after expiration to create a two-year bill.

The County supports efforts to reauthorize MAP-21. This support includes providing a new, long-term funding bill for roads that provides for proper maintenance for local road systems, including funds for reducing fatalities on rural roads, maintaining a dedicated federal funding stream for local bridges, streamlining the regulatory and project delivery processes, and expanding funding for Safe Routes to Schools to promote safe access to schools.

HOMELAND SECURITY – FULL FUNDING OF SECURITY MANDATES FOR COMMERCIAL AIRPORTS

After the terrorist attacks on September 11, 2001, the Department of Homeland Security was created to provide for safe aviation travel in the United States. As an outcome, airports were required to increase security at commercial airports. The Humboldt County Department of Public Works – Aviation Division contracts with the Humboldt County Sheriff's Department to provide the additional security required. The Department of Homeland Security reimburses the County on an hourly rate for the required service, but does not pay the full hourly rate of the mandated security and has been reducing the hourly rate of reimbursement annually.

A significant hourly rate reduction is again proposed for the upcoming year, which is projected to increase the local cost share of providing this mandated requirement from \$59,700 for fiscal year 2012-13 to a projected cost share of \$81,000 for fiscal year 2013-14.

The County supports funding to cover the costs of providing mandated security at the California Redwood Coast – Humboldt County Airport.

FUNDING FOR RURAL WATER SUPPLY AND WASTEWATER PROJECTS

Humboldt County's small rural communities are in need of financial assistance to maintain or upgrade water supply and wastewater systems. Many systems are approaching the end of their useful life and require levels of capital investment that exceed rate-payers' ability to pay. In the worst cases, failing systems pose serious health

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risks, degrade water quality, prevent economic development and trigger regulatory violations and financial penalties.

The County strongly supports legislation that maintains or increases federal funding for small community water and wastewater projects.

