



COUNTY OF HUMBOLDT

AGENDA ITEM NO.

H-3

For the meeting of: December 6, 2016

Date: November 29, 2016

To: Board of Supervisors

From: Amy S. Nilsen, County Administrative Officer

CD for AN

Subject: Adoption of 2017 State and Federal Legislative Platforms

RECOMMENDATION(S):

That the Board of Supervisors:

1. Provide input and direction to staff as desired regarding the proposed state and federal legislative platforms for 2017;
2. Provide input and direction to staff as desired on federal policy issues to receive priority federal advocacy services;
3. Provide input and direction to staff as desired on state issues to receive priority state advocacy services;
4. Adopt the proposed state and federal legislative platforms, incorporating any changes desired by the Board, as the final platforms for 2017;
5. Direct the County Administrative Officer to submit the final version of the state legislative platform to Governor Jerry Brown, Assembly Member Jim Wood, State Senator Mike McGuire, California State Association of Counties, Rural County Representatives of California and Shaw Yoder Antwhih;

Prepared by Sean Quincey

CAO Approval

Eushia Heys

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|---------|---------------|----------------------|-----------------------|-------------|
| REVIEW: | Auditor _____ | County Counsel _____ | Human Resources _____ | Other _____ |
|---------|---------------|----------------------|-----------------------|-------------|

TYPE OF ITEM:

Consent

Departmental

Public Hearing

Other _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor

Seconded by Supervisor

And unanimously carried by those members present,

The Board hereby adopts the recommended action contained in this report.

SEE ACTION SUMMARY

PREVIOUS ACTION/REFERRAL:

Board Order No. _____

Dated: _____

Kathy Hayes, Clerk of the Board

Meeting of: _____

By: _____

6. Direct the County Administrative Officer to submit the final version of the federal legislative platform to U.S. Representative Jared Huffman, U.S. Senators Dianne Feinstein and Kamala Harris, National Association of Counties and Waterman & Associates; and
7. Authorize and direct the County Administrative Officer to submit letters to state and federal representatives, as needed to support the county's legislative platform during 2017.

SOURCE OF FUNDING: All county funds

DISCUSSION:

Each year, Humboldt County departments review and recommend state and federal legislation that would improve and enhance county financing, operation, and efficiency in service delivery. The county contracts with Shaw/Yoder/Antwih, Inc. (SYA) to provide state legislative advocacy on behalf of the county and to advise departments on legislative proposals. On Sept. 13, Paul Yoder and Karen Lange of SYA spoke to your Board regarding the county's legislative advocacy efforts during the 2016 session of the California Legislature. Mr. Yoder and Ms. Lange also met with a number of department heads regarding particular state issues on Sept. 12.

The county contracts with Waterman & Associates for federal legislative advocacy services and to advise departments on legislative proposals. On Oct. 12 Joe Krahn and Hasan Sarsour of Waterman met with a number of department heads and your Board regarding particular federal issues.

On Oct. 1, 2013, your Board directed the County Administrative Office (CAO) to invite local governmental agencies to partner with the county on their legislative priority items for inclusion into the county's legislative platform. The CAO coordinated with local agencies each year thereafter, including last year when the county's legislative platform adopted seven new items at the request of these agencies. However, including these agencies' proposals has been minimally effective and during adoption of the 2016 platform your Board directed the CAO to solicit proposals only from county departments, while coordination with outside agencies will be done on a case-by-case basis. Accordingly, last year's proposals that were received from outside agencies have been removed from this year's legislative platform.

The platforms being presented to your Board today are the result of two months of collaborative work between departments, the County Administrative Office, SYA, and Waterman & Associates. The platforms take into consideration your Board's Strategic Priority Framework. In particular, platforms address engagement on issues of statewide concern. These platforms are being submitted to your Board for review and modification as your Board finds appropriate.

Recommended Actions:

In order to most effectively approach advocacy services staff is seeking direction on identification of the primary legislative priorities based on relative importance to the Board and in consideration of the state and federal agendas. Identifying a primary list of state and federal priorities would allow the county, SYA, and Waterman to work more effectively with state legislators and members of Congress, as well as applicable agencies and would ensure that the county's effectiveness is not diluted. Below your Board will find current year priorities along with recommendations for 2017 priorities:

State Priorities

- Williamson Act Funding Restoration and Restitution

- Fulfill the Provisions of the Payment in Lieu of Taxes Act
- Growing Limits And Funding From The Control, Regulate And Tax Adult Use Of Marijuana Act
- Collection Of Cannabis Taxes On Property Tax Bills
- Allow STAA Trucks Through Richardson Grove
- Cal Fire To Respond To Emergencies Along Route 299 And Highway 101
- Support for “By Right” Approval for Affordable Housing Development

Federal Priorities

- Remote Sales Tax
- Humboldt County Water Contract with Bureau of Reclamation
- Klamath Basin Restoration Act
- Dredging Humboldt Bay
- Allowing Cannabis Regulations At The Federal Level
- Reauthorization of Secure Rural Schools
- Federal Aviation Administration Reauthorization
- Stop Wrongful Postal Closures
- Protect Federal Investment In Medicaid
- Homeland Security – Full Funding Of Security Mandates For Commercial Airports

Previously, staff recommended that the County Administrative Officer, on behalf of the Board, be authorized to submit letters to state and federal representatives as needed to support the county’s legislative platform, in an attempt to quicken the response time to legislative changes. This recommendation is before your Board again.

Once the Board’s modifications, if any, are incorporated, the County Administrative Office will finalize the 2017 state and federal legislative platforms and transmit them to state legislative and federal congressional delegations, and the county’s legislative advocates.

FINANCIAL IMPACT:

None associated directly with today’s recommendations. Many of the proposed legislative actions have potential financial benefits for the county.

OTHER AGENCY INVOLVEMENT:

All county departments
 Shaw/Yoder/Antwih, Inc.
 Waterman & Associates
 Rural County Representatives of California
 Governor
 State Legislators and Staffs
 Congressional Delegates and Staffs
 California State Association of Counties
 National Association of Counties

ALTERNATIVES TO STAFF RECOMMENDATIONS: Board’s discretion

ATTACHMENTS: Proposed 2017 State and Federal Legislative Platforms



Humboldt County



2017 State and Federal Legislative Platform



COUNTY OF HUMBOLDT BOARD OF SUPERVISORS



**REX
BOHN**
District 1



**ESTELLE
FENNELL**
District 2



**MARK
LOVELACE**
District 3
Chair



**VIRGINIA
BASS**
District 4
Vice-Chair



**RYAN
SUNDBERG**
District 5

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STATE LEGISLATIVE GOALS

Humboldt County's primary, overarching goals for 2017 include:

SUPPORT STATE EXPANDING ITS ROLE IN PROVIDING EMERGENCY RESPONSE SERVICES.

PROTECTION AND PRESERVATION OF THE COUNTY'S ABILITY TO FUND LOCAL PROGRAMS.

SUPPORT STATE APPROPRIATIONS FOR PUBLIC INFRASTRUCTURE PROJECTS.

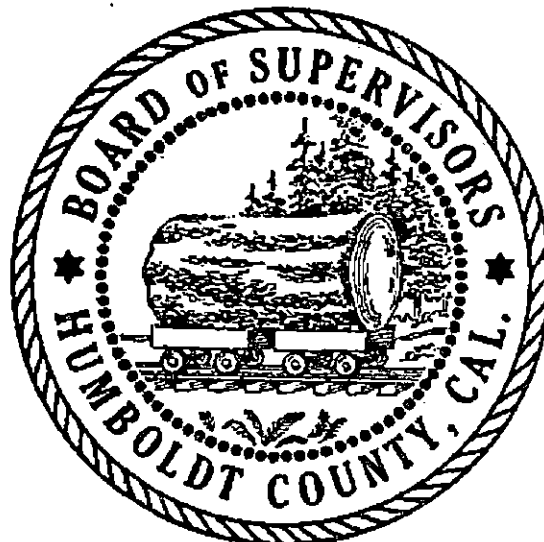
SUPPORT LEGISLATION THAT ADVOCATES FOR MAXIMUM LOCAL CONTROL AND FLEXIBILITY IN THE ALLOCATION OF RESOURCES AND THE ADMINISTRATION OF COUNTY PROGRAMS.

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

PROTECTING HUMBOLDT COUNTY'S COASTAL AGRICULTURAL LANDS FROM SEA-LEVEL RISE

Supported by: McKinleyville Community Services District

The prime agricultural lands around Humboldt Bay support a significant portion of the county's dairy and livestock industry. These lands are at risk from sea level rise due to regulations that prevent agricultural producers from repairing and enlarging dykes and levees needed to protect their land from sea water. Specifically, raising the heights of existing flood control structures will in many circumstances require enlarging the existing structure thereby triggering the requirement to obtain an expensive and time-consuming Coastal Development Permit.

The county supports ensuring that the State Coastal Commission grant primary permit authority to Humboldt County under the county's North Coast Area Plan for all agricultural lands in the coastal zone or for the Coastal Commission to develop and offer to agriculture landowners a permit program (consistent with Public Resources Code mandates) specific to bolstering dykes and levees necessary to protect prime agricultural land from sea-level rise.

GENERAL GOVERNMENT

REDUCED VOTER APPROVAL THRESHOLD FOR LOCAL INITIATIVES

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 staffs 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

STATE LEGISLATIVE PROPOSALS

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.

IMPLEMENTATION AND MAINTENANCE OF COMMUNITY CHOICE AGGREGATION PROGRAMS

In 2002, the state provided local communities with the opportunity to procure electric power for their own residents through the establishment of community choice aggregation programs under Assembly Bill 117. The county is a member of a joint powers authority that is exploring options for establishing such a program for Humboldt County. Redwood Coast Energy Authority is leading this effort.

The county supports legislation that reduces cost or removes barriers to community choice implementation and operations.

HEADWATERS FUND INVESTMENTS

In 1999, the federal government purchased approximately 7,500 acres of land within Humboldt County called the Headwaters Forest. Due to the loss of timber tax revenue to be received by the county, the state and federal governments awarded Humboldt County \$22 million as compensation. These funds are expressly separated from the General Fund, do not contribute to the operations of the county in general and the interest from the fund supports economic development projects in our area. However, Government Code sections 53601 and 53635 limit options for investments and the county has not been able to return more than 2 percent.

The county supports legislation that would allow the county to invest money from the Headwaters Fund in equities and other non-fixed income securities.

RETAIN LOCAL CONTROL REGARDING CANNABIS

In 2015, a package of three bills was passed by the Governor related to medical cannabis and in 2016 voters passed the Adult Use of Marijuana Act, allowing recreational cannabis in the state. All of this legislation took great strides to provide a statewide regulatory program, but issues remain and it is vital that counties maintain local control as these issues evolve.

Humboldt County continues to believe it has an obligation, through the California Constitution, to protect the health, safety, and general welfare of the public. The Constitution authorizes counties to take actions to address what an elected Board of Supervisors legislatively determines to be the negative secondary effects of cannabis dispensaries and cultivation. The proliferation of such dispensaries and cultivation has created a variety of problems in many areas of the state. Counties must be able to enact

STATE LEGISLATIVE PROPOSALS

prohibitions or regulations in the face of threats to the public health, safety and general welfare. Such decisions represent legislative judgments made by locally elected legislative bodies about the wisdom and need for local control over a particularly vexing and unusual land use. Under well-settled constitutional separation of powers principles, deference must be afforded to the legislative judgments made by locally elected officials, who are in the best position to evaluate local conditions, community needs, and the public welfare. Accordingly, Humboldt County continues to believe that any legislation to further develop or refine regulations of cannabis must allow individual local governments the discretion to either adopt that program in full, to modify the program as they see fit, or to opt out of the program completely.

In addition, the cultivation of cannabis is often accompanied by land use and operational activities such as clearing of land, grading, road-building, water withdrawals from streams and application of herbicides, pesticides and fertilizers. These activities are routinely regulated and enforced by federal, state and local agencies when they are associated with industries such as timber, ranching or farming, so as to reduce their potential impacts on the environment. The county maintains that responsible agencies should be given clear guidance and adequate resources to regulate and enforce existing environmental laws when they are associated with the cultivation of cannabis. Humboldt County also supports a requirement that state agencies coordinate with local governments to ensure uniform application in enforcement efforts.

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 for courts 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 staffs 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.

STATE LEGISLATIVE PROPOSALS

MITIGATION OF IMPACTS FROM TRIBAL GAMING COMPACTS

Pursuant to Senate Bill 621 (2003), a county that receives state 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.

COLLECTION OF CANNABIS TAXES

California Business and Professions Code Section 19348, as enacted by the Medical Cannabis Regulation and Safety Act of 2014, provides that counties may, pursuant thereto and "existing law" impose a tax "on the privilege of cultivating, dispensing, producing, processing, preparing, storing, providing, donating, selling, or distributing medical cannabis or medical cannabis products by a licensee ..." If local commercial cannabis taxes are passed by voters, an appropriate, effective, and efficient tax collection method must then be implemented.

While the County of Humboldt is certainly supportive of taxing this previously unregulated industry, the transient nature of commercial cannabis cultivators presents significant challenges regarding the approval and collection of such taxes. For example, it will be extremely difficult, if not impossible, for counties to collect taxes from commercial cannabis cultivators who lease the land on which their crops are grown and then leave the property soon after that year's harvest. However, in order to obtain a local permit to cultivate commercial cannabis in Humboldt County, which must be obtained prior to the receipt of a state license, an applicant must either be the record title owner of the parcel, or submit an original notarized letter of consent signed by the owner of the parcel. Accordingly, the owners of all parcels on which permitted commercial cannabis is being cultivated will be aware that such activities are occurring on their property.

Therefore, due to the nature of the commercial cannabis industry and the need to provide local services with tax revenues generated therefrom, including, without limitation, environmental cleanup for illegal grows and drug rehabilitation services, the County of

STATE LEGISLATIVE PROPOSALS

Humboldt supports legislation that would give counties a wider range of alternatives regarding the collection of commercial cannabis taxes imposed pursuant to existing laws other than California Business and Professions Code Section 19348(a). Potential alternatives may include, but are not limited to, the ability to include all commercial cannabis taxes, regardless of the authority under which they are imposed, on property tax bills and collect such taxes in the same manner, and subject to the same penalties and priority of lien, as other charges and taxes fixed and collected thereby.

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

Currently, trucks over 43 feet are not allowed to travel through the grove except livestock haulers. However, there are many other businesses and non-profits, including local blood banks that find it economically infeasible to ship products to the north coast under the current regulations. Our local blood bank must have products shipped from the Bay Area in large trucks (over 48 feet as allowed by the Surface Transportation Assistance Act) at minus-20 degrees Celsius and then transferred to smaller trucks, which increases costs and puts at risk valuable material used to treat patients with hemophilia, immune disorders and a host of other diseases.

The county supports legislation that would allow STAA trucks to travel through Richardson Grove.

ENSURE LOCAL GOVERNMENTS RECEIVE APPROPRIATE SHARE OF SALES TAX FROM SERVICES

Sales taxes in California are generally imposed upon a retailer for the privilege of selling tangible property in California at retail. Most of the sales tax revenue goes to the state and some is returned to local governments for specific purposes. Sales tax can only be applied to tangible goods, but that may change as the nature of our economy transitions to more service-based. The county still provides many services to those involved in service-transactions, including public safety, road maintenance, social services and a host of others. While there have been discussions at the state level regarding imposing sales tax on services, there must also be discussions about allocating any associated revenues with counties.

The county supports legislation that would ensure counties continue to receive at least the same proportion of sales tax revenue if sales tax is applied to services in the future.

STATE LEGISLATIVE PROPOSALS

HEALTH AND HUMAN SERVICES

HELPING FAMILIES MOVE OUT OF POVERTY

The Department of Health and Human Services' mission is to reduce poverty and connect people and communities to opportunities for health and wellness. Poverty negatively impacts families, leading to poor health and social outcomes. Strengthening anti-poverty programs like CalWORKs that are dedicated to supporting families on the path to economic success, will assist more people in becoming self-sufficient.

The county supports legislation that strengthens the CalWORKs program and employment opportunities.

INCREASING ACCESS TO CALFRESH

CalFresh is California's primary nutrition assistance program. It is of critical importance to the health, well-being and financial survival of low-income individuals and families. While applications for Medi-Cal can be signed and submitted by telephone, CalFresh applications cannot be submitted via telephone; they must be signed in writing and mailed or submitted electronically. This can be a significant barrier for rural or homeless residents without easy access to computers, fax machines, or residential mail delivery. Legislative efforts to allow counties to accept and store telephonic signatures for CalFresh applications would align the process with Medi-Cal, easing and quickening the application process for individuals and families eligible for both programs.

The county supports legislation that expands access to CalFresh and simplifies county CalFresh administration.

AGING AND LONG-TERM CARE – PLANNING AND PROTECTION FOR RURAL COUNTIES

Long-term care facilities are an essential part of the health care continuum. The potential closure of more than half of the skilled nursing beds in Humboldt County has highlighted the very limited protections the state can enforce to address the impact closure will have on the facilities' residents, their families, and the community.

The county supports legislation that protects and addresses the needs of aging and vulnerable residents in rural long-term care facilities.

SUPPORT FOR EXTENDED PRODUCER RESPONSIBILITY

There have been several legislative attempts in previous years to create programs that encourage manufacturers and other producers to be comprehensively responsible for the life cycle of their products. Known as "extended producer responsibility," environmentally sound product stewardship protocols encourage producers to research alternatives during

STATE LEGISLATIVE PROPOSALS

product design and packaging phases to foster cradle-to-cradle producer responsibility and reduce the end-of-life environmental impacts of the product, including pharmaceuticals. Extended producer responsibility would alleviate county environmental, waste management and public health costs.

The county supports legislation to promote extended producer responsibility.

SUPPORT FOR HEALTH PROMOTION PROGRAMS FUNDED BY THE TAXATION OF SWEETENED BEVERAGES

Sugar-sweetened beverages have been significantly associated with increased risk of obesity, diabetes and heart disease. Legislation to impose a tax on sweetened beverages will aid in reducing the consumption of sugar-sweetened drinks and generate revenue for health programs. Local health departments are in a prime position to administer programs that reduce childhood obesity and promote community health and should be the recipients of a significant portion of funds generated by a sweetened beverage tax.

The county supports legislation to create health promotion programs, funded by the taxation of sweetened beverages.

SUPPORT FOR REGIONAL APPROACHES TO SERVICE DELIVERY AND FINANCING

Small and rural counties often struggle with the economies of scale necessary to launch major initiatives or implement new mandates. Rapid changes in Medi-Cal financing and service delivery present unique challenges for small counties. Providing services through regional structures allows counties with limited resources to combine efforts for positive results.

The county supports legislation that facilitates regional approaches to health and human services delivery.

NATURAL RESOURCES

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 conifer planting, even if the goal of timber operations is to restore oak woodlands and thereby reduce conifers. In

STATE LEGISLATIVE PROPOSALS

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

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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.

SUPPORT FOR 'BY RIGHT' APPROVAL FOR AFFORDABLE HOUSING DEVELOPMENT

Governor Edmund G. Brown Jr. in 2016 introduced a proposal that would allow housing projects to be approved "by right" at the state and local levels as long as certain criteria were met. The county supports the concept of "By Right" approval as it will help streamline the approval process and assist the county in creating more units in areas that the county General Plan has already designated for affordable housing.

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 decisions about allocating funds that come to the county to implement local programs. The county supports legislation which would grant Board representation to the CCCP.

AMENDMENT TO BERGESON LAW

The Bergeson Law (Fire District Protection Act of 1987) provides local control over fire protection services, rescue services, emergency medical services, hazardous material emergency response services, ambulance services, and other services relating to the protection of lives and property by allowing local communities to determine the types, levels and availability of these services. The county respects the intent of this law and frequently advocates for local control on a number of legislative issues.

The county is in favor of an amendment to the Bergeson Law to include state funding by receiving a percentage of the revenue collected from the State Responsibility Area fee to be shared with local fire protection districts.

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CAL FIRE TO RESPOND TO EMERGENCIES ALONG ROUTE 299 AND HIGHWAY 101

Emergency service gaps exist along the Highway 101 and State Route 299 corridors as no local fire district includes those areas within their boundaries. Due to the high number of traffic collisions and medical aid calls for service along those stretches of highway, emergency response services are currently provided to those areas by nearby fire districts on a good-will basis. However, because many of these calls are out of district, the dedicated revenue sources that currently exist for responding agencies are only sufficient to cover in-district responses. This is an emergency services priority that is growing in importance, and if not addressed will have a negative impact on public safety.

Highway 101 and State Route 299 are state highways. Accordingly, law enforcement is provided by California Highway Patrol, with assistance as needed from local agencies. Similarly, the county supports legislation that requires Cal Fire to provide fire and emergency response services along Highway 101 and State Route 299.

PUBLIC WORKS

CONTINUE SAFETY PRACTICES FOR EXPRESSWAY BETWEEN ARCATA AND EUREKA UNTIL IMPROVEMENTS ARE MADE

In 1995, Senate Bill 414 (Thompson) introduced 14 double fine zones across the state. The bill was set to expire on January 1, 2004, but several bills, including AB 1384 (Chesbro), have extended the double fine zone along the Highway 101 corridor between Eureka and Arcata through 2010. In 2013, the California Coastal Commission conditionally approved a project submitted by the California Department of Transportation (CalTrans), which would improve the State Highway 101 corridor and eliminate the need for a double fine zone. This project, while beneficial to Humboldt County citizens, may be years away from completion.

Due to current safety concerns, the County of Humboldt seeks to maintain increased safety enforcement through the segment of State Highway Route 101 between the Eureka Slough Bridge and the Gannon Slough Bridge, until improvements are made.

SURVEYOR MONUMENT PRESERVATION

Government Code sections 27584 and 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.

STATE LEGISLATIVE PROPOSALS

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.

HUMBOLDT BAY TRANSPORTATION INFRASTRUCTURE

Ports throughout the world are becoming congested; California ports are exceptionally impacted by the growth of international trade and are losing business to other regions. California's agricultural producers are experiencing significant increases in transportation costs as their products are increasingly delayed, up to nine days through existing facilities. In order to minimize the environmental and economic impacts associated with port congestion, California must begin planning to maximize freight handling capabilities. Humboldt Bay is underutilized and the only deep water harbor in California without rail service to the national rail system.

The county supports state legislation to facilitate increased freight handling capacity at the Port of Humboldt Bay, including funding for studies and expedited environmental review.

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 improvements 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 salmonids 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 percent of funds available for transportation capital improvement projects to be made available for regional projects, and 25 percent 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.

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

STATE LEGISLATIVE PROPOSALS

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, known as Phase II Small Municipal Separate Storm Sewer System (MS4) general permits. While Humboldt County continues to support efforts to improve and maintain storm water quality, the MS4 General Permit is an unfunded mandate that requires extensive new programs and practices in administration, reporting and monitoring, and shifts enforcement responsibilities to local communities while the state continues to collect fees.

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 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.

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. Each winter large volumes of sediment are deposited in this levee system, which reduces the capacity of the levee relative to design conditions. 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. In addition to this being an expensive project, 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 the 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. 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 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 maintenance to the Redwood Creek levee system near Orick.

STATE FUNDING PROPOSALS

AGRICULTURE

STATE FINANCIAL PARTICIPATION FOR AGRICULTURAL HANDLERS IN REGARDS TO THE HAZARDOUS MATERIALS FEE

The passage of the 1986 Community Right-to-Know Act assures the public access to a business' hazardous material information, and formalized emergency preparedness requirements. In response, California established the Hazardous Materials Business Plan Program mandating all businesses storing hazardous materials to manage the risk from such materials to humans and the environment. Such businesses are referred to as "handlers." Agricultural businesses (Ag handlers) are included in this mandate.

The county supports legislation that would provide state financial participation for Ag handlers for the hazardous materials fee, due to the limited quantities of hazardous materials used by Ag handlers.

DEPREDAATION OF ALEUTIAN GEESE AFFECTING AGRICULTURAL LANDS

Since the recovery of the once listed Aleutian Goose, Humboldt and Del Norte county agriculture producers have been taking the brunt of sustaining growing goose numbers as the populations continue to grow and increase the duration of their stay in Northern California as an integral stopover site on their annual migration. Traditionally the California Department of Fish and Wildlife (CDFW) has worked with the Pacific Flyway Council and the U.S. Fish and Wildlife Service (USFWS) to increase hunting pressures to the maximum levels possible under the current treaties. However, as goose populations continue to rise, it is evident that mandates under the Migratory Bird Treaty Act (MBTA) are insufficient and too restrictive to appropriately address ongoing depredation pressures on agriculture lands from the increased goose population. In addition to growing goose numbers, the CDFW has lost all grazing leases throughout the state that were in place to create healthy grasslands to serve as wildlife habitat. With the decrease of suitable goose habitat on public lands, it is necessary to give private landowners additional tools to address the growing threat to their livelihoods and reduce goose impacts on private lands.

The county supports state legislation that would directly compensate private landowners for goose depredation losses on agricultural lands.

FUNDING FOR INVASIVE SPECIES PROGRAMS

Each year Humboldt County's Pest Exclusion and Pest Detection programs are underfunded by the California Department of Food and Agriculture and local expenditures are required to meet statutory obligations to conduct invasive species management and control, while a number of significant invasive species are routinely introduced and detected in California that threaten agriculture and the environment.

STATE FUNDING PROPOSALS

The county supports maintaining or enhancing funding for federal, state and local programs that prevent the introduction and spread of invasive pests in California. The county supports efforts to restore funding for agricultural border stations. The county also supports funding for research on invasive species pathways and funding mechanisms to close potential pathways.

PESTICIDE ENFORCEMENT ACTIVITIES

In the budget-trailer bill (Chapter 741, Statutes of 2003; SB 1049), intent language indicates that the Department of Pesticide Regulation (DPR) should fund county Agricultural Commissioners' local pesticide regulatory programs with \$22 million annually. The Legislature failed to appropriate adequate funding to DPR to meet this level and no authority was provided to County Agricultural Commissioners to establish fees to cover their program costs. As approximately \$16 million in county general funds are contributed per fiscal year in order to maintain the integrity and quality of the pesticide regulatory system Californians have grown to expect, funding these local programs is critical.

The county supports long-term stable funding for county pesticide regulatory activities. The county supports proposals that maintain or increase funding through the pesticide mill fee that is sufficient for appropriate pesticide regulatory activities.

MARKETPLACE EQUITY AND CONSUMER PROTECTION

Weights and Measures regulatory activities are critical in providing protection for consumers and a method for making value comparisons by providing equity in the marketplace. The Division of Measurement Standards (DMS) within the California Department of Food and Agriculture is the lead agency for weights and measures. DMS has incurred significant general fund reductions that have diminished their ability to provide consumer protection.

The county supports legislation that preserves and enhances funding resources for weights and measures programs at the state and local levels for consumer protection. It also supports legislation that establishes funding for quantity control and package inspection.

The county opposes legislation that would allow for industry self-certification of commercial weighing and measuring devices. The county also opposes legislation that would diminish or remove protections now afforded to consumers for transactions measured by weighing or measuring devices or computed by Point of Sale systems.

STATE FUNDING PROPOSALS

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 percent 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.

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, including the following:

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

STATE FUNDING PROPOSALS

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.

Courthouse

The Superior Court of Humboldt County occupies 33 percent 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.

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.

GROWING LIMITS AND FUNDING FROM THE CONTROL, REGULATE AND TAX ADULT USE OF MARIJUANA ACT

In November 2016 voters passed an initiative that allows adults to use cannabis recreationally within the state. Among other things, the initiative allows legal cannabis cultivation and it imposes taxes on the sale of certain cannabis products.

Small cannabis cultivation operations make up a large majority of the cultivation sites in Humboldt County. In addition, the county's land use ordinance does not allow cultivation sites larger than one acre, which has several benefits. By keeping cultivation sites small the county can mitigate environmental damage. Additionally, it is because there are so many of these small sites locally that the industry is protected against the failure of one or a few businesses. The Adult Use of Marijuana Act threatens both our environment and local economy due to a provision (26061-e) that allows grow sites larger than one acre.

The revenues raised from the cannabis tax will be dedicated to certain activities and agencies. Some of the revenues raised by the taxes will come back to local governments in the form of competitive grants. Humboldt County has traditionally been less competitive

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than larger governments at securing these types of grants due to our small population and other limiting factors. This presents a potential significant issue for Humboldt as there is more cannabis activity that happens locally than other more populated areas in the state.

Humboldt County supports legislation that would limit the size of cannabis cultivation sites. In addition, the county supports legislation that disperses revenue from cannabis taxes to local governments by formula.

HEALTH AND HUMAN SERVICES

SUPPORT FOR CONTINUUM OF CARE REFORM IMPLEMENTATION FUNDING

In 2015, the Legislature approved AB 403 (Stone), known as Continuum/Congregate Care Reform (CCR). AB 403 seeks to reduce the time a foster child might spend in a group home setting and expand more appropriate care and services for children and youth in home-based settings. The implementation of CCR is a significant undertaking for the county, specifically child welfare services, behavioral health, and probation. Currently, the California State Association of Counties and other county organizations are working with the state to ensure all parts of the system are ready for full implementation and adequately resourced.

The county supports full funding for Continuum of Care Reform implementation.

SUPPORT FOR FULL FUNDING OF COUNTY MEDI-CAL ADMINISTRATION COSTS

Counties administer the efficient enrollment of Medi-Cal beneficiaries on behalf of the state. The steep increase in caseload associated with implementation of the Affordable Care Act has resulted in significant workload demands for county eligibility staff.

The county supports full funding for county Medi-Cal administration costs.

IMPROVING ACCESS TO DENTAL HEALTH CARE

Many Humboldt County residents have critical unmet oral health needs. While limited Medi-Cal dental benefits were restored for adult patients in 2014, the need for Medi-Cal dental providers has grown exponentially. The county is expending scarce resources transporting Medi-Cal clients out of county to receive crucial dental care. Although recent legislative efforts to improve Denti-Cal accountability, transparency, and quality may eventually lead to improved access, there is an immediate need to fully restore adult dental benefits and increase provider reimbursement rates to encourage dentists to accept both children and adult Medi-Cal patients in Humboldt County.

The county supports full restoration of Denti-Cal benefits and increasing Denti-Cal provider rates to facilitate access to dental care in rural communities.

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SUPPORT FOR INCREASED INVESTMENT IN LOW AND VERY LOW INCOME HOUSING

Stable housing is a foremost concern for low-income individuals and families and without it, a primary barrier to health and self-sufficiency. Currently, the Department of Health and Human Services operates limited permanent supportive housing programs that have proven effective in helping people receive treatment and lead productive lives. However, there is a shortage of single occupancy and small efficiency units for seniors and single individuals. Further investment in low-income, affordable housing is critical in order to implement city and county Housing First strategies. Resources are needed to expand homeless prevention programs, provide income supports such as subsidized rent, to rehabilitate existing buildings, and to generate additional housing units via public/private/non-profit partnerships.

The county supports increased investment in low-income, very low-income, permanent supportive, and subsidized housing.

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 RESTITUTION, RESTORATION THROUGH CAP AND TRADE

The Williamson Act (California Land Conservation Act) is a state/county partnership to preserve and prevent the loss of farmland. By saving farmland from development, the act supports many of the state's goals, one of which is reducing greenhouse gas (GHG)

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emissions through its Cap-and-Trade program. 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 percent 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 200,580 acres eligible for subvention funding under Williamson Act contracts, as of 2013. 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, and the county strongly supports this concept. According to the California Air Resources Board first update to the Climate Change Scoping Plan, Appendix B (May 2014), recent research has shown that GHG emissions are approximately 70 times greater from urban regions than agricultural lands, and “recent reports highlight the importance of farmland preservation as a key strategy for stabilizing and reducing California’s future greenhouse emissions across multiple economic sectors.” The Williamson Act more and more coincides with the state’s goals of reducing greenhouse gas emissions, and the county supports the idea paying for farmland preservation with Cap-and-Trade funding.

In addition, the county 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 the following Fiscal Years:

- 2008-09 in the amount of \$22,396;
- 2009-10 in the amount of \$219,155;
- 2010-11 in the amount of \$161,804;
- 2011-12 in the amount of \$224,896;
- 2012-13 in the amount of \$225,362;
- 2013-14 in the amount of \$226,297
- 2014-15 in the amount of \$226,297
- 2015-16 in the amount of \$221,977

The county has not received these subvention payments that were promised to local governments. The total amount the state has not paid to the county since 2008-09 is \$1.52 million.

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.

STATE FUNDING PROPOSALS

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.

FUNDING FOR ASSISTANCE ON LOCAL COASTAL PLANS

Local Coastal Programs (LCPs) identify land uses and standards by which development will be evaluated within the Coastal Zone, and must be certified by the California Coastal Commission. The development and updates of LCPs are expensive endeavors as they involve a series of special studies, background analysis, public hearings and composition of the programs. Humboldt County's existing LCPs, most of which were adopted in the 1980s, were completed with financial assistance from various state and federal agencies. Recent required updates, however, including the requirement of planning for sea level rise and climate change, are imposing costs that are unsupportable by local jurisdictions.

The county supports additional funding to the Coastal Commission to help assist local jurisdictions creating and updating their LCPs.

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

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policies to promote residential and commercial energy conservation, including Property Assessed Clean Energy (PACE) financing.

PUBLIC SAFETY

FUNDING AND FLEXIBILITY NEEDED FOR THE IMPLEMENTATION OF PROPOSITION 47

On November 4, 2014 California voters passed Proposition 47, which reduces penalties for a number of drug and theft crimes that were once considered felonies to misdemeanors. Because of this shift in law, a number of offenders have had their sentences changed to misdemeanors. In Humboldt County this has led to a reduced jail population of 35 percent. However, this has also led to an increased number of property crimes in the community such as car break-ins and vandalism.

The county supports funding for the implementation of Prop. 47 by increasing treatment options, particularly in rural areas of the state for these often chronic offenders. In addition, the county supports local control and flexibility with funding provided to deal with the Prop. 47 effects in local communities.

SUPPLEMENTAL LAW ENFORCEMENT SERVICES

Supported by: City of Blue Lake, City of Rio Dell

Government Code 30061 *et seq.* governs Supplemental Local Law Enforcement Funding which is 0.15 percent vehicle license fee allocated to counties and cities for the provision of law enforcement services. Each agency is to be allocated a minimum of \$100,000.

The county, City of Blue Lake and City of Rio Dell support an increase to the minimum allocation, as smaller cities rely heavily on this funding.

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.

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.

STATE FUNDING PROPOSALS

FUNDING FOR INCREASED ENFORCEMENT OF ILLEGAL WATER DIVERSIONS ALONG MAD RIVER

Supported by: Humboldt Community Services District, Humboldt Bay Municipal Water District

The current drought has exacerbated and highlighted the impacts of illegal diversions from Humboldt County water bodies, for use in cannabis cultivation. All of the major rivers and creeks (and their tributaries) are fully appropriated all year long (with the Mad River at full appropriation from June through October), so no water is available for new diversions during that period. Riparian users may take advantage of natural flows that traverse their properties, as long as the water is used beneficially and not wasted. However, this water may not be stored more than 30 days.

On the Mad River, water is stored in Ruth Lake for use by the municipal, residential and commercial customers that are supplied by Humboldt Bay Municipal Water District. This water is released for re-diversion at the Essex facilities near Arcata, and is not available for diversion for other uses along the Mad River. The natural flow of the Mad River in the upstream reaches during the summer period of full appropriation is normally quite low, and even more so in recent years, due to the drought.

The county supports legislation that would provide increased funding to support local enforcement regarding water-related issues within the Mad River watershed.

FUNDING FOR CALEAP

Due to Humboldt County's remote location in California, many communities are particularly vulnerable to power outages and various types of energy delivery disruptions. It is not uncommon for an area to go several days with no power once an energy delivery system is disrupted. There are only a few main highways that connect our county to the rest of the state, and if damaged can take significant time to repair, which would impact our ability to import fuel. It is vital that the county's citizens, local governments and public safety agencies are energy resilient and can quickly recover from disruptions.

In 2012, the County of Humboldt partnered with all seven of the incorporated cities within our borders, as well as many local community services districts to update the county's Local Hazard Mitigation Plan (LHMP). The county and all participating agencies took part in the California Local Energy Assurance Planning (CaLEAP) project and incorporated energy assurance planning efforts in to their LHMP. The work accomplished in these plans was an improvement from years past, but there is more work to be done. Unfortunately CaLEAP was funded only through March 2013. The technical and planning expertise offered by the CaLEAP project was invaluable and is still needed in Humboldt County.

The county supports legislation that would restore funding for the CaLEAP project at 2012 levels.

STATE FUNDING PROPOSALS

PUBLIC WORKS

FUNDING FOR PREVENTATIVE ROAD MAINTENANCE

Supported by: City of Blue Lake, City of Rio Dell

Local cities and the county do not have the necessary level of funding needed for preventative road maintenance. It is significantly more cost effective and energy efficient to preventatively maintain roadways versus entirely reconstructing a deteriorated roadway.

The county, City of Blue Lake and City of Rio Dell support a set-aside in the Cap and Trade funding for preventative maintenance of road systems for all local governments.

AVIATION FUEL TAX ALLOCATION TO CALIFORNIA AVIATION SYSTEM

The Federal Aviation Administration (FAA) passed a rulemaking that clarifies and enforces current federal statute regarding the use of airport revenues derived from the sale of jet and aviation fuels. If states fail to comply with the federal rulemaking they will be ineligible for federal Airport Improvement Program grants, which are the primary source of funding for critical airport infrastructure projects. Additionally, federal regulations provide the FAA with the authority to impose severe civil penalties – up to three times the amount of the funding withheld – on state and local governments for being out of compliance. Currently, Senate Bill 747 is the vehicle for making this happen in California. It is estimated by the Board of Equalization that this would infuse the California Aeronautics program by approximately \$140 million each year.

The county supports legislation that directs the state sales and excise tax on the sale of jet fuels to be maintained in the Aeronautics Account for use by commercial and general aviation airports.

STATE ASSISTANCE WITH RECRUITMENT OF AIR SERVICE

Humboldt County, like many rural communities throughout the state, struggles to recruit new air service for its airports. Small communities must have instruments like minimum revenue county guarantees and others in order to attract additional airlines to service their communities. The state can provide an important role in ensuring rural airports remain competitive in this recruitment process.

As state aeronautical funding grows the county supports the state developing a match program to pay for the local share of the Small Community Air Service Grant. The county also supports additional funding to recruit air service to rural airports.



FEDERAL LEGISLATIVE GOALS

Humboldt County's primary, overarching federal legislative goals for 2017 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.

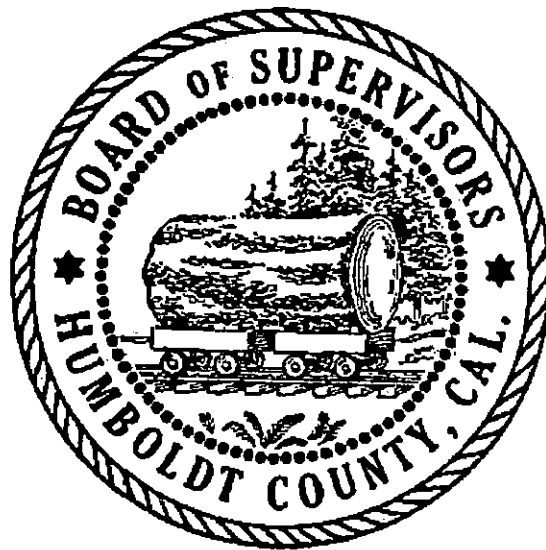
- Support broadening of allowable uses of Secure Rural Schools Act (Title III) funding to include fire protection services.

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

AGRICULTURE

DEPREDAATION OF ALEUTIAN GEESE AFFECTING AGRICULTURE LANDS

Since the recovery of the once-listed Aleutian Goose, Humboldt and Del Norte county agriculture producers have been taking the brunt of sustaining growing goose numbers as the populations continue to grow and increase the duration of their stay in Northern California as an integral stopover site on their annual migration. As goose populations continue to rise, it is evident that mandates under the Migratory Bird Treaty Act (MBTA) are insufficient and too restrictive to appropriately address ongoing depredation pressures on agriculture lands from the increased goose population. In addition to growing goose numbers, the California Department of Fish and Wildlife has lost all grazing leases throughout the state that were in place to create healthy grasslands to serve as wildlife habitat. With the decrease of suitable goose habitat on public lands, it is necessary to give private landowners additional tools to address the growing threat to their livelihoods and reduce goose impacts on private lands. Currently, under MBTA, hunting of waterfowl in our region must cease after March 10, however, Aleutian geese are often present in Humboldt County well into April.

The county support efforts at the federal level that would allow private landowners to be issued migratory bird depredation permits after hunting season is closed.

ANALYSIS OF ALLOCATION OF WILDLIFE SERVICES PROGRAM, FERAL HOG DEPREDAATION

Increased urbanization and suburbanization has led to a reduction and fragmentation of wildlife habitat, including feral hogs in Humboldt County. At the same time wildlife populations continue to expand because of reduced hunting, changes in animal protection status, and the loss of various control mechanisms. Conflicts between people and wildlife are all too frequent. The United States Department of Agriculture Wildlife Services Program can help these situations, but counties have seen increasing costs for the program due to limited or no increase in funding to the program. Additionally, Wildlife Services contracts with California counties have been challenged based on an assertion that the program lacks compliance with the California Environmental Quality Act (CEQA).

Humboldt County supports analysis of the current allocation formulas used to distribute available resources to states in the Wildlife Services Program. Humboldt County requests that the WS budget be maintained at least at the FY 2013 level and that any enhanced funds from within WS budget be distributed to state and county programs according to need.

Humboldt County supports legislation or administrative rulemaking to allow growers to take feral hogs without a depredation permit or hunting license.

FEDERAL LEGISLATIVE PROPOSALS

GENERAL GOVERNMENT

AMERICANS WITH DISABILITIES ACT REFORMS THAT WILL NOT UNDULY BURDEN BUSINESSES

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 Americans with Disabilities Act (ADA). These lawsuits have also forced the closure of several Humboldt County businesses that 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 Senate Bill 1186 (2013) 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.

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.

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. In 2014, the State of California implemented a PACE Loss Reserve Fund, which is a state-backed fund that ensures PACE assessments are paid off in the event of a mortgage default, which is intended to reduce the financial risk to Fannie Mae, Freddie Mac, or any other mortgage lender. However, Federal Housing Finance Agency (FHFA) continues to have concerns with California's first-lien PACE program, claiming that it fails to offer full loss protection. The agency has also questioned the reserve fund's ability to be sustainable over time. As such, FHFA will continue to prohibit housing lenders from purchasing or refinancing mortgages with a PACE lien.

FEDERAL LEGISLATIVE PROPOSALS

The county supports the right to implement PACE programs and establish property assessment liens for energy conservation and renewable energy investments. The county also 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.

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. Recent legislation – the *Marketplace Fairness Act* - would allow states to require remote sellers to collect and remit sales and use taxes.

Humboldt County supports the *Marketplace Fairness Act* which would allow local jurisdictions to recover revenues from purchases made by remote means.

FEDERAL REPORTING REQUIREMENTS FOR STATE AND LOCAL PENSIONS

The county opposes legislative proposals that challenge 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. Such a proposal would set a precedent for federal intervention into areas that are the financial responsibility of, and have thus been historically regulated by, states and/or localities. Furthermore, it would represent 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 legislation that 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. In 2016, California voters approved a proposition to have its elected officials do everything in their power to overturn the ruling in *Citizens United v. Federal Election Commission*.

The county supports a Constitutional Amendment to reverse the ruling in *Citizens United*.

FEDERAL LEGISLATIVE PROPOSALS

ALLOWING CANNABIS REGULATIONS AT THE FEDERAL LEVEL

In 1970, Congress listed cannabis on schedule 1 of the Controlled Substances Act, which is reserved for drugs which have “no currently accepted medical use.” Consequences of this action have prevented state and local governments from being able to address clear and compelling public health and safety issues pertaining to the use, production and distribution of cannabis and products which contain cannabis.

There is no federal guidance for the use of herbicides or pesticides on cannabis, nor is there any allowance for organic certification. The Food and Drug Administration provides no guidance for cannabis when used as an additive in ingestible form, creating unnecessary food safety risk. Lastly, prohibition prevents federally insured banks from being able to knowingly accept money from cannabis transactions, forcing the entire industry into an underground cash economy that is both attractive and conducive to crime.

In these ways, the federal position on cannabis runs directly counter to legitimate public health and safety interests. However, the county believes that these issues can be addressed without forcing the federal government to answer the question of rescheduling cannabis.

The county supports legislation that allows regulation of herbicides and pesticides, application of organic standards, regulation of food safety and to allow money from this industry to be placed into banks so that it can be properly tracked and taxed. 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. Lastly, the county supports legislation to allow proper medical research on the effects of cannabis use to guide any further discussion of rescheduling under the Controlled Substances Act.

STOP WRONGFUL POSTAL CLOSURES

In 2012, the U.S. Postal Service (USPS) began closing or consolidating mail processing plants across the country, including two facilities in Eureka and Petaluma. Mail processing plants are the central sorting hubs for our area, and their elimination can mean that mail has to travel further before delivery.

Facility closures have been associated with delays in mail delivery, missed overnight mail deadlines, and reduced frequency of deliveries. These closures are particularly taxing on seniors, veterans, and rural communities who depend on timely deliveries for prescriptions and other services. While USPS temporarily halted these closures, they could begin again at any time.

The county supports legislation that:

- Puts a moratorium on current closures and consolidations;
- Establishes a framework that any future closures must be approved by the Postal Regulatory Commission (PRC);

FEDERAL LEGISLATIVE PROPOSALS

- Creates a list of criteria and data that USPS must analyze including impact on small businesses, vote by mail voters, and unique geographic situations;
- Requires a robust public notification and comment period so stakeholders' views are a part of the PRC's review;
- Reinstates the July 1, 2012 mail delivery standards of the 1-3 day delivery, which was eliminated at the start of 2015 by USPS; and,
- Empowers the PRC to set annual performance benchmarks.

HEALTH & HUMAN SERVICES

STRENGTHENING CHILD WELFARE SERVICES

The Family First Prevention Services Act (H.R. 5456) was approved by the House of Representatives in 2016 and is currently pending in the Senate. The bill would significantly alter Title IV-E Foster Care and Adoption Assistance, reduce overall federal child welfare funding, and shift costs to states and counties. It would deny foster care and adoption assistance to many children who are eligible under current law and impose new federal requirements related to group home care that would undermine California's comprehensive congregate care reform efforts.

The county supports protecting existing federal funding and increased federal funding for services and supports needed by parents seeking to reunify with children in foster care. In addition, the county supports retaining the entitlement nature of the Title IV-E Foster Care and Adoption Assistance programs and elimination of outdated rules that would give states flexibility to use federal IV-E funds to pay for evidence-based preventative services.

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, which was 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.

FEDERAL LEGISLATIVE PROPOSALS

PUBLIC WORKS

KLAMATH BASIN AGREEMENTS

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 county also believes the Comprehensive Upper Basin Agreement to be wholly consistent with the KBRA, as it serves to provide greater specificity and detail regarding off-project water issues and upper basin power.

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 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 KHSA. The county is also committed to supporting the Klamath settlement agreements, maintaining the underlying partnerships, and assisting with implementation over the next 50 years. The county supports the full removal of the four lowermost dams along the Klamath River. As such, any legislative proposal that omits key provisions of the KHSA is incomplete and does not reflect the comprehensive package of agreed-to benefits.

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

FEDERAL LEGISLATIVE PROPOSALS

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.

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.

TRINITY RIVER DIVISION – PROTECTING 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 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 that the U.S. Department of the Interior make available for release "not less than 50,000 acre feet" of water pursuant to the county's permanent contract with the Bureau of Reclamation. After numerous subsequent requests, the Interior Solicitor in December 2014 issued a long-awaited legal opinion confirming Humboldt County's right to the water in the 1959 Contract. Since that time, Humboldt County has and will continue to work with the Bureau of Reclamation regarding the release of the water, including the potential for its use for flow augmentation purposes.

Humboldt County has an interest in the California WaterFix Project (formerly the Bay Delta Conservation Plan) because to date, the 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.

FEDERAL LEGISLATIVE PROPOSALS

The Bureau of Reclamation should work closely with Humboldt County to ensure adequate storage and availability for the annual release of not less than 50,000 acre-feet of water from the Trinity Reservoir for the beneficial use of Humboldt County. The county expects maximum flexibility consistent with federal and state law in the county's exercising of its priority right for Trinity River water. The county expects that the county's priority right is fully recognized in all Central Valley Project and State Water Project planning documents. 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 California WaterFix Project. The county supports accounting for encumbered flows associated with Humboldt County's vested right in the proposed California WaterFix Project 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, the permit process can delay and increase costs for these projects. Fish passage enhancement projects should be considered water quality improvements 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 salmonids should be undertaken.

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

TRANSPORTATION INFRASTRUCTURE

Ports throughout the world are becoming congested; California ports are exceptionally impacted by the growth of international trade and are losing business to other regions. California's agricultural producers are experiencing significant increases in transportation costs as their products are increasingly delayed, up to nine days through existing facilities. In order to minimize the environmental and economic impacts associated with port congestion, the United States must begin planning to maximize freight handling capabilities. Humboldt County is the location of the only underutilized deep water port without a rail connection to the national rail system.

The county supports federal legislation to facilitate increased freight handling capacity at the Port of Humboldt Bay, including funding for studies and expedited environmental review.

STRENGTHENING SMALL COMMUNITY AIR SERVICE

For several years Humboldt County has attempted to recruit additional air service to the California Redwood Coast – Humboldt County Airport. Specifically, Humboldt County has sought additional service to Los Angeles International Airport (LAX) as that is the most requested destination by local citizens and the business community. In 2012, Humboldt County received a \$750,000 Small Communities Air Service Grant (SCASG) to serve as a component of a minimum revenue guarantee, which is provided as a standard industry

FEDERAL LEGISLATIVE PROPOSALS

practice in order to entice airlines into rural airports. Without this incentive it is unlikely rural counties like Humboldt will be able to attract additional airline routes.

Humboldt County received an SCASG grant in 2004 to provide service to LAX. However, the SCASG stipulates that the funds cannot be used twice for service to the same location. If another airline route is added to local service, the airport generates additional matching funds for construction projects that historically have gone to hire local contractors. In addition, from past data, county staff and the Redwood Region Economic Development Corporation (RREDC) estimate that an additional route pulls in between 30,000 and 40,000 new passengers each year. These are people who are currently driving to other airports in order to save money or guarantee connections.

The county supports legislation that would include a sunset for the SCASG destination restriction. In addition, the county supports maximum flexibility in the ways rural communities use funds from the Small Communities Air Service Development program.

ALTERNATIVE PATHWAYS FOR PILOT CANDIDATES TO RECEIVE CERTIFICATES

In 2013, the Federal Aviation Administration (FAA) finalized a rule that requires all commercial airline pilots to obtain at least 1,500 hours of flight time before receiving their Airline Transport Pilot (ATP) certificate. Notably, this new requirement is six times higher than the previous standard of 250 hours.

While the new 1,500 hour threshold was meant to increase flight safety, it has significantly contributed to a pilot shortage, one that is particularly felt by small regional airports like the California Redwood Coast — Humboldt County Airport (ACV). In fact, many airlines have already dropped commercial service to small airports like ACV because they cannot recruit enough pilots to meet these requirements. Meanwhile, those pilots who are qualified are typically reserved to fly routes serving larger airports. Losing commercial air service to ACV would have a devastating impact on Humboldt County's local economy and will likely put additional strain on county roads, as more citizens will be forced to take longer trips to get to the nearest airport.

The county supports legislation that would address the current and looming commercial pilot shortage. In particular, the county supports efforts to reduce the total number of hours pilots need to receive their ATP certificate, as well as alternate pathways for pilots to reach the 1,500 hour threshold.

FEDERAL APPROPRIATIONS REQUESTS

AGRICULTURE

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.

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 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.

FUNDING FOR INVASIVE SPECIES PROGRAM

Each year Humboldt County's Pest Exclusion and Pest Detection programs are underfunded by the California Department of Food and Agriculture and local expenditures are required to meet statutory obligations to conduct invasive species management and control, while a number of significant invasive species are routinely introduced and detected in California that threaten agriculture and the environment.

The county supports maintaining or enhancing funding for federal, state and local programs that prevent the introduction and spread of invasive pests in California. The county supports efforts to restore funding for agricultural border stations. The county also supports funding for research on invasive species pathways and funding mechanisms to close potential pathways.

FEDERAL APPROPRIATIONS REQUESTS

GENERAL GOVERNMENT

LONG-TERM FUNDING SOLUTION FOR PAYMENTS IN LIEU OF TAXES

The Payments in Lieu of Taxes (PILT) program seeks to compensate local jurisdictions for non-taxable Federal lands and payments may be used for any governmental purpose. In 2015 the PILT program provided \$404.6 million to approximately 1,900 counties and other local governments to compensate for revenues foregone because of federal tax-exempt public lands within their jurisdictions.

The PILT program – extended through fiscal year 2015 as part of the *Continuing Appropriations Act of 2015* (HR 719) – provides payments to counties to help offset losses in tax revenues due to the presence of tax-exempt federal land. These funds provide essential services such as law enforcement for Humboldt County. The inability to collect local taxes on the extensive acreage of federal lands in Humboldt County poses a significant burden. A fully-funded PILT program helps to offset the loss of these important revenues and fulfill the government's obligation to local communities with large amounts of federal land. Humboldt County received \$723,607 in fiscal year 2014-15 and \$716,318 in fiscal year 2015-16.

The county strongly supports legislation that would provide a long-term funding solution for the PILT program, including alternative models to replace. In absence of a long-term solution, the county supports a one-year extension of mandatory PILT funding.

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.

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

FEDERAL APPROPRIATIONS REQUESTS

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.

DREDGING HUMBOLDT BAY

The Port of Humboldt Bay is vital to maintaining and promoting diverse industry in our region. It is the only deep-water port between San Francisco and Coos Bay, and provides transportation opportunities for Del Norte, Humboldt, Trinity and Mendocino Counties. The port is the primary mode of transportation for gasoline and diesel into the area, and has historically been an important transportation route for forest products. Humboldt Bay also serves as a "harbor of refuge" for disabled ships transiting the coast or vessels seeking shelter from storms.

The port has been active with export ships, but the activity level is threatened because the water at the bay entrance is not deep enough for vessels to travel due to storms that deposit sediment throughout the year. The Army Core of Engineers (ACOE) has deepened this channel to 44 feet in the past. However, the authorize depth, established through a cooperative agreement between ACOE and the Port is 48 feet. The channel is more likely to remain open throughout the year at this depth, but it cannot be maintained due to current appropriations levels to ACOE.

The county is in favor of sufficient funding to ACOE to dredge the mouth of the bay at the 48-foot depth.

HEALTH AND HUMAN SERVICES

SUPPORT FOR INVESTMENT IN LOW-INCOME HOUSING

Supported by: City of Eureka

Stable housing is a foremost concern for low-income individuals and families, and without it, a primary barrier to health and self-sufficiency. Currently, the Department of Health and Human Services operates limited permanent supportive housing programs that have proven effective in helping people receive treatment and lead productive lives. However, there is a shortage of single occupancy and small efficiency units for seniors and single individuals. Further investment in low-income, affordable housing is critical in order to implement city and county Housing First strategies. Resources are needed to expand homeless prevention programs, provide income supports such as subsidized rent, to rehabilitate existing buildings, and to generate additional housing units via public/private/non-profit partnerships.

FEDERAL APPROPRIATIONS REQUESTS

The county supports increased investment in low-income, very low-income, permanent supportive, and subsidized housing.

SUPPORT FOR EMPLOYMENT AND SAFETY NET PROGRAM INVESTMENT

The American Recovery and Reinvestment Act (ARRA) of 2009 included investments in county programs that provided employment for nearly 600 Humboldt County youth and low-income residents, as well as support for domestic violence shelters, housing, nutrition assistance and other safety net services for families in need. The 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 ARRA to encourage economic recovery, much of which was used for temporary employment subsidies that benefitted local businesses during the recession. Despite progress made in recovering from the recession, many families in small and rural communities continue to face economic hardship.

The county supports increased federal investment in safety net programs, employment development and subsidized employment opportunities.

SUPPORT FOR INCREASED PUBLIC HEALTH COMMUNICABLE DISEASE CONTROL FUNDING

County Public Health departments are on the front lines of combatting infectious disease through immunizations, surveillance, investigation, laboratory testing and emergency response. Recently, in the absence of Congressional action to combat the Zika virus, federal funds were shifted from programs designed to address mental health, child poverty, opioid addiction and other public health issues. Reliable funding is critical to preparedness for a prompt, coordinated, and comprehensive response to new and re-emerging infectious diseases.

The county supports increased federal funding for building local public health capacity to combat and control communicable diseases.

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES REAUTHORIZATION

The Temporary Assistance to Needy Families (CalWORKs/TANF) program was last reauthorized in 2005 and has since been operating on short-term extensions. TANF contains California's block grant for CalWORKs and the CalWORKs work participation rules. Comprehensive reauthorization should provide effective pathways to family economic success, including access to education, counseling, child care, job training and individualized services for those with barriers to employment.

The county supports increased federal investment in safety net programs, and flexibility for states and counties in meeting the federal work participation rates.

FEDERAL APPROPRIATIONS REQUESTS

PROTECT FEDERAL INVESTMENT IN MEDICAID

Counties are the health care provider of last resort for the state's indigent population under California welfare and institutions code section 17000. Currently, the Medicaid program provides health coverage for more than 50,000 low-income Humboldt County residents. Proposals to repeal the Medicaid expansion under the Affordable Care Act of 2010 and to limit federal investment in the program via state block grants or fixed state allotments would further increase financial risk for counties.

The county supports continuing the current structure of federal investment for the Medicaid program and opposes measures that would reduce access to this important safety net program.

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 Community Development Block Grant (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 more than \$11.5 million in CDBG funding over the past seven fiscal years.

FEDERAL APPROPRIATIONS REQUESTS

- 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 supports legislation that would return funding to fiscal year 2011 levels (\$3.34 billion) or increase funding for the CDBG program. In addition, the county supports allowing permanent housing to be considered an eligible activity 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 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 (\$1.825 billion), or increase funding for the HOME program. In addition, the county supports efforts to re-establish a reliable and adequate source of affordable housing funds that can be used by formula in rural areas. 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 program provides competitive grant funding to local governments and Native American communities for the hiring of police officers. The City of Blue Lake has been the recipient of COPS funding in the past.

The county supports legislation that would reauthorize the program. The county also supports efforts to increase annual funding for COPS hiring grants and opposes efforts to eliminate or reduce funding for the program.

PUBLIC WORKS

FEDERAL AVIATION ADMINISTRATION REAUTHORIZATION

- 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

FEDERAL APPROPRIATIONS REQUESTS

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. 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 the airport system and provide jobs for the local community.

The county supports legislation that reauthorizes FAA funding as well as amends FAA funding to reduce the match requirements from 10 percent to five percent.

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. Each winter large volumes of sediment are deposited in this levee system, 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 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 maintenance to the Redwood Creek levee system near Orick

FEDERAL APPROPRIATIONS REQUESTS

REAUTHORIZATION OF SECURE RURAL SCHOOLS

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). The program initially expired at the end of fiscal year 2011; however, Congress has provided one-year extensions every year since then. These revenues have supported schools and the maintenance of infrastructure, and the health of watersheds and ecosystems. The program has once again expired, and unless it is extended or reauthorized, final payments will be distributed in March of 2016. Unless Congress acts, county payments will return to a revenue-based system. Consequently, Humboldt County could be left with significantly less funding than in recent years.

Humboldt County supports a long-term funding solution for SRS, including alternate models that provide stable funding for counties. However, in the absence of a long-term agreement, the county supports a short-term extension of funding. 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 activities on federal lands, severely restricting fire departments from containing fires adjacent to federal land.

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.

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

FEDERAL APPROPRIATIONS REQUESTS

FUNDING FOR RURAL WATER SUPPLY AND WASTEWATER PROJECTS

Supported by: McKinleyville Community Services District

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.

