



2013 LEGISLATIVE PLATFORM

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STATE LEGISLATIVE GOALS 1

STATE LEGISLATIVE PROPOSALS

AGRICULTURE

Williamson Act Cancellation 2

GENERAL GOVERNMENT

California Public Records Act..... 2

Regulatory System Required for Sale of Marijuana 2

Regulation of Environmental Impacts from Marijuana Cultivation 3

Tribal Trust Land Housing Counted in RHNA..... 4

Separating Court Retirement Cost from County PERS 4

Mitigation of Impacts from Tribal Gaming Compacts..... 5

Non-industrial Timber Management Plan..... 5

HEALTH AND HUMAN SERVICES

CalFRESH Eligibility – Drug Felonies 6

CalFRESH Eligibility – Categorial Eligibility 6

Foster Youth Medi-Cal..... 7

NATURAL RESOURCES

Single-Use Carryout Bag 7

Oak Woodlands Restoration..... 7

PLANNING AND BUILDING

Housing Element 8

Economic Incentives for Responsible Development 8

Reduce State Regulations for Community Development and Design 8

PUBLIC WORKS

Reduction in Vote Threshold 9

Stormwater Discharge 9

Surveyor Monument Preservation..... 10

Reinstate Double Fine Zone 11

Environmental Streamlining 11

MAP-21 11

Transportation Capital Improvement Projects 12

STATE FUNDING PROPOSALS

AGRICULTURE

Funding for Early Pest Detection 12

PLANNING AND BUILDING

Funding for Public Infrastructure Projects 13

Grant Funding for Infill Development 13

Grant Funding for Low-Income Housing Projects..... 13

Funding for Renewable Energy Electricity Generation Projects 14

EDUCATION

Library Funds 14

GENERAL GOVERNMENT

Fulfill the Provisions of the Payment in Lieu of Taxes Act..... 14

Property Tax Administration..... 15

Superior Court 15

 Grand Jury 15

 Courthouse 15

 Courthouse Security 16

HEALTH AND HUMAN SERVICES	
Indigent Health Care	16
Dental Access	16
Mental Health Services Act.....	16
PUBLIC SAFETY	
Proposition 36	17
Juvenile Justice.....	17
Board Representation on CCCP	17
NATURAL RESOURCES	
Natural Resource Affairs.....	18
Williamson Act Funding Restoration and Restitution	18
PUBLIC WORKS	
Buckhorn Grade Improvement Project	19
Redwood Creek Levee System	19
Klamath Basin Economic Restoration Act.....	20

FEDERAL LEGISLATIVE GOALS..... 21

FEDERAL LEGISLATIVE PROPOSALS

GENERAL GOVERNMENT	
Internet Sales Tax.....	22
Crime Victim Restitution and Court Fee Intercept Act.....	22
Federal Reporting Requirements for State and Local Governments.....	22
Political Speech	23
Regulatory System Required for Any Changes to Legal Status of Marijuana.....	23
HEALTH AND HUMAN SERVICE	
Medicaid Inmate Exclusion Repeal.....	23
TANF Reauthorization	23
PUBLIC WORKS	
Klamath Basin Economic Restoration Act of 2011	24
Water Contract with U.S. Bureau of Reclamation	25
Bay Delta Conservation Plan	25
Environmental Streamlining	26

FEDERAL APPROPRIATIONS REQUESTS

AGRICULTURE	
Farm Bill Reauthorization	26
Stable Funding for Forest Legacy Program	26
ECONOMIC DEVELOPMENT	
Funding for Rural Broadband Service	27
Property Assessed Clean Energy and Federal Housing Financing Agency	27
Re-Authorization of the Workforce Investment Act.....	28
Community Development Block Grant Program Funding	28
HEALTH AND HUMAN SERVICES	
Prevention and Public Health Fund.....	29
Supplemental Nutrition Assistance Program	29
NATURAL RESOURCE	
Natural Resource Affairs.....	29

PLANNING AND BUILDING

Brownfield Remediation and Liability..... 30
Funding for Water Supply and Wastewater Projects 30

PUBLIC WORKS

Federal Aviation Authorization Reauthorization 30
Small Communities Air Service Development Program 31
Redwood Creek Levee 31
Indian Reservation Roads Funding (IRR)..... 32
Stormwater Management Program..... 33
Secure Rural Schools 33
Federal Transportation Bill 34
Security Mandates for Commercial Airports 35



STATE LEGISLATIVE GOALS

Legislative Goals

Humboldt County's primary, overarching goal for 2013 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

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.

GENERAL GOVERNMENT

CALIFORNIA PUBLIC RECORDS ACT

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.

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.

REGULATORY SYSTEM REQUIRED FOR SALE OF MARIJUANA

Proposition 215 (the Compassionate Use Act of 1996) allows patients with a valid doctor's recommendation, and the patient's designated Primary Caregivers, to possess and cultivate marijuana for personal medical use, and has since been expanded to protect

STATE LEGISLATIVE PROPOSALS

a growing system of collective and cooperative distribution. The Act added Section 11362.5 to the California Health and Safety Code. The initiative was partially implemented through the California Medical Marijuana Program created by Senate Bill 420 (2003).

Since SB 420, the production of medical marijuana has developed into a model that is functionally indistinguishable from a for-profit business. What the State of California has failed to realize is that marijuana, not just medical marijuana, has grown into a full fledged industry in the State, yet there is no infrastructure, similar to Alcohol and Beverage Control, designed to regulate such a complex issue.

As recreational use of marijuana is not yet legal in California, local governments are tasked with regulating the medical marijuana industry within their jurisdictional boundaries. However, this patch work quilt of inconsistent regulatory control is inadequate to standardize an ever increasing presence in our communities. The State does not have specific laws for permitting or licensing medical marijuana dispensing. Guidelines have been established by the State Attorney General for the industry to follow; however these guidelines are insufficient.

The State regulates commerce through statutes related to weights and measures, in addition to public and environmental health. Marijuana has a connection to all of these regulatory aspects. The State of California needs to step up to the plate and provide statewide regulations that effectively deal with the marijuana industry and assist local governments.

Statewide regulations should allow for local governments to have appellation control over marijuana, similar to the wine industry. Restrictions that deal with issues of what variety of marijuana may be grown, maximum yields, chemical level, and other quality and safety related factors, will assist local governments in maintaining control in the public interest, and address branding issues associated with this particular industry. Regulations should be uniform, precise, and clear and explicitly state the roles and responsibilities of all jurisdictions.

The County takes the position that the sale of marijuana be accompanied by a thorough regulatory framework that delineates the clear roles and responsibilities of the jurisdictions involved.

REGULATION OF ENVIRONMENTAL IMPACTS FROM MARIJUANA CULTIVATION

The cultivation of marijuana is often associated with land use activities such as clearing of land, grading, road-building, water diversions from streams and application of herbicides, pesticides and fertilizers. These activities are routinely regulated by State, local or Federal agencies when they are associated with other industries such as timber, ranching or farming, so as to reduce their potential impacts on the environment. The responsible agencies should be given clear guidance to regulate these activities no differently when they are associated with the cultivation of marijuana.

STATE LEGISLATIVE PROPOSALS

The County supports 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.

ENSURING TRIBAL TRUST LAND HOUSING CAN BE COUNTED TOWARD RHNA

Tribal trust land represents over 13 percent of all public lands within the unincorporated areas of Humboldt County and six percent of total land within the County. Native American tribes represent approximately six percent of the total population for the County of Humboldt. Based on population estimates the Native American population has grown over the past two decades.

Previously a Regional Housing Needs Assessment (RHNA) was prepared under SB 12 (2007) urgency legislation. Now the RHNA is required to fully incorporate reform provisions contained in Assembly Bill 2158 (2004) and Senate Bill 375 (2008). Based on this legislative change the RHNA must now be consistent with the Regional Transportation Plan and the Sustainable Community Strategy.

The original bill required the RHNA to address anticipated housing needs for all income groups and account for population and economic growth areas while reducing the concentration of lower income housing. Additionally the RHNA must now address sufficient land use capacity to support improved mobility between housing and employment.

The Native American population is a significant part of the Humboldt County community. The housing needs and capacity available in Humboldt County are not being accurately represented because Tribal Land Trust Housing was excluded from the RHNA.

The County has recently become aware from the California Department of Housing and Community Development (HCD) that local governments may take credit for a new unit built on tribal land for its members, as long as the new unit meets (decreases) demand (RHNA) for a housing unit within local government's boundaries. The County seeks administrative affirmation that affordable housing built on tribal land can count towards the County's RHNA numbers.

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

STATE LEGISLATIVE PROPOSALS

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 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 substantially 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.

NON-INDUSTRIAL TIMBER MANAGEMENT PLANS

The California regulatory system imposes higher costs than most states for Non-Industrial Private Forest (NIPF) and industrial forest landowners. The Forest Practice Act (1973) requires the preparation of a timber harvest plan (THP) by a Registered Professional Forester before a landowner can harvest timber. The review process takes anywhere from a few months to a year and the typical cost for a THP is around \$35,000.

The standard THP only lasts three years, and may be eligible for two, one-year extensions. This limited effective period and high initial cost creates a burden on landowners. Additionally, these costs and the regulatory restrictions do not provide

STATE LEGISLATIVE PROPOSALS

incentives for NIPF landowners to practice long-term management of their timberlands, and may even motivate some NIPF landowners to convert timberlands to other uses, such as competing crops and rural subdivisions.

Conversely, a Non-industrial Timber Management Plan (NTMP) does not have an expiration date. Furthermore, the upfront cost for an NTMP is approximately 25 to 50 percent more than a typical THP, but a landowner can expect long-term savings, as they will not have to apply for a new THP every three years. Landowners who wish to harvest timber under an NTMP must apply for a notice of timber operations, which is prepared by a Registered Professional Forester and does not require additional costs. The ease of initiating timber harvesting under an NTMP gives landowners the ability to take advantage of increased demand in the timber market.

While NTMPs allow for long term cost savings and provide relaxed regulations, landowners only qualify for an NTMP if they own 2,500 acres of timberland or less. Under a THP there is currently no specified limit on maximum acreage.

Due to the unlimited time period, relief from recurring costs, and the ability for timberland owners to maximize short term harvest, the County supports legislation promoting the use of NTMPs. Additionally, the County supports legislation which would increase the allowable acreage for NTMP approval.

HEALTH AND HUMAN SERVICES

CalFRESH ELIGIBILITY – DRUG FELONIES

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. 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.

CalFRESH ELIGIBILITY – CATEGORIAL ELIGIBILITY

Currently, many applicants for CalFresh benefits receive, or are eligible to receive, Medi-Cal health benefits, but must apply separately for each program. Waiving the gross income test for any individual who receives, or is eligible to receive, Medi-Cal would increase access to health and nutrition benefits and remove duplicative steps in the application process for county caseworkers.

The County supports simplifying CalFresh enrollment.

STATE LEGISLATIVE PROPOSALS

FOSTER YOUTH MEDI-CAL

The Early Periodic Screening Diagnosis and Treatment (EPSDT) program provides medically necessary diagnosis and treatment for Medi-Cal patients with severe emotional disturbance up to age 21. It is federally funded, with a state and county match requirement. The Patient Protection and Affordable Care Act offered the opportunity for youth to remain on their parents' insurance policy up to age 26. Similarly, expanding Medi-Cal and EPSDT eligibility to foster youth up to age 26 would increase access to county health services for this vulnerable population.

The County supports legislation to extend Medi-Cal and EPSDT eligibility with federal matching funds to foster youth up to age 26.

NATURAL RESOURCES

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, 952.7 *Resource Conservation Standards for Minimum Stocking*, outlines required conifer stocking standards after timber operations have been completed. These rules mandate conifers planting, even if the goal of timber operations were 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.

STATE LEGISLATIVE PROPOSALS

PLANNING AND BUILDING

HOUSING ELEMENT

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.

ECONOMIC INCENTIVES FOR RESPONSIBLE DEVELOPMENT

The carbon storage capacity of Humboldt County's forests will play an important part in meeting the County's Assembly Bill 32 (2006) carbon dioxide emission reduction requirements. The County supports policies that provide economic incentives to forest land owners to maintain their land for forest production and manage the forests to maximize carbon storage. The County supports follow-up legislation to address implementation of AB 32 in land use and transportation planning decisions for rural areas equivalent to Senate Bill 375 (2008) for Metropolitan Planning Areas.

The County supports legislation related to land use planning and growth policies that assist in achieving vehicle emissions reduction targets; protect critical lands (such as natural resources, wildlife habitat, open space, and agricultural lands) when it comes to development; promote regional planning, cooperation between cities and counties, and which provide new fiscal incentives for the development of countywide plans addressing growth; and build incentive-based green building programs.

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.

STATE LEGISLATIVE PROPOSALS

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 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 WORKS

REDUCTION IN VOTE THRESHOLD REQUIRED TO PASS LOCAL TRANSPORTATION SALES AND GASOLINE TAX INITIATIVES

Over the last several years, a number of jurisdictions have seen special tax initiatives receive a “yes” vote from the majority of the electorate, but fall short of the two-thirds vote requirement. Roads are used by virtually every citizen on a daily basis, and a majority has shown that they are willing to tax themselves to support transportation projects. The current two-thirds vote requirement is unfair in a political system based on the concept of majority rule.

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

PERMITTING AND REGULATORY REQUIREMENTS FOR STORMWATER DISCHARGES FROM MUNICIPAL STORM SEWER SYSTEMS

The State Water Resources Control Board issued a draft revised statewide permit for Phase II small municipal separate storm sewer systems (MS4s) in June 2011. Humboldt County continues to be supportive of efforts to improve and maintain storm water quality, however the proposed draft MS4 General Permit is a step backward for effective regulation and will likely be counterproductive by requiring Humboldt County and other

STATE LEGISLATIVE PROPOSALS

municipalities to divert funds from existing resource-related projects and programs to perform the extensive administrative, reporting, and monitoring functions mandated in the draft permit. The draft General Permit is prescriptive rather than flexible and does not allow customization and cost-effective program design to match the specific needs of our watersheds and communities. Moreover, the draft permit shifts enforcement responsibilities to local communities while the State continues to collect and retain fees for this work. Humboldt County agrees with the California Stormwater Quality Association (CASQA) and various other municipalities that significant revisions are needed to develop a storm water permit that is feasible and will achieve real water quality benefits.

The County supports legislation and/or state regulations that provide reform and improvement to the proposed June 2011 draft National Pollutant Discharge Elimination System (NPDES) General Permit and Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems. Additionally, the County is seeking legislative support before regulatory bodies in ensuring that draft regulations provide needed flexibility for local agencies to comply with any new standards.

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. The County of Humboldt established the fund locally under Ordinance No. 1835, which was passed on June 21, 1988.

Under Government Code section 27585 the county recorder is permitted to collect a user fee at the time of the recording of any grant deed. Money collected from the user fee is directed towards the survey monument preservation fund. Government Code Section 27585 states, "Grant deeds conveying lots created by recorded tract maps shall be exempt from the user fee." This exemption infers that at the time of the initial legislation in the 1970s, lots in subdivisions were typically subject to recent monumentation and were not in need of retracement and preservation. As the language in this legislation approaches the half-century mark, many subdivisions are in fact in need of retracement and re-monumentation surveys. A majority of County projects over the past 15 years have involved retracing or re-monumentation of a subdivision. Thus, current Government Code requires counties to exempt subdivision lots when collecting the user fee for grant deeds, but many subdivisions now need re-monumentation.

The County supports legislation that would remove the exemption from the survey monument fee in Government Code Section 27585. This would make the user fee consistent for all types of grant deeds, simplify the collection process and generate revenue to support the monument preservation fund.

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

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.

STATE LEGISLATION IMPLEMENTING MAP-21

The new federal Transportation Bill, MAP-21, reduces the number of programs and maintains a status quo of annual funding as provided in the last year of the expired Federal Transportation Bill (SAFETEA-LU). While reducing the number of programs, the new transportation bill also appears to be weighted to funding transportation in urban areas. The State has stated that it will be trying to maintain status quo funding throughout the State, but it is possible that funding that once was available to rural areas will be redirected to urban areas. As rural areas face extensive funding needs for road systems, any reduction in funding will result in further increased rates of deterioration of the County's road system.

STATE LEGISLATIVE PROPOSALS

The County supports State legislation enacting the federal Transportation Bill (MAP-21) that maintains the status quo of funding for rural counties.

TRANSPORTATION CAPITAL IMPROVEMENT PROJECTS

Existing law generally provides for allocation of transportation funds pursuant to the State Transportation Improvement Program (STIP) process. Existing law provides for 75% of funds available for transportation capital improvement projects to be made available for regional projects, and 25% for interregional projects. Existing 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.

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

STATE FUNDING GOALS

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 80%. The current fiscal years 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.

STATE FUNDING GOALS

PLANNING AND BUILDING

FUNDING FOR PUBLIC INFRASTRUCTURE PROJECTS

Public water and wastewater infrastructure in Humboldt County is in need of significant upgrades to meet current regulatory standards and capacity requirements. There are numerous sewer, water, and drainage systems in the County that currently pose serious health risks to the public, hamper development, and degrade the community due to their inadequacy. The County Comprehensive Economic Development Strategy contains an inventory of the highest priority water supply and wastewater projects in the County. The majority of these projects require that the State and federal governments provide financial assistance due to their high costs and limits of the rate payers' ability to pay, particularly in disadvantaged communities.

The County strongly supports legislation that maintains or increases State funding for public infrastructure (sewer, water, roads, drainage) projects, and facilitates inter-jurisdictional cooperation between all levels of government in order to accomplish projects that are of community significance.

GRANT FUNDING FOR INFILL DEVELOPMENT

The County's General Plan Housing Element includes designation of "Housing Opportunity Zones" to promote infill housing development. This innovative plan requires adoption of implementing ordinances and funding mechanisms to provide 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 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.

STATE FUNDING GOALS

FUNDING FOR ENERGY CONSERVATION AND RENEWABLE ENERGY ELECTRICITY 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 electricity from the County. The County also supports incentives and policies to promote residential and commercial energy conservation, including Property Assessed Clean Energy (PACE) financing.

EDUCATION

RESTORE FUNDING FOR THE CALIFORNIA LIBRARY SERVICES ACT (CLSA)

The State Public Library Fund (PLF) has provided a dependable source of funding to public libraries statewide. However, this fund has become an easy expenditure for legislators to cut from the budget without angering voters. Between FY 2000-01 and FY 2010-11 the PLF was cut by 79%. For Humboldt County, this meant a reduction from \$212,000 in 2000-01 to \$45,630 in FY 2010-11. The Humboldt County Library did not receive funding from the PLF for FY 2011-12. These funds would have supported resource sharing, literacy work, and collection development. The library depends on the funding of these programs in order to provide an adequate level of service to Humboldt County residents.

The County supports legislation which would increase funding for the Public Library Fund, Transaction Based Reimbursements, and California Library Literacy Services.

GENERAL GOVERNMENT

FULFILL THE PROVISIONS OF THE PAYMENT IN LIEU OF TAXES ACT RELATED TO FISH & GAMES 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.

STATE FUNDING GOALS

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.

SUPERIOR COURT

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, and their proposed reimbursement to counties, Humboldt County continues to bear a significant burden for the costs of services provided to the local Superior Court.

1) GRAND JURY

Despite of 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.

STATE FUNDING GOALS

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.

HEALTH AND HUMAN SERVICES

REALIGNMENT - INDIGENT HEALTH CARE

Counties are the health care provider of last resort for the State's indigent population under Welfare and Institutions Code section 17000. Counties may have responsibility for populations that remain uninsured after the 2014 implementation of the Patient Protection and Affordable Care Act Medicaid expansion. Residual obligations of counties for indigent care must first be clarified before shifting any additional county public health realignment funds to the State or using those funds to further realign State program responsibilities to counties.

The County opposes any shift of county public health realignment funds to the State or further State program responsibilities to counties without a corresponding shift in the indigent health care mandate responsibility.

MENTAL HEALTH SERVICES ACT

California voters approved the Mental Health Services Act (Proposition 63) to provide a dedicated funding stream for counties to expand and develop innovative and integrated mental health services. The State enacted strict guidelines regarding implementation of the MHSA; however, diversion of funding from the initial voter intent has gained traction during fiscal crises. As funding erodes for all but the sickest, MHSA services must be maintained as intended and not diverted to backfill core programs.

The County opposes proposals to divert Mental Health Services Act (MHSA) funds.

DENTAL ACCESS

Oral health is inextricably tied to overall health. Many Californians, including hundreds of thousands of children, have unmet oral health needs. Untreated dental problems result in days missed at school or work and increased susceptibility to other, more damaging health problems such as ear and sinus infections or heart disease. Dental services for

STATE FUNDING GOALS

adults were eliminated as a Medi-Cal benefit in 2009. Access to dental services is especially challenging in rural areas.

The County supports legislation to increase access to dental services.

PUBLIC SAFETY

PROPOSITION 36 – THREE STRIKES AND ADDITIONAL PUBLIC SAFETY FUNDING

Cities, counties, and the State have seen dramatic changes in public safety with the implementation Realignment 2011 as a result of Assembly Bills (AB) 109 and AB 117. The passing of Proposition 30 (2012) now constitutionally guarantees funding for Realignment 2011. What was not included in Proposition 30 was funding for any future changes to local public safety. Voters also approved Proposition 36 in November of 2012 which revises the three strikes law to impose a life sentence only when a new felony conviction is serious or violent and authorizes re-sentencing if a third-strike conviction was not serious or violent. While Proposition 36 produces state correctional savings of around \$70 million annually, this does not produce savings for local governments, in fact the passing of Proposition 36 increases costs for local governments.

The County supports a new funding stream to appropriately treat individuals who are released as a result of the passing of Proposition 36.

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.

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.

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

STATE FUNDING GOALS

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.

NATURAL RESOURCES

NATURAL RESOURCE AFFAIRS

Humboldt County is located on California's northern 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 in abundance 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.

The County strongly requests that full State participation be restored to the Williamson Act program, 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 and 2012-13, a loss of approximately \$300,000.

STATE FUNDING GOALS

PUBLIC WORKS

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.

FUNDING 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

STATE FUNDING GOALS

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 legislation or administrative action to release Proposition 84 (Flood Control, Natural Resources, and Parks Bond Act) or other State funding to be used for rehabilitation, repairs, and/or maintenance to the Redwood Creek levee system near Orick.

KLAMATH BASIN ECONOMIC RESTORATION ACT

Humboldt County is a signatory party to the Klamath Hydroelectric Settlement Agreement and Klamath Basin Restoration Agreement, 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.

The County supports legislation that provides funding for implementation of these agreements.

FEDERAL LEGISLATIVE GOALS

Humboldt County's primary, overarching federal legislative goals for 2013 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

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.

CRIME VICTIM RESTITUTION AND COURT FEE INTERCEPT ACT

The Crime Victim Restitution and Court Fee Intercept Act will increase revenue for cities, counties, states and the payment of restitution owed to victims of crimes by offsetting federal Income Tax returns of defendants owing past-due State Judicial Debt. An amendment to Internal Revenue Code is necessary to allow an offset against income tax refunds to pay for State judicial debts that are past due. There is the opportunity of increased revenue due to the tax offsets increasing collections. Humboldt County estimates 30% in increased collections once the IRS Tax offset is implemented, which equates to increased revenue for counties, cities, and states as well as an increase in restitution payments for victims of crimes.

The County supports legislation to offset income tax refunds to pay for State judicial debts that are past due.

FEDERAL REPORTING REQUIREMENTS FOR STATE AND LOCAL PENSIONS

The County is opposed to the proposed Public Employee Pension Transparency Act 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.

FEDERAL LEGISLATIVE PROPOSALS

POLITICAL SPEECH

The United States Supreme Court ruled that corporations and unions have the same political speech rights as individuals under the First Amendment. The Supreme Court found no compelling government interest for prohibiting corporations and unions from using their funds to make election-related expenditures. Thus, the Supreme Court 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*.

REGULATORY SYSTEM REQUIRED FOR ANY CHANGES TO LEGAL STATUS OF MARIJUANA

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 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

FEDERAL LEGISLATIVE PROPOSALS

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.

PUBLIC WORKS

KLAMATH BASIN ECONOMIC RESTORATION ACT

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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.

The County supports legislation that authorizes restoration of the Klamath Basin and the settlement of the hydroelectric licensing of the Klamath Hydroelectric Project in accordance with the Klamath Basin Restoration Agreement and the Klamath Hydroelectric Settlement Agreement. The County also supports legislation that provides funding for implementation of these agreements.

FEDERAL LEGISLATIVE PROPOSALS

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, The State of 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.

It is important to continue asserting Humboldt County’s water right because the U.S. Bureau of Reclamation could assert that Humboldt County has relinquished its right to the water due to failure to act. It is imperative that Humboldt County continue to take necessary steps to enforce and protect its water rights on the Trinity River.

The County supports the retention of Humboldt County’s vested right to not less than 50,000 acre feet annually of water from the Trinity Reservoir.

BAY DELTA CONSERVATION PLAN

Humboldt County has an interest in the Bay Delta Conservation Plan because Trinity River water is diverted into the Central Valley Project (CVP), and Humboldt County has a statutory and contractual water right to “not less than 50,000 acre feet” of Trinity River water to be made available annually to Humboldt County and other downstream users. To date, the Bay Delta Conservation Plan 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 being included as a cooperating agency in the Bay Delta Conservation Plan.

FEDERAL LEGISLATIVE PROPOSALS

ENVIRONMENTAL STREAMLINING

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

The Food, Conservation, and Energy Act of 2008 (2008 Farm Bill) expired on September 30, 2012. Efforts to pass a new long-term Farm Bill stalled in the 112th Congress. Although the Senate approved a bipartisan reauthorization package (S 3240) in June of 2012, House Republican leaders were reluctant to bring either the Senate legislation or the House Agriculture Committee-approved bill (HR 6083) to the floor.

Dozens of programs that benefit Humboldt County's agricultural producers and rural communities will no longer be eligible for federal funding.

With the expiration of the 2008 Farm Bill, the USDA's authority to deliver programs will be very limited until Congressional approval of a new farm bill or other statutory extension of USDA's program authority. Since 2005, \$22.8 million dollars from Farm Bill supported programs have benefited Humboldt County residents.

Humboldt County supports Farm Bill Reauthorization.

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.

FEDERAL APPROPRIATIONS REQUESTS

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 1,500,000 acres of public and private forest and home to over forty 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 of the County.

SUPPORT FOR 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

FEDERAL APPROPRIATIONS REQUESTS

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.

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 the PACE Protection Act which would prevent Fannie Mae, Freddie Mac, and other Federal residential and commercial mortgage lending regulators from adopting policies that contravene established state and local Property Assessed Clean Energy laws.

RE-AUTHORIZATION 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 needs federal funding to provide training for 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.

RESTORE CDBG PROGRAM FUNDING TO FISCAL YEAR 2011 LEVELS

The fiscal year 2012 Transportation-Housing and Urban Development Appropriations bill included funding for the Community Development Block Grant (CDBG) at \$2.95 billion. Previous year's funding for the CDBG program was \$3.3 billion. This cut, in addition to the \$600 million cut CDBG sustained in fiscal year 2011, would total a 38 percent reduction in two years.

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.

FEDERAL APPROPRIATIONS REQUESTS

The County of Humboldt supports legislation that would return funding to fiscal year 2011 levels or increase funding for the CDBG program.

HEALTH AND HUMAN SERVICES

PREVENTION AND PUBLIC HEALTH FUND

The Patient Protection and Affordable Care Act appropriated \$500 million in Federal Fiscal Year (FFY) 2010, escalating to \$2 billion in FFY 2015 and each fiscal year thereafter to expand prevention, wellness and public health activities. Congressional and administration proposals to divert these funds to offset other federal spending continue to surface. In early 2012, the program was cut by 33 percent over ten years to pay for a payroll tax cut and avert a cut to Medicare physician payments. This unprecedented investment in prevention and public health must be protected to be used as intended under the Act.

The County supports protection of the Patient Protection and Affordable Care Act Prevention and Public Health Fund and requests that the funds be allocated to local public health departments.

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. Policy changes can be made to SNAP through the Farm Bill reauthorization. Congress is considering proposals to drastically reduce SNAP eligibility and benefits in the five-year re-authorization of the Farm Bill.

The County opposes efforts to reduce funding or access to Supplemental Nutrition Assistance Program benefits and supports federal legislation to increase access to food and nutrition benefits.

NATURAL RESOURCES

NATURAL RESOURCE AFFAIRS

Humboldt County is located on California's northern 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 in abundance to the community 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,

FEDERAL APPROPRIATIONS REQUESTS

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.

PLANNING AND BUILDING

BROWNFIELD REMEDIATION AND LIABILITY

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.

FUNDING FOR 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 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.

PUBLIC WORKS

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 5 percent to 10 percent while failing to increase the allowable Passenger Facility

FEDERAL APPROPRIATIONS REQUESTS

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 5 percent.

SMALL COMMUNITIES AIR SERVICE DEVELOPMENT PROGRAM

The Small Communities Air Service Development program (SCASDP) provides grant funds that communities may use to attract new air service. Communities that were awarded grants in previous years are precluded from using the funds for a route, service or destination that had been funded by a previous award under the program. This provision does not sunset, so funding can't be used for a previously-funded route even if ten years or more has passed.

The County supports legislation to provide a 'sunset' provision to the SCASDP so that funding can be applied to a previously-funded route, service or destination after a period of at least 8 years has passed.

FUNDING 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, and fish habitat

FEDERAL APPROPRIATIONS REQUESTS

and water quality are 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.

The established cost for a Reconnaissance Study by the Corps of Engineers is \$100,000. Authorization for such a study exists under Section 209 of the Flood Control Act of 1962 (Northern California Streams Study Authority) and Section 216 of the River and Flood Control Act of 1970 (Review of Completed Projects). The Reconnaissance Study may come in the form of a Section 905(b) Analysis as authorized under Section 216 of the River and Harbors Flood Control Act of 1970.

The County supports legislation that appropriates \$100,000 to the U.S. Army Corps of Engineers (San Francisco District) for a new-start reconnaissance study to analyze opportunities for a large-scale, multi-objective water resources project in lower Redwood Creek to achieve a sustainable solution for flood protection, ecosystem restoration, and endangered species recovery.

INDIAN RESERVATION ROADS (IRR) FUNDING

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 that 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. While SAFETEA-LU provided modest improvements for California tribes, there are efforts underway to erase those improvements and decrease the amount of money flowing to California.

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

FEDERAL APPROPRIATIONS REQUESTS

projects moving forward. This funding could be compromised by proposed changes in IRR funding allocations.

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

STORMWATER MANAGEMENT PROGRAM: MCKINLEYVILLE AND HUMBOLDT AIRPORTS

The federal Clean Water Act requires that most municipal entities obtain National Pollutant Discharge Elimination System (NPDES) permits and reduce the pollutant load from municipal storm sewers to the maximum extent practicable. NPDES has been an unfunded mandate. Under the authority of the Federal Clean Water Act, the California State Water Resources Control Board has issued Water Quality Order 2003-0005-DWQ. In response, the County has prepared a StormWater Management Program (SWMP) for the unincorporated community of McKinleyville, and the Arcata/Eureka and Murray Field airports for Phase II of the NPDES program.

The SWMP outlines activities to be implemented during the first five-year NPDES permit period, such as regulation and inspection of construction, industry, municipal operations, commercial uses, and maintenance activities. It also requires a program of public outreach and education, as well as research studies and water quality monitoring programs. For certain types of development, on-site storm water filters or treatment and implementation of Best Management Practices are required to minimize pollutants discharged to surface water.

Although these requirements are unfunded mandates, failure to implement the program will subject the County to fines of up to \$27,500 per day, and both civil and criminal liability for willful noncompliance. Either the NPDES requirements need to be deferred, or funding mechanisms for implementation need to be identified.

The County supports legislation that would postpone implementation of the NPDES permit requirements for the StormWater Management Program. The County also supports legislation that will provide funding for implementation of these requirements.

SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT

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

FEDERAL APPROPRIATIONS REQUESTS

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. Fiscal year budget projections for this year (2011-12) are for \$432,837. It is critical to the County Road system that this funding is continued into the future.

It should be noted that the program has been extended one year with the new Federal Transportation Bill (MAP-21) at a 5% reduction from the prior year allocation. The prior year funding allocation was also significantly lower than the original allocations provided to counties hosting Federal Lands. Unless Congress extends or reauthorizes the SRSCA, counties can expect to receive their final payments sometime between November 2012 and January 2013.

As part of a long-term reauthorization bill, Congress should revise Title III of the Act to allow fire protection funds to be spent as flexibly as possible. Under current law, the expenditure of Title III funds is limited to fire protection activities on federal lands, severely restricting fire departments from containing fires adjacent to federal land. Expanding the authorized uses of Title III to include firefighting on adjacent lands would enhance public safety in rural communities and reduce the likelihood of fires spreading to federal lands. This important issue also directly impacts neighboring counties of Trinity, Mendocino, Siskiyou, and Del Norte.

The County supports the reauthorization of the Secure Rural Schools and Community Self-Determination Act.

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 Congress' effort to begin work immediately on a future transportation bill in order to provide a long term funding bill for roads that provides for proper maintenance for local road systems, including funds for reducing fatalities on rural roads.

FEDERAL APPROPRIATIONS REQUESTS

HOMELAND SECURITY – FULL FUNDING OF SECURITY MANDATES FOR COMMERCIAL AIRPORTS

After the terrorist attacks on the United States of America on September 11, 2001, the Department of Homeland Security was developed 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 \$35,025 for fiscal year 2011-12 to a projected cost share of \$84,420 for fiscal year 2012-13.

The County supports funding to cover the costs of providing mandated security at the Arcata-Eureka Airport.

