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# SONOMA COUNTY



## 2014 STATE AND FEDERAL LEGISLATIVE PROGRAM



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# Sonoma County 2014 Legislative Program

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# Introduction and Guiding Principles

## *Introduction*

The ability of the County to serve the residents of Sonoma County and provide for a thriving and sustainable community requires support from all levels of government. Local government is uniquely and best positioned to support, serve, and respond to community and individual needs. However, State and Federal legislative policy and action is often needed to support local government in having this impact. State and Federal action can affect the County's ability to deliver services, shape what services the County delivers, impact the resources available for services, and remove obstacles to delivering services.

In order to fulfill Sonoma County's commitment to the community, positive State and Federal action including the allocation of resources should be sought. Sonoma County has engaged with legislative advocates at the State and Federal level, resulting in the accomplishment of legislative priorities and positioning Sonoma County to receive significant financial resources.

To this end, Sonoma County adopts an annual legislative platform that provides a guide for Sonoma County's legislative advocates, and highlights key issues important to the local community. The platform provides 10 overarching guiding principles, prioritizes State and Federal issues intended for specific legislative action, and lays out ongoing general State and Federal issues that the County will monitor for potential action should opportunities arise.

## *Guiding Principles*

Through this platform, Sonoma County will use advocates, professional associations (such as the California State Association of Counties and the National Association of Counties), local elected officials and staff to:

1. Seek out, develop, and support legislative and budget efforts that protect and/or enhance local governments' revenues, maximize the County's access to state and federal funding sources, and/or increases local funding flexibility.
2. Oppose any effort to balance the state budget through the taking of local government resources, and support legislation that will allow the County to ensure full cost recovery for services provided to other governmental entities.
3. Support legislation that furthers the goals identified in the County's Strategic Plan: Safe, Healthy and Caring Communities; Economic and Environmental Stewardship; Invest in the Future; and Civic Services and Engagement.
4. Encourage and seek legislation to facilitate orderly and sustainable economic development, and increase the opportunity for discretionary revenues, and programmatic and financial flexibility for the County.
5. Oppose unfunded mandates, and oppose any realignment initiatives which fail to fully fund services shifted to the County, including appropriate cost of living increases and cost increases due to population and caseload growth.
6. Support the County's authority to assure mutually acceptable tax sharing agreements for annexation and incorporation that protect or enhance the County's ability to provide services to its residents.
7. Support legislation that provides tax, bond and other funding formulas for the equitable distribution of state and federal monies while opposing attempts to decrease, restrict, or eliminate County revenue sources.

8. Support legislation and budget action that provides additional and continuing funding for local road infrastructure.
9. Support legislation that encourages mutually respectful relationships between tribal and local governments including reform to both the fee-to-trust process and off-reservation gaming provisions to insure that the impacts of tribal development are fully mitigated and jurisdictional issues are resolved.
10. Support state and federal action advancing the health, vibrancy and resiliency of local communities through evidence-based preventative services and efforts, and consistent with the National Prevention Strategy, including prevention of community violence and chronic disease; increasing access to care, services, and housing; investment in safe and complete streets, parks and infrastructure; emphasizing education and early childhood development; and engaging the public.



# Sonoma County 2014 Legislative Program

The following are Sonoma County's priority State and Federal advocacy issues for the 2014 State Legislative Session. The numbering of items and order are for tracking purposes and do not denote rank or relative importance. For the Top Federal Priorities, where appropriate, issue areas have identified federal resources the County is actively seeking. A total of \$98,020,000 to \$104,020,000 is currently identified, and provided in summary form as Appendix A.

## Top State Priorities

### 1. Gun and Replica Weapon Regulation

Sonoma County has long supported the view that preventing gun and community violence is critical to its goal to achieve a thriving and healthy community. Related to this, the use of lethal force against persons carrying replica weapons, such as copycat BB guns, is a significant threat to public safety and health. Often marketed as looking "just like the real thing", these replica weapons can easily be used in crimes as tools of intimidation as well as be a significant contributing factor in officer-involved shootings.

Sonoma County recently experienced a tragic officer-involved shooting, causing the death of a local 13 year-old boy, Andy Lopez. This shooting is not an isolated incident; the problem includes recent shootings in Modesto by a Stanislaus County Sheriff's deputy, and in San Diego and Los Angeles by city police officers. These shootings are tragedies for all involved, and local police chiefs, county sheriffs, local elected officials, and community leaders have repeatedly called for action to help reduce violence and harm arising from replica weapons.

**Actions:** Support the expansion of sensible gun safety legislation, as well as legislation that will help prevent replica weapon tragedies, such as SB 1315 (De Leon), which provides a State Exemption and claims jurisdiction to enact local regulations related to replica weapons; and other legislative efforts that will help prevent replica weapons triggering violence or being used to perpetrate violence.

### 2. Sonoma Developmental Center

Sonoma Developmental Center (SDC) is the oldest facility in California established specifically for serving the needs of individuals with developmental disabilities. The facility opened its doors to 148 residents in 1891. Since that time, SDC has served as a critical resource to people in Sonoma County as well as throughout the North Bay Region. Today, SDC provides an extensive array of services that promote ongoing health, learning, self-advocacy and increased independence; and innovative social, recreational, educational, vocational, and other programs are continuously offered. Not only does SDC provide valuable services to individuals and families, it also serves as a significant scenic and environmental resource; SDC is adjacent to natural open space and park land, along with heavily traveled wildlife trails. Ensuring the land continues to provide these community benefits is of great importance to the Board of Supervisors and the community.

**Actions:** The County supports working with State and community stakeholders to find and develop legislation, funding, and other opportunities to preserve SDC's valuable health services for Sonoma County and North Bay residents as well as preserving critical environmental resources.

### 3. Pension Reform

The Public Employee Pension Reform Act of 2012 (PEPRA) made significant changes to pension law for PERS contracting agencies as well as 1937 Act Counties. Sonoma County supports pension reform efforts, but is opposed to reforms that are inconsistent with principles adopted by the California State Association of Counties (CSAC). Concerns include loss of local control, lack of recognition for those programs that are fiscally and managerially sound, and loss of flexibility and employee choice of retirement age. Additionally, PEPRA remains ambiguous in many areas and requires further clarification.

**Action:** The County supports legislation to further clarify PEPPRA. Clean-up legislation should address, for example, unintended benefit enhancements through industrial disability claims; the ability to share the costs due to market investment losses and actuarial assumption changes equally with employees; and the authority for the Board of Supervisors to appoint four additional public members to the Sonoma County Employees Retirement Board.

#### **4. Jail Alternative Model Recognition**

The Legislature passed and the Governor signed SB 1022 as part of the 2012-13 budget. This legislation provides funding for jail beds that are accompanied by programming facilities to improve outcomes for released prisoners. The Sonoma County Strategic Plan, adopted by the Board of Supervisors in December 2007 and re-affirmed by the Board in October 2009 and November 2010, discusses the need to “more effectively address public safety issues at the lowest risk levels for all members of the community, including early detection, intervention, and diversion of minor criminal activity, substance abuse, and mental health issues.”

Sonoma County is exploring a number of jail alternatives including the potential development of a Community Corrections Center. This model holds offenders accountable while providing programs to help them become productive members of our community, and assists offenders in taking responsibility for their lives through law-abiding and responsible behavior. The model includes offering programs and services such as job skills training, life skills classes, thought-restructuring programs, individual and group counseling, alcohol and drug counseling, family counseling, and financial management classes.

**Action:** Seek funding made available through relinquished AB 900 Phase 1 funds and/or SB 1022 to fund the Sonoma County Community Corrections Center Model.

#### **5. Regulation of Medical Marijuana**

Local government agencies continue to face many impacts arising out of the cultivation and distribution of medical marijuana, including the potential effects on the environment caused by cultivation (i.e., excessive water usage, uncontrolled pesticide use, and erosion); the creation of public and private nuisances due to strong odors; the heightened risk of electrical fires presented by indoor grows; and safety concerns created by a high value crop or dispensary inventory. In addition to addressing these concerns, local agencies must balance the concern of availability to prescription holders. Because the potential impacts of medical marijuana can vary broadly depending upon the geography and urban versus rural nature of counties and cities throughout California, regulation at the local level is more effective. However, ambiguity in State legislation needs to be addressed to help guide local jurisdictions in balancing these concerns.

**Action:** Support the creation of specific statutory authority to clarify the extent of local agency regulation of both indoor and outdoor grows that would provide useful support to local regulatory efforts, and support the development of regulations addressing distribution of medical marijuana through delivery services rather than storefront dispensaries.

#### **6. Vote by Mail**

Over 60% of the registered voters in Sonoma County choose to participate in the Permanent Vote by Mail program, and roughly 60-70% of the ballots cast in Sonoma County for statewide elections are cast via the Vote by Mail program. Despite the high number of Permanent Vote by Mail voters, state law currently requires counties to establish, outfit and staff polling places, which is costly.

**Action:** Allow counties the option of converting elections to 100% Vote by Mail if the percentage of registered voters participating in the Permanent Vote by Mail program exceeds a specific percentage, and require a number of Vote by Mail drop off locations in proportion to the number of registered voters in the jurisdiction to be established in lieu of the requirement that return postage is paid for voted ballots.

## 7. State Gas Tax Allocation

The revenues received from taxing fuel suppliers are deposited in the State Highway Users Tax Account (HUTA). These revenues are allocated to the state, counties, and cities. Although most of the state road miles are owned and operated by the cities and the counties, the State receives the vast majority of the HUTA revenues for state highway maintenance. The allocation of the HUTA revenues to the unincorporated counties is based upon registered vehicles within the geographic county and, to a smaller extent, maintained mileage within the unincorporated county. Urbanized counties with large incorporated populations and areas benefit from the formula even though the unincorporated portion of the county may have few road miles to maintain. Conversely, counties that are less densely populated tend to have more unincorporated road miles and infrastructure to serve their public; but given the HUTA formula allocation, have less revenue to address the transportation infrastructure needs. Currently, Sonoma County receives approximately \$9,846 per mile from HUTA funding while some bay area counties receive over \$51,000 per mile.

**Action:** Support legislation and budget action that reviews the current HUTA distribution formula, and establishes an allocation formula that weights road miles more heavily that applies to HUTA as well as all existing and future road funding sources. Seek to reverse the budget action approved in 2012-13, which made the HUTA borrowing by the State permanent.

## 8. 2014 Water Bond Funding Priorities

Proposition 84 (2006) allocated \$37 million to the North Coast and \$138 million to the Bay Area for implementation of Integrated Regional Water Management Plans, and provided funding for flood control, recycled water, and groundwater programs. These funds will soon be fully appropriated. A new \$11.1 billion water bond measure was approved by the Legislature and signed by the Governor in 2009, but was removed from the 2010 ballot when the economy soured. There is common agreement that the 2009 bond (now slated for the November 2014 ballot) must be reduced in size in order to gain voter approval. SB 42 (Wolk) and AB 1331 (Rendon) are the leading proposals to replace the 2009 bond. The measures are approximately the same in size (\$6.5 billion) but have different priorities. The bond measure that is likely to come out of these measures in 2014 will guide state funding for water, sanitation, recycled water and groundwater programs for the next decade.

**Action:** Advocate for bond categories that would ensure that Sonoma County and regional agencies have maximum opportunity to draw down grant funding for local projects. Actively participate in development of implementation legislation, should a bond be approved, that will ensure funding eligibility for Water Agency and sanitation district projects and programs. Support or sponsor legislation that would appropriate substantial funding amounts for integrated water management plans and coastal salmon restoration and monitoring under future water bonds or water infrastructure funding initiatives.

Specific bond priorities include:

- Increased funding for Integrated Regional Water Management planning (IRWMPs);
- Funding for North Coast and Bay Area IRWMPs greater than the amounts contained in Proposition 84;
- 25% local match requirements for IRWMP;
- Funding for Small Community Grant Program offered through the State Water Resources Control Board for sanitation facility upgrades for areas such as Occidental, Camp Meeker and Monte Rio;
- Development of grant criteria to be developed for new bond (if approved by voters) which will benefit Sonoma County's sanitation upgrade projects;
- Funding for non-Central Valley and/or Delta flood control projects, urban storm water projects, and programs to better predict weather events;
- Funding for recycled water projects, including storage and delivery of water, and for development of groundwater resources;
- Funding for State Conservancies, particularly the Coastal Conservancy, and for Watershed Coordinator; and
- Funding for recovery and monitoring of endangered Russian River Coho salmon.

## **9. Copeland Creek Trail and Crane Creek Park Expansion**

The Copeland Creek Trail Project includes planning and developing a trail connecting Sonoma State University to Crane Creek Regional Park. Funding includes a Matching Grant from Sonoma County Agricultural Preservation and Open Space District (District) to Rohnert Park. This will extend the trail that already crosses Rohnert Park to Commerce Boulevard, near Highway 101. The County's project, starting at the Rohnert Park city limits and going east, is identified as a high priority project in the adopted 2010 County Bikeway Plan. This Plan also designates the Regional Parks Department as responsible for establishing and maintaining Class 1 bikeways. Class 1 Bikeways are also known as multi-use paths, providing access for pedestrian and bicycle travel with an all-weather surface. Class 1 Bikeways are on corridors separate from the road and are intended to provide superior safety, connectivity, and recreation opportunities.

**Action:** Secure approval of \$950,000 from the Prop 84 Urban Greening Grant program for the Copeland Creek Watershed.

## **10. Sweetened Beverage Tax to Support Anti-Obesity Efforts**

Overweight children and childhood obesity constitute a preventable public health crisis. In Sonoma County, 8% of the children ages 2-11 are overweight or obese. The problem is even greater among Hispanic children and children from low-income households. Thirty-eight percent (38%) of low income children are overweight or obese and their future health may suffer, as three out of four children who are overweight will remain overweight as adults, according to the Centers for Disease Control and Prevention. The connection between obesity and consumption of sweetened beverages has been clearly established. A tax on sweetened beverages would generate over \$17 million in Sonoma County, which could be used to fund upstream community-based childhood obesity prevention programs; early recognition, monitoring and weight management intervention activities in medical settings; and for educational, policy and other public health approaches that promote nutrition and physical activity in elementary and secondary schools.

**Action:** Support legislative efforts to pass a sweetened beverage tax to fund anti-obesity efforts at the local level.

## **11. In-Home Supportive Services (IHSS)**

The County's interest is to sustain the 2012 funding methodology for IHSS as established in the 2012-13 Budget. The county contribution for IHSS has increased each year until the current year when a Maintenance Of Effort (MOE) was established for IHSS. The MOE replaced the share of cost methodology that was used to determine the County cost for IHSS. The new MOE allows the County to fund the IHSS program and support the community at a lower cost.

The MOE took effect July 1, 2012, and includes a substantial shift in how counties budget IHSS costs. All 58 counties began paying the MOE in July 2012, regardless of the date of transfer of collective bargaining for IHSS Providers. The base year for county expenditures for the MOE is the 2011-12 fiscal year; beginning in 2014-15, the county MOE will be increased by an inflation factor of 3.5% per year (with the exception of years when 1991 Realignment revenues decline). The county MOE will be increased for the county's share of any costs of locally negotiated wage and benefit increases prior to the state taking over collective bargaining if the state approves.

**Action:** Support legislative efforts to provide sustaining wages to IHSS workers while limiting the County's obligation to increases in local required funding.

## **12. Broadband Deployment**

Broadband connection throughout Sonoma County would foster significant economic development, and provide enhanced education, safety, and other benefits. However, broadband deployment and access throughout the County remains challenging due to geography and market forces. In particular, the Sonoma coast and Northern Sonoma County include isolated and remote areas without significant utility or other infrastructure. Market forces

have proven inadequate to achieve general broadband deployment in the County. Additional funding and regulatory incentives are required to ensure that all residents are provided broadband access. Furthermore, the data utilized by regulatory agencies regarding broadband penetration in rural areas remains questionable.

**Action:** Seek and support legislative and funding programs to effectuate broadband deployment throughout Sonoma County. Support legislative and regulatory actions that produce accurate metrics to gauge broadband deployment in the County. Broadband deployment data should reflect actual services and speeds and be able to be verified in the field.

## **Top Federal Priorities**

### **13. Geothermal Royalty Revenues**

Under the 2005 Energy Policy Act, Sonoma County received a share of Geothermal Royalty revenues from September 2006 through October 2010, for a total of \$5.4 million. Since 2010, these funds have been placed in jeopardy, with intervention required by the County's legislative delegation in order to provide short-term fixes. Without permanent protection, this funding source remains threatened.

**Action:** Seek legislative or budget action that permanently protects the County's geothermal royalty share of \$2,100,000.

### **14. Family Justice Center Sonoma County**

The Family Justice Center Sonoma County (FJCSC) is a multi-disciplinary, physically co-located model with a coordinated, single point-of-access offering comprehensive services for victims of family violence. The FJC collaborative model is designed to improve victim safety and recovery, increase success in offender prosecutions, and reduce family violence injuries and homicide. Additional collateral benefits documented as outcomes include increased service efficiencies through the provision of collaborative services, and increased community support for services being offered to victims and their children, thus reducing costs and increasing revenues. All Family Justice Centers seek to improve the services being offered to victims, and to reduce the number of locations a victim must visit as well as the number of visits they must make to tell their story and receive the help they need. The United States Department of Justice, through its Office on Violence against Women (O.V.W.), has identified the Family Justice Center model as a best practice in the field of domestic violence intervention and prevention services. Additionally, Congress has recognized the importance of Family Justice Centers as a "purpose area" in the Title of the Violence Against Women Act (V.A.W.A. 2005).

**Action:** Seek federal appropriations or other grant sources of \$800,000 for the Sonoma County Family Justice Center, Sonoma County Redwood Children's Center, and Forensic Medical Unit to fund site equipment and related costs, all of which are critical to enhanced service-delivery and evidence based outcomes.

### **15. Perinatal Alcohol and Drug Treatment Program**

A significant number of Sonoma County women presenting for delivery at local hospitals test positive for alcohol or other drugs. The implication of this rate of toxicity among pregnant women reflects a need for further treatment interventions and a comprehensive systems approach to meet the needs of newborns who may be impacted by the mother's drug use. With the success of the Perinatal Alcohol and Other Drug Action Team's effort to develop universal screening protocols for pregnant women seen by medical providers, and the hiring of the County Perinatal Placement Specialist, referrals to perinatal residential and especially Perinatal Day Treatment programs have increased beyond capacity. Specifically, Drug Abuse Alternative Center's (DAAC) Perinatal Day Treatment Program has operated at its enrolled capacity of 33 women and 20 children for the last three years. Due to a lack of funding, the program has had to maintain a waiting list of 15-20 women (and their children) during this same time period. The Perinatal Day Treatment Program has proven to be extremely successful over the last 20 years.

**Action:** Seek appropriations of \$1,000,000 to support the expansion of the Perinatal Alcohol and Drug Treatment Program over three years.

### **16. Youth Employment Program**

In July 2012, the summer jobs program operated by the Sonoma County Workforce Investment Board and its Youth Council expanded to a year-round youth employment program. One component – the Sonoma County Youth Ecology Corps (SCYEC), administered by the Human Services Department on behalf of the Workforce Investment Board – provides subsidized employment to youth ages 14 to 24 at \$8 per hour while they learn employment and life skills. Youth work in crews of 8 individuals under the supervision of a crew leader. Most youth work on stream maintenance and restoration projects in Sonoma County. Youth served in the program include those from low-income families, foster youth, youth on probation or at risk of gang involvement, and

youth with disabilities. In 2012, more than 200 youth were served. In 2009, the program was funded through the American Recovery and Reinvestment Act (ARRA). In 2010, the program was funded through Temporary Assistance for Needy Family (TANF). In 2011, the program was funded through the Workforce Investment Act (WIA) and Sonoma County Water Agency (SCWA). In 2012, the SCYEC was funded by WIA, SCWA, TANF, the Sonoma County Agricultural Preservation and Open Space District, and the Sonoma County Fish and Wildlife Commission.

**Action:** Support federal appropriations of \$800,000 for a dedicated funding stream for the Youth Employment Program.

### **17. Dental Clinic for Foster Youth**

Funding is being requested to support a public-private oral health infrastructure that provides dental care for all children entering emergency foster care at Sonoma County's emergency shelter, the Valley of the Moon Children's Center (VMCC). VMCC serves approximately 450 children a year. The American Academy of Pediatricians estimates that about 35% of children enter foster care with high prevalence of undiagnosed or under-treated acute and chronic dental or oral health conditions. Limited local dental resources for low-income and at-risk youth have made it difficult for these children to receive appropriate and timely dental care. The services provided through the VMCC dental program include: dental evaluations and teeth cleanings of all children; follow up care such as fillings and extractions; dental emergencies such as tooth pain; developing community resources to address higher level dental needs (i.e., surgeries); and implementing an oral health prevention program by providing dental sealants and educating children and youth about oral health. The partnership uses the services of volunteer dental professionals from the local community. Funding is needed for a Dental Program Director, equipment, and supplies.

**Action:** Seek federal appropriations of \$120,000 for the Valley of the Moon Dental Clinic.

### **18. Healdsburg Dam Renovations**

These funds would support the refurbishment of the Healdsburg War Memorial Dam in Healdsburg, California. The dam was originally built in 1953, and then reconstructed in 1956 following a flood. The dam consists of a concrete sill, steel anchor plates and removable flashboards. The flashboards and support structure are erected annually, currently to a maximum height of seven feet due to structural weaknesses, in late June and removed mid-September. The War Memorial Dam is a significant recreational feature along the Russian River with over 100,000 annual visitors to Healdsburg Veterans Memorial Beach, and the increased water levels during the dry summer months contribute to the recharge of the City of Healdsburg's drinking water wells located upstream.

Refurbishment of the entire dam structure would include repair of the eroded surfaces on the concrete foundation, replacement of steel anchor plates, replacement of the flashboard panel assemblies, and a new sheet pile wall. Additionally, fish passage will be enhanced while the dam is erected by increasing the depth of the resting pool beneath the spillway. After the work is completed, Regional Parks expects that it will be able to restore the War Memorial Dam to its historical height of ten feet.

**Action:** Seek federal appropriations of \$2,100,000 for the Sonoma County Veterans Memorial Beach Dam in Healdsburg.

### **19. Taylor Mountain Regional Park and Open Space Preserve Development**

The Sonoma County Agricultural Preservation and Open Space District and Sonoma County Regional Parks are currently working together to complete the Taylor Mountain Master Plan. Funding is needed to continue the development phase of the project. Once this park is developed, the public will be able to hike, bike or horseback on this beautiful 1,000 acre park. The Taylor Mountain Regional Park and Open Space Preserve is just minutes away from the cities of Santa Rosa, Sebastopol, Roseland, Cotati, Petaluma, and Sonoma.

**Action:** Seek federal appropriations of \$8,000,000 for Taylor Mountain Regional Park and Open Space Preserve.

## **20. Bodega Bay Bicycle and Pedestrian Trail**

The Bodega Bay Bicycle and Pedestrian Trail Corridor is a multi-phase project that will form an important link in the California Coastal Trail System as well as linking commercial, recreational and residential areas of Bodega Bay. Some segments have been funded, but several segments still require funding for the planning and development phases. Conceptual plans and preliminary California Environmental Quality Act (CEQA) compliance are complete for the entire trail corridor.

**Action:** Seek federal appropriations of \$5,000,000 for the Bodega Bay Bicycle and Pedestrian Trail.

## **21. US 101/River Road Interchange Improvements**

This project proposes to rehabilitate the interchange and approaches to US 101 at River Road. This is one of the main access routes to the agricultural areas of the County, including vineyards, wineries, dairies, and others. It serves as the primary access to the Russian River recreational areas and the Pacific Coast. To the east, Mark West Springs Road links the US 101 to Calistoga and northern Napa Valley. It is a very important and heavily used interchange. There are a number of sight distance problems and other safety issues to resolve with this work. This is an outdated alignment plus the road surfaces are extremely worn from the high volumes of truck traffic. The upgrading of the interchange will address the safety concerns and pavement design to accommodate heavy vehicle traffic. No significant environmental issues are anticipated with the rehabilitation of the interchange.

**Action:** Support efforts for inclusion in the next federal transportation re-authorization bill of \$10,000,000.

## **22. Local Flexibility for Immigration Detainers**

Code of Federal Regulation (CFR) 8 section 287.7(d) currently requires local law enforcement to hold people in jails should the Immigration and Customs Enforcement (ICE) Department issue a detainer, based upon the person's immigration status, while the person is in local custody on another issue. There has been significant conflict over whether ICE detainers are mandatory or simply "requests." The conflict is created by the "shall" language in section 287.7(d) regarding detentions. ICE also has stated that detainers are mandatory and the vast majority of counties both in California and nationally have followed that interpretation. Nonetheless, the County and Sheriff believe that justice would be better served by providing local discretion.

**Action:** Seek to change Code of Federal Regulation (CFR) 8 section 287.7(d) to replace "shall" with the word "may."

## **23. Broadband Deployment**

Broadband connection throughout Sonoma County would foster significant economic development, and provide enhanced education, safety, and other benefits. However, broadband deployment and access throughout the County remains challenging due to geography and market forces. In particular, the Sonoma coast and Northern Sonoma County include isolated and remote areas without significant utility or other infrastructure. Market forces have proven inadequate to achieve general broadband deployment in the County. Additional funding and regulatory incentives are required to ensure that all residents are provided broadband access. Furthermore, the data utilized by regulatory agencies regarding broadband penetration in rural areas remains questionable.

**Action:** Seek capital and other financing via grants and other revenue federal revenue streams up to \$50,000,000.

## **24. Behavioral Health Services in Community Clinics**



The Sonoma County Department of Health Services is seeking funding to support collaboration between the Sonoma County Department of Health Services Behavioral Health Division and community clinics in Sonoma County to provide routine universal mental health and substance use disorder screenings, education, and integrated mental health and substance use disorder services to patients who screen positive for mental illness and/or substance use. The provision of services will focus specifically on minority communities in Sonoma County, with particular emphasis placed on reaching the Latino community.

**Action:** Seek federal appropriations or agency grant funds of \$800,000 to support behavioral health services in community clinics.

## **25. Subsidized Employment Program**

In 2011, under the Temporary Assistance to Needy Families (TANF) Emergency Contingent Fund (ECF), employers received a subsidy to offset all of the wages and costs of employing a participant. Subsidized Employment Program participants, who must meet federal income guidelines, are paid the going rate for workers who perform the same job. Participants are placed in public agencies, private non-profit organizations, and private for-profit businesses, and perform work designed to contribute valuable services to the community and stimulate the local economy. Work experience helps participants improve their job skills while increasing their household income. With TANF ECF funding, 365 people were enrolled, and of those, 173 transitioned to permanent employment. Most of the cost of the program was for wages. The County wishes to provide a Subsidized Employment Program for TANF recipients under AB98/SB72 (using the Department's CalWORKs single allocation). Since no dedicated funding exists, the subsidized employment program is currently very small. Additional funding will provide additional opportunities for subsidized employment and will help meet work participation goals.

**Action:** Seek federal appropriations of \$2,500,000 to support the Subsidized Employment Program.

## **26. CalFresh Outreach**

California has the nation's lowest participation in the Supplemental Nutrition Assistance Program (SNAP), formerly called "Food Stamps." California's low uptake for the SNAP program, called CalFresh in California, is likely affected by the relatively high numbers of immigrants compared to the rest of the nation. Legal immigrants may fear that accepting government benefits will adversely impact their immigrant status. Only one third of California's working poor are estimated to participate in the SNAP. California Food Policy Advocates use three CalFresh eligibility criteria to calculate that only 35% of most potentially eligible Sonoma County residents were actually receiving SNAP benefits in 2010. The Sonoma County poverty rate has increased to 12.1% in 2012 from 8.9% in 2007.

Federally-funded SNAP benefits directly stimulate the local economy. The Department of Agriculture estimates that for every dollar spent there is a return to the local economy of \$1.84. Funding is needed for outreach services particularly among seniors, Spanish-speaking residents, agricultural workers, and the working poor.

**Action:** Seek federal appropriations of \$600,000 to support CalFresh outreach efforts.

## **27. Senior Transportation**

Improving access to transportation resources for seniors and adults with disabilities has been identified as a high priority in the Sonoma County Area Agency on Aging (AAA) senior needs assessment. The AAA implemented a special initiative on senior transportation that received national attention, but the staff position dedicated to this project was eliminated due to a lack of funding for senior transportation programs. Transportation is critical to seniors' ability to access social and medical services that enable them to remain safely in their homes. The City of Santa Rosa was funded for one call center, and is working with 211 to launch a centralized telephone number for seniors to call for transportation assistance. Funding is needed to support the current volunteer driver programs implemented by Sonoma County, and to establish new ones. Because public transit agencies must confront

multiple priorities, it is vitally important that separate federal funding for senior transportation continue and expand. Additional funds on the federal level could result in local grants for senior transportation alternatives and mobility management.

**Action:** Support federal funding and seek federal appropriations of \$1,000,000 to improve senior transportation services.

## **28. McCullough/Mark West Creek Acquisition**

Sonoma County Regional Parks and the Sonoma County Agricultural Preservation and Open Space District have been working together on a public-private partnership to preserve the McCullough and Cresta Ranches to transform these properties into a regional park and open space preserve. The proposed Mark West Creek Regional Park and Open Space Preserve would become 1,095 acres of recreational open space and wilderness opportunity minutes from the cities of Santa Rosa, Calistoga, Windsor, and Healdsburg. The east and west ridges of the McCullough Ranch stand as a 461 acre preserve of grasslands, woodlands and streams that are home to Coho Salmon and Steelhead Trout, and a 22 mile trail system that provides expansive views of the surrounding Russian River Valley and the Santa Rosa Plain. The proposed linkage of the two properties speaks to the essence of Sonoma County's legacy of open space preservation.

The Sonoma County Agricultural Preservation and Open Space District purchased a 340 acre property known as Cresta Ranch in November 2007, and a 461 acre property known as McCullough Phase I in September 2009. These properties are intended to be part of the future Mark West Creek Regional Park. To date, the County has invested approximately \$15 million for the purchase of McCullough and Cresta Ranches. To realize the full potential of this project, which will ultimately form a contiguous protected habitat of over 4,600 acres on the northern edge of the Santa Rosa urban area, additional funding is needed to acquire the valley between the ridges, protect the confluence of Mark West and Mill Creek, and create public access from Porter Creek Road.

**Action:** Seek federal appropriations of \$8,000,000 for the McCullough/Mark West Creek Acquisition.

## **29. Tolay Lake Regional Park Master Plan and Development**

Sonoma County Regional Parks is working together with the Sonoma County Agricultural Preservation and Open Space District to complete the planning and development phase of the Tolay Lake Regional Park. The proposed park (formerly known as the Cardoza Ranch) is approximately 1,700 acres and will restore habitat, protect open space, and provide educational and recreational opportunities to Sonoma County residents and visitors. The Sonoma County Agricultural Preservation and Open Space District provided more than half of the \$18 million needed for the acquisition of Tolay Lake. These funds are from the one-quarter cent sales tax approved by voters in 1990. The remaining \$6,800,000 for the purchase included grants from the Department of Fish and Game, Wildlife Conservation Board, State Coastal Conservancy, Land and Water Conservation Fund, National Oceanic and Atmospheric Administration, State Proposition 12 Funds, and private foundations, businesses, and individual donors.

**Action:** Seek federal appropriations of \$12 million for Tolay Lake Regional Park Master Plan and Development.

# General State and Federal Issues

Following are the County's general advocacy issues for 2014. General advocacy issues differ from priority advocacy issues in that the County's legislative advocates will primarily support the efforts of others to enact legislation to address these concerns, which are most often shared concerns of multiple counties. General advocacy issues may have both connections to State and Federal legislative or funding action. The General Issues are categorized by functional area within the County organization.

## Health & Human Services

### **30. Implementation of Federal Healthcare Reform**

**Issue:** In March 2010, President Obama signed into law comprehensive health care reform, the Patient Protection and Affordable Care Act (ACA). The ACA will provide coverage for approximately 32 million Americans, 5 million Californians, and 45,000 Sonoma County individuals without health insurance coverage. In addition, the ACA will provide important funding for community health centers, implement changes in the Medicaid and Medicare programs to expand access, establish a National Public Health Council and Prevention and Public Health Fund, establish multiple public health funding opportunities (e.g. Community Transformation Grants, Healthy Aging, Living Well Grants, Epidemiology-Laboratory Grants, Positive Health Behaviors and Outcomes Grants, etc.), include mental health and substance abuse parity, and fund workforce development programs. As comprehensive health care reform is implemented, it is important that all components of the ACA and funding be protected. Toward that end, the County supports legislative and regulatory efforts that implement the ACA in a manner that promotes high-quality, cost-effective care; stabilizes and maintains the local health care safety-net; maintains a strong public infrastructure; strengthens prevention-focused primary care; addresses health disparities; supports and preserves the strengths of the current system, including the unique qualities of county-operated systems that specialize in serving vulnerable populations; and protects the funding provided for in the ACA.

**Action:** Monitor any new legislation that would modify funding or responsibilities related to the County's role in implementing the ACA. Oppose any legislation that would redirect county funds, beyond what was agreed to as part of the 2013-2014 Budget, for the State's share in the ACA.

### **31. Current and Future Realigned Health and Human Service Programs**

The 2011-12 State Budget Act included the 2011 Realignment. While a large part of this shift of responsibilities from the State to counties focused on the public safety systems, it also included the realignment of two mental health funding sources and the realignment of several substance use disorders programs.

The 2011 Realignment shifted funding for mental health managed care and the state general fund contribution to the local match for children's Medi Cal services (known as Early and Periodic Screening, Diagnostic and Treatment (EPSDT) funding) to the sales tax revenues identified to fund this realignment. While the counties have been responsible to manage the provision of Medi-Cal services to children in their role as the Medi-Cal Specialty Mental Health Plan, this action shifted financial risk for these services to counties. In addition to this change related to the EPSDT funding, the mental health managed care allocation funding was also shifted from state general fund to sales tax revenue.

Along with the realignment of mental health funding and risk, 2011 Realignment shifted financial risk and supposedly responsibility and authority to manage substance used disorders services, including: the Drug Medi-Cal Program, Drug Courts, Perinatal Drug Program, and Non-Drug Medi-Cal Services.

The concept of realignment calls for the shift of funding and financial risk along with the shift of authority and responsibility. Unfortunately, as the State is implementing this realignment, the transfer of authority and responsibility is being withheld. For example, the State retained its Alcohol and Drug Program Department to

provide oversight to counties and continues to control rate setting. The State has also retained the certification of providers and the ability to establish contracts with new providers even if the county would prefer to not contract with the provider. By shifting funding and fiscal risk to the counties without the requisite authority to manage the programs and risk, the State is renegeing on the promise of realignment. The State could make a decision that would increase costs to the county, forcing the county to fund the excess costs with '91 realignment or other local funds. The counties would have no ability to manage their provider networks, utilization or quality. The counties' ability to make system improvements would be hampered.

**Action:** Craft enabling legislation and regulations that provides counties the authority and processes needed to manage the new responsibilities shifted to them by the State.

### **32. Limits of Liability for the Public Guardian**

The Conservatorship Act of 2006 changed state law giving the court authority to order the Public Guardian to apply for conservatorship in situations that the court determined necessary. This change in the law increases the responsibilities of the Public Guardian and it amounts to an unfunded mandate. In such cases, the County Public Guardian does not have any option but to comply with the Court. Additionally, the County and the Public Guardian are not immune from personal or civil liability arising from conservatorship duties.

**Actions:** Support legislative efforts that would allow the Public Guardian discretion to respond to the court by conducting an investigation into the appropriate case management for the conservatee; limit liability for counties and for the Public Guardian; and provide a federal and/or state funding stream for public guardian services.

### **33. Distribution of Alcohol and Other Drug (AOD) Treatment State Discretionary Funding**

Since 1994, as a result of the Sobkey v. Smoley court decision, the disparity in the distribution of AOD discretionary state general funds has grown. Some counties receive no AOD discretionary state general funds (such as Sonoma County), some receive less than 50 cents per capita, and some receive more than 50 cents per capita. The methodology for distribution of AOD state discretionary general funds needs to be revisited and a more equitable distribution methodology developed. Furthermore, juveniles are not eligible for alcohol and drug related services, which results in significant unmet need. The County substantiated, through its recent Jail Alternatives Study, the high correlation between alcohol and other drug use and involvement with the criminal justice systems. Investing in upstream programs, like AOD treatment, and making these services available to all age groups, could relieve pressure on the criminal justice system, thereby resulting in savings to the County and to the state.

**Action:** Support legislation that provides a base level (minimum \$1.00 per capita) of state discretionary funding to all counties for local alcohol and other drug treatment programs to be used for various eligible populations as determined by each county.

### **34. Health Coverage for All Children and Adult California Residents**

There are approximately 46 million Americans without health insurance coverage, including 6.5 million residents of California. Two-thirds of the uninsured are low income, and eight in ten come from working families. Many of the uninsured work for employers that do not offer insurance, and those who are offered insurance often cannot afford their share of the premium. Young adults, racial and ethnic minorities, and those who are non-citizens are more likely to be uninsured. Lack of insurance has a significant impact on an individual's ability to access health care services. Uninsured adults are more likely to postpone or forego health care altogether, are less able to afford prescription drugs, and less likely to follow through on treatment plans. Reduced access to quality health care results in poor health, preventable hospitalizations, and premature death. Similar to the efforts that have been made to provide insurance coverage for uninsured children, the County supports the development of a long term solution that will provide health care coverage for all residents of California.

Toward that end, the County urges the President and Congress to build upon the Patient Protection and Affordable Care Act (ACA) to work with the goal of expanding a system of health care coverage and medical care delivery for all children and adults that builds upon and preserves the strengths of the current system, including the unique qualities of county operated systems, such as the County's Healthy Kids program. Any health care reform process must take into account historical, current, and future County costs for treating those who are, and those who may remain, uninsured. Finally, health care reform must include mental health parity provisions that provide coverage for mental health services equal to coverage for medical and surgical benefits and ensure adequate ongoing funding for both expanded and core mental health services.

**Action:** Support legislative efforts to provide health insurance for all children and adults and a stable source of funding for all residents of California consistent with the *Health Care Reform Principles of Action* adopted by the Board.

### **35. Mental Health Managed Care Allocation**

In the early 1990s, the state consolidated Medi-Cal mental health services into a single Medi-Cal Specialty Mental Health Program and contracted with local agencies/organizations to operate the program. The Medi-Cal Specialty Mental Health program is a federal and state partnership with shared costs. When the state consolidated the Medi-Cal Specialty Mental Health Program, it provided contracting agencies with funding to match the federal funds related to the fee for service part of Medi-Cal, referred to as the Mental Health Managed Care allocation. Since consolidation of the program, the state has unilaterally reduced the Mental Health Managed Care allocation.

**Action:** Support legislation or budget action that indexes the Mental Health Managed Care allocation based on the cost of Medi-Cal services and calculates each year based on the Federal Medical Assistance Percentages (FMAP).

### **36. Restoration of Health and Mental Health Realignment Funding Baselines**

The formula for the distribution of realignment between the Social Services, Health, and Mental Health Services Trust Funds allocates funding to Human Services on a priority basis based on increased caseload growth. Increased realignment growth is diverted to Human Services with little or no growth in the funding for the Health or Mental Health Trust Funds. As a result, the department has been forced to make reductions to health and mental health realignment programs and services.

This inequity in the current realignment funding formula has been made worse by the recent downturn in the economy, which has resulted in a significant decrease in revenue and a lowering of baseline funding levels. As a result, when the economy rebounds, any growth in revenues above the new lower baselines will go disproportionately to the Social Services Trust Fund, thereby further reducing available funding for health and mental health realignment funded programs. Furthermore, Governor Brown has indicated his interest in opening up the 1991 Realignment to shift more services from the state to counties. This causes the concern that the share of realignment funds that currently flow to Sonoma County could be eroded by pressures from other counties to secure a larger share of the original realignment.

**Action:** Support legislation that provides a temporary restructuring of the realignment distribution formulas to provide growth in health and mental health funding consistent with levels that existed prior to the downturn in overall realignment funding. Oppose efforts to reduce funding from the 1991 Realignment to Sonoma County.

### **37. Emergency Medical Services Planning and Local Control**

Legislation introduced in the past would have reduced County control over local planning and emergency medical services by requiring local policies and procedures be reviewed and approved by the State Emergency Medical Services Authority. This legislation fails to reflect California's diverse geography and population and would negatively impact local emergency medical services agencies.

**Action:** Oppose legislation that would usurp local control over emergency medical services planning and delivery.

### **38. Service Delivery System and Funding for Individuals with Cognitive Disorders**

Individuals with cognitive disorders such as Alzheimer's, HIV, dementia, and traumatic brain injuries often require extensive, costly long-term care and other mental health treatment services. Currently, there is no mental health services delivery system or funding for programs and services to address the needs of individuals with cognitive disorders. As a result, these individuals often end up in mental health crisis centers and inpatient psychiatric hospitals requiring significant mental health realignment dollars to fund needed services.

**Action:** Support legislation or budget language that identifies new resources to fund services, including long-term care services for individuals with cognitive disorders.

### **39. Child Care, Programming, and Licensing**

Every year when the state budget is late, hundreds of children, families, child care providers, and employees of state subsidized programs are in danger of losing care and/or their jobs. This loss of child care impacts county residents' quality of life and disrupts the local economy as employees must forego working in order to provide at home child care.

There has been a marked increase in the number of income eligible children/families waiting for a subsidized child care slot to become available in Sonoma County. The County and the Child Care Planning Council of Sonoma County are concerned about protecting funding for The After School Education and Safety Program Act of 2002 (Proposition 49) and 21<sup>st</sup> Century After-School Programs as these directly impact the quality of life for Sonoma County residents.

Sonoma County has a shortfall of approximately 6,900 child care spaces while family child care providers and child development centers face regulatory barriers to building capacity through expansion and new facilities development. As the basis for health and safety in local licensed child care programs, it is critical that the Department of Social Services Community Care Licensing (CCL) has the capacity for annual visits. In addition, it is imperative that CCL have staff that is knowledgeable about child development and has the capacity for building ongoing, collaborative relationships with families, local non-profits, and the County. The lack of these resources impacts children and families and puts additional pressures on the County to provide child care resources.

**Action:** Support legislation and budget action which would ensure continuity of child care for children and families. Seek and support legislation which would preserve, protect, and increase funding for subsidized and other government-funded child care. Support legislation which would reduce state regulatory barriers and increase opportunities for child care capacity expansion. Seek and support legislation and budget action to ensure that CCL is adequately funded by the State to provide reliable and meaningful services and that CCL inform parents about its functions and limitations.

### **40. Health Care Coverage for Persons Released to Sonoma County in Realignment**

The state's final FY 11-12 Budget restructured the state-local relationship shifting funding and responsibility to local government for more than \$10 billion in services including Public Safety and Health and Human Services programs (2011 Realignment). The realignment of public safety program includes the County assuming responsibility for state prison inmates released to post-release community supervision and certain non-violent, non-serious, and non-sex offender populations. The County supports enrollment of transferred inmates into Medi-Cal or CMSP health insurance coverage effective upon release; assignment of a medical home; and provision of in-custody or out-of-custody health (e.g., mental health; substance use services) and social support (e.g., employment services) services required to improve outcomes and produce cost efficiencies. In addition, over a two year period, the 2011 Realignment will realign funding for community mental health services; mental health allocation; EPSDT; Drug Medi-Cal; Non-Drug Medi-Cal; Perinatal; and Drug Court. When the Governor signed

the budget it was recognized that additional work would need to be done to refine the financing structure and constitutional protections would need to be provided to counties.

**Action:** Support efforts to put in place required processes to ensure inmates are enrolled in Medi-Cal/CMSP effective upon release; assigned to a medical home; and that they receive in-custody and community-based health and social services. Support legislative efforts or ballot initiatives to provide adequate base funding and constitutional protections to counties for realigned services.

#### **41. Elimination of Fingerprinting Requirement for Participation in CalWORKS Program**

The Governor approved legislation in 2011 that eliminated the fingerprinting requirement for persons applying for CalFRESH assistance; however, a commensurate elimination of fingerprint requirements for CalWORKS was not approved. Fingerprinting has not been proven to reduce instances of fraud, but does create a barrier for both applicants and for counties, as getting fingerprinted can be difficult for persons who live in rural areas without access to transportation.

**Action:** Support legislation to repeal the fingerprinting requirement for CalWORKS applicants.

#### **42. Additions to Workforce Investment Act**

Legislation introduced in 2011 would require local workforce investment boards (WIBs) to spend a certain percentage of federal funding on workforce training, penalize WIBs that do not meet all federal performance standards by making them ineligible for state funding, and require WIBs to work with apprenticeship programs.

**Action:** Oppose all legislation that would add state mandates to federal Workforce Investment Board requirements, resulting in unfunded state mandates.

#### **43. Local Foods Efforts**

The need exists to enhance the economic development of local farms and ranches, while coordinating food systems work in the community to increase food access and public health. There is not an adequate and reliable source of funding to support these efforts by County departments (Agricultural Commissioner's Office, UC Cooperative Extension, Health Services, and other departments).

Initiatives to support local agriculture and healthy communities are components of the County Strategic Plan. These initiatives are in alignment with USDA's mission and the funding made available through the Farm Bill, including the areas of: food and nutrition; food safety, including promoting the growing and access to healthy foods; agricultural product marketing and regulatory programs; rural development, including farm worker housing; education, including job training and resources for new farmers and green economy; and protecting natural resources and the environment through sustainable management.

**Action:** Secure federal funding, through the Farm Bill and other avenues, to support County work to enhance the economic development of local farms and ranches, and coordinate food systems in the community to increase food access and public health.

#### **44. Electronic Nicotine Delivery Systems (ENDS)**

Existing law defines an electronic nicotine delivery system (ENDS), or electronic cigarette, as a battery operated device that provides an inhalable, vaporized dose of nicotine. Besides nicotine, the solution that is vaporized includes flavors and other chemicals and toxins. The negative health effects of nicotine are well documented. In terms of the second hand "smoke" or vapor that is exhaled, further research is needed to determine the full health risks posed to those exposed. However, available evidence suggests harmful effects. The Food and Drug Administration (FDA) warns users of the potential health risks posed by these products. The FDA has not issued new regulations to control ENDS. Existing law restricts or prohibits the smoking of tobacco products in various

places, including, but not limited to, school campuses, public buildings, places of employment, day care facilities, retail food facilities, and health facilities.

In the absence of Federal initiative on the topic, States and localities have been left to address the use of e-cigarettes. In California, SB 648, a two-year bill, was introduced in February 2013. The proposed law would extend existing restrictions on smoking to include e-cigarettes. As with tobacco, the law would also prohibit the advertising of e-cigarettes in any state-owned and state-occupied building.

**Action:** Support legislative efforts, specifically SB 648, that treat ENDS (e-cigarettes) the same as smoking cigarettes in existing and future smoking prohibitions.

#### **45. Flavored Nicotine Products**

As smoking rates have declined, the industry has been resorting increasingly to tactics that make nicotine products attractive to new consumers, especially youth, serving as gateway drugs to nicotine addiction. Menthol use has long been one of the key strategies to soften the harshness of tobacco, making it more palatable and contributing greatly to facilitating smoking onset. This issue has recently been reviewed by the FDA, and their tobacco advisory committee has confirmed the harmful role played by menthol flavorings, yet no federal regulation has been issued to date. These products have also been historically heavily marketed to minority populations. Today, a visit to your local smoke shop or convenience store demonstrates that tobacco and nicotine containing product displays increasingly resemble candy products. Cigg-Fizz, a chocolate pop-rock like nicotine product in flashy packaging sold in California, exemplifies this trend. Use of E-cigarettes, which come in a variety of flavors, has more than doubled amongst youth.

**Action:** Support legislation which would restrict the sale of flavored nicotine-containing products in the state of California.

#### **46. Healthy Eating and Physical Activity Act (SB 464)**

The Child Care and Development Services Act is enacted for, among other purposes, the purpose of providing a comprehensive, coordinated, and cost-effective system of child care and development services for children from infancy to 13 years of age and their parents, including a full range of supervision, health, and support services through full- and part-time programs. Proposed legislation, SB 464 (Jackson), would enact the Healthy Eating and Physical Activity Act, and add it to the Child Care and Development Services Act. The bill would establish standards with respect to nutrition and physical activity for early childhood education programs, infant care programs, and after school programs conducted under the Child Care and Development Services Act, and would express legislative intent to encourage all child care providers to implement educational programs for parents that provide parents with physical activity and nutritional information relevant to the health of their children. It would strengthen early childhood education program requirements for physical activity, specify allowable beverages, and limit television time.

**Action:** Support SB 464 (Jackson) and similar legislation which would create new nutritional and physical activity education for caregivers and families, and establish new standards for nutrition and physical activity for early childhood education programs..

#### **47. TANF Reauthorization**

Authorization of TANF has been temporarily extended to September 30, 2012 by the same legislation that extended the payroll tax cut, the Middle Class Tax Relief and Job Creation Act of 2012. Ideally, reauthorization will include a revision of the Work Participation Rate (WPR). Currently, the formula for WPR ensures failure because the numerator includes all recipients who have worked 32 hours a week for a month, and the denominator includes recipients who are not required to work. Nearly 8,000 Sonoma County residents receive TANF (CalWORKs).



**Action:** Support full reauthorization of TANF including a revised definition of Work Participation Rate (WPR)

#### **48. Workforce Investment Act (WIA) Reauthorization**

In 1998, Congress passed the Workforce Investment Act (WIA) as the largest single source of federal funding for workforce development activities. WIA created a universal access system of one-stop centers to provide access to training and employment services. Democrats and Republicans on the House Committee on Education and the Workforce have introduced separate legislative proposals to reform and reauthorize WIA.

**Action:** Support full reauthorization of WIA, including adequate funding for youth employment programs.

#### **49. Elder Justice Act**

President Obama proposed \$21.5 million in funding for the Elder Justice Act for 2013. Despite continued advocacy from elder abuse prevention advocates across the country, the proposed funding was removed by the Senate.

After years of advocacy efforts, the Elder Justice Act (EJA), the nation's first comprehensive national legislation addressing elder abuse, was signed into law in March 2010. Unfortunately appropriations have not been authorized, which left the provisions of this law unfunded. The EJA law has the promise of establishing federal standards for adult protective services and providing a dedicated federal funding stream for services to protect seniors and vulnerable adults from abuse. The EJA also provides funding for the Long Term Care Ombudsman to investigate abuse and neglect in skilled nursing facilities. The law also provides for the establishment of Forensic Centers on Elder Abuse and training in abuse investigation standards. The Human Services Department urges federal funding to support the Elder Justice Act as it was originally designed.

**Action:** Support federal budget appropriations for the Elder Justice Act.

#### **50. Older Americans Act (OAA)**

Reauthorization of the Older Americans Act (OAA) was proposed in 2012, but not acted on by Congress. The OAA is vitally important to Sonoma County because the state funding for Area Agencies on Aging (AAAs) has been eliminated. Seniors age 60 years and older account for over 20% of the total population in Sonoma County. By 2020, seniors age 60 years and older will account for 25% of the total population in Sonoma County. Public services for older adults are limited, with the majority of services available to seniors with low incomes.

Congress passed the OAA in 1965 to address a lack of community social resources for older persons. The act established a national network of Area Agencies on Aging which oversee a variety of social services for seniors including: nutrition, elder abuse prevention, legal services and advocacy, and caregiver resources. The OAA has never been adequately funded and does not reflect the need for senior services or the population growth in people over age 60. With the elimination of state funding to support California's Area Agencies on Aging programs, it is critical that the proposed federal funding remains in place. The Human Services Department urges the reauthorization of the Older Americans Act to expand services that are not currently funded, and advocates for increased flexibility in federal regulations.

**Action:** Support the reauthorization of and increased federal funding for the Older Americans Act.

## **Natural Resources**

#### **51. State Parks Access**

In 2011, the State planned to close five State Parks in Sonoma County and 70 Parks state-wide. In response, Sonoma County Regional Parks (Annadel State Park), Valley of the Moon Historical Association (Jack London

State Park), Team Sugarloaf (Sugarloaf Ridge State Park), Stewards of the Coast and Redwood (Austin Creek State Recreational Area), and the Sonoma/Petaluma State Historic Parks Association (Petaluma Adobe State Historic Park) signed operating agreements with the California Department of Parks and Recreation to keep these parks open as allowed by state legislation.

Then, in the summer of 2012, the Governor signed AB1478. Among other things, AB 1478 places a moratorium on closure of State Parks for two years and provides that the State may match monies from third party donors and partners that entered into agreements with the State to keep parks open. This action was in response to the discovery of previously unreported State Parks funds.

The closure of these parks would have had significant impacts on the County. County Departments, including the Sheriff's Office, Emergency Services, and Regional Parks, would have been expected to address emergencies and other problems in closed State Parks, such as fire risks, vandalism, medical problems, trespassing, and property damage. State parks are an important draw for tourists to visit Sonoma County, and fewer open parks would have reduced the value of the County as a tourism destination. Closure would also have diminished the value of integrated open space connecting Regional Parks to State Parks, which in many cases are adjacent (such as Spring Lake and Annadel, Hood Mountain and Sugarloaf Ridge, and the forthcoming North Slope Sonoma Mountain Trail and Jack London).

**Action:**

- Continue the FY2012-2013 Operating Agreements in FY2013-2014 to provide sufficient support to organizations and agencies that entered into operating agreements for state parks in Sonoma County;
- Utilize all existing legal tools pursuant to AB 42 (Huffman, Statutes of 2011, Chapter 450) and subsequent legislation to allow non-profits, local governments, and businesses to operate Parks, so long as the operations sufficiently protect the parks' natural resources, public access, and are consistent with other public values associated with state parks. The Legislature and Governor must ensure that unfunded management and public safety costs for closed state parks do not shift to Sonoma County and regional agencies, given State Parks discovery of previously undisclosed funds;
- Provide State funding sufficient to keep the five state parks proposed for closure in Sonoma County open consistent with the signed operating agreements and to provide State matching funds for monies expended by third party donors and partners per AB1478 and AB1589;
- Ensure State Parks rangers from other areas continue to respond to calls for service in all state parks; and
- Oppose efforts to require "Iron Rangers" to be placed on state beaches in Sonoma County to fund state park general fund needs.

**52. Workforce Development: Healthcare Reform, and "Green" Jobs**

Major legislative efforts have created an opportunity for local governments to support workforce development efforts that will benefit strengthened labor markets. In particular, healthcare reform and "green" technology have created such opportunities. The health care workforce of the future will be highly focused on prevention, care coordination, care process re-engineering, dissemination of best practices, team-based care, community-based care, continuous quality improvement, and the use of data to support new care delivery models. There is a shortage in most local labor markets of individuals to implement these models, even as we are moving toward a health care system based on effective care coordination and prevention.

Similarly, the emerging green economy requires a trained "green" workforce and AB 3018 (Nunez, 2008) was passed recognizing that this is a necessity. AB 3018 sets forth a plan to develop a green-trained work force but does not provide program funding, thus becoming an unfunded mandate. The training programs are available and desperately needed, but there is no funding appropriated for the program.

**Action:** Support legislation which would provide the support and training programs needed to meet the workforce demands that will come with health care reform. Federal funding can be directed through existing programs, such as in the Department of Labor, and/or programs can be combined with funding in the Prevention and Public

Health Fund. Advocate for state budget action to fund green-trained work force development. Advocate that Proposition 39 funds be utilized appropriately to train the workforce in this field.

### **53. Fishery Restoration Programs and Funding**

Remnant populations of Coho salmon in the Russian River are endangered, and a multi-agency captive broodstock program has been developed to assist in their recovery. Hatchery operations and production of fish are coordinated by the California Department of Fish and Wildlife. The University of California and Sea Grant conduct monitoring of released fish as they rear in Russian River tributaries and subsequently migrate to the ocean in the spring. This information is used to evaluate the success of the recovery program and adaptively manage it to maximize the likelihood of long term success resulting in self-sustaining runs. The County strongly supports funding for Coho issues, which will allow University of California, Cooperative Extension (UCCE) to continue their work on critical natural resources throughout the county.

California allocates general fund and water bond dollars to support salmon restoration programs. The state funding forms the state/local match for federal funding under the Pacific Coast Salmon Restoration Fund. Funding from Proposition 84 for this purpose is reported to be fully expended at this time.

#### **Action:**

- Support funding for Coho issues which will allow UCCE and California Sea Grant to continue their work on critical natural resources throughout the county;
- Support legislative or budget action that would appropriate \$10 million in Proposition 84 funds and \$10 million in General Fund money for salmon restoration programs managed by the Department of Fish and Wildlife;
- Advocate for the Department to use the funds for projects that fulfill requirements of the State's Coho Salmon Recovery Strategy; and
- Advocate for allocation of future water bond or water infrastructure dollars for coastal salmon restoration.

### **54. Groundwater Banking for Local Water Supply**

Groundwater banking is an important component of the Water Agency's water supply strategies for the future. A number of barriers at the state level stand in the way of successful implementation of groundwater banking programs locally. Barriers include the high cost of preliminary studies required to determine feasibility, uncertain authority to capture and divert storm water flows for underground injection, the need to re-designate point of use or time of use under water rights permits, and unwarranted regulatory restrictions on injection of surface water in underground aquifers. Legislative action and participation in development of regulatory policy could be very valuable in moving local groundwater banking programs forward.

#### **Action:**

- Advocate for funding for groundwater banking programs in future statewide water bonds or other infrastructure funding initiatives; and
- Support or sponsor legislation and regulatory policy to expedite regulatory approval and permitting for groundwater banking programs.

### **55. Recycled Water**

The state of California has recognized the importance of recycled water for meeting future water needs in the state and has set statewide goals to increase distribution and use of recycled water. However, existing statutes continue to regulate recycled water as a waste rather than a resource, resulting in burdensome rules that have the effect of delaying and increasing the costs associated with reuse initiatives like the North Bay Water Reuse Authority programs and other projects under development by local sanitation districts and cities.

**Action:** Participate in developing recycled water legislation to advocate for language that facilitates implementation of recycled water projects in ways that are fully protective of public health and surface and

ground water quality. Support legislation and regulatory policy that promotes efficient implementation of recycled water projects throughout California.

## **56. Water Well Logging**

County entities are developing groundwater management plans for several groundwater basins in Sonoma County. These agencies are also required by state law to conduct ground water monitoring in all of the identified groundwater basins. Local efforts in both areas depend on access to geological information recovered by drillers and landowners when wells are drilled. The legislature recognized this need in approving a bill introduced by Senator Pavley in SB 263 (2011) and SB 1146 (2012), requiring that water well log data be made available to professionals conducting such studies.

**Action:** Support legislation and administrative policy to improve access to well log information for groundwater planning and monitoring.

## **57. Williamson Act Funding**

The Williamson Act (the Act), established in 1965, has helped preserve Sonoma County's rich and productive farm and ranch lands by providing property tax incentives to keep land in agricultural uses. Sonoma County has over 273,000 acres enrolled in the Williamson Act, and has lost approximately \$450,000 in subvention payments. Beginning in fiscal year 2009-2010, due to the ongoing budget crisis, the Governor has not funded the subventions to counties. In 2011, the Governor signed legislation (AB 1265) authorizing counties to shorten the contract term of Williams Act contracts from 10 years to 9 years, and capture the 10% increase, in part to offset losses to counties. In November 2011, the Board of Supervisors declined to implement AB 1265 due to concerns about increasing the tax burden on farmers and ranchers. This demonstrates the need for the Legislature and Governor to develop and fund a long-term plan for the Williamson Act in order to ensure that agriculture and open space are preserved into the future.

**Action:** Support legislation and budget language that fully funds the Williamson Act at its highest historical levels; support new and innovative funding alternatives to replace lost subvention payments; and develop long-term solutions, including locally developed and approved options, that create a reliable funding stream to protect the Act.

## **58. Certificates of Compliance**

Under the state Subdivision Map Act, Certificates of Compliance are used to recognize parcels created by old deeds, patents, and early subdivision maps. Certificates are also used to recognize "fragment lots" that result from intersecting lines of old deeds and maps. Certificate parcels are usually inconsistent with the dwelling unit densities in the General Plan, but the County has no authority to deny or place conditions on these Certificates.

**Action:** Support legislation that would restrict or eliminate the use of Certificates of Compliance for lots created prior to implementation of the public agency review provisions of the Subdivision Map Act in 1929, and for "fragment lots"; and support legislation that creates (1) Amendments to Government Code Section 66499.35 to restrict or eliminate the use of Certificates of Compliance on parcels created by subdivision maps prior to 1929, and (2) Amendments to Government Code Section 66499.35 to restrict or eliminate the use of Certificates of Compliance for "fragment lots."

## **59. Weights and Measures Device Registration**

Mandated inspection programs to verify accuracy for weighing and measuring devices are partially funded by an annual device registration fee. This is the most significant funding mechanism for Weights and Measures inspection programs. AB 1623 (Yamada, 2012) extended the authority to collect the fee until 2016.

**Action:** Support legislation that would extend or eliminate the repeal date in the Business and Professions Code Section 12246 pertaining to Weights and Measures Device Registration Fees, and allow for increased fees to offset cost increases.

## **60. Habitat Conservation Plans and Other Efforts Necessary to Comply With the ESA’s “Take” Prohibition**

The federal Endangered Species Act (ESA) prohibits “taking” any endangered species without specific authorization. Obtaining this authorization, whether through the ESA Section 7 process for projects with federal funding, a federal permit, or through Section 10 for other projects, typically involves an extensive conservation planning effort. Once “take” authorization is granted, significant financial commitments are required to implement conservation programs. The cost of the comprehensive conservation planning effort can make individual projects financially infeasible. Public funding sources for conservation planning efforts under the ESA are very limited.

**Action:** Support legislation that would make state and/or federal funds available for comprehensive conservation planning efforts under the ESA.

## **61. Clean Generation Measures**

Counties should be permitted to retain the green credit associated with power generation. Power purchase agreement installation surplus generation will be deemed eligible for this treatment. Counties should be encouraged to generate more green energy by being paid the full value of solar power generated and sold to an investor-owned utility, less reasonable transmission charges.

### **Action:**

- Support increased state solar subsidies, advocate for retention of the green credit for surplus generation, and require peak rate payment for solar power generation sold to investor-owned utilities;
- Advocate for legislation which authorizes Power Purchase Agreement surplus power to be wheeled to its own other government accounts; and
- Support additional California Energy Commission rebates over standard rebates to reflect the loss of the Federal Tax Credit and raise the California Solar Rebate back to its initial funding level.

## **62. Public Goods Charge**

The Public Goods Charge (PGC) on electricity bills is an important funding source for programs that reduce energy use and consumer costs. A cost-effective use of the PGC is to support conservation and efficiency programs that save Californians millions of dollars through reduced energy bills, reduce the demand for additional electricity generation and transmission capacity, and support a thriving sector of the clean economy. The County of Sonoma Energy and Sustainability Program coordinates the Sonoma Energy Watch Program (SCEW), a Local Government Partnership with Pacific Gas and Electric. SCEW is regarded as a leading Energy Watch program in the region having served over 200 customers, saving over 7,500,000 kWh per year (enough to power 500 homes), saving over \$950,000 for clients, and reducing greenhouse gas emissions by 2,250 tons of CO<sub>2</sub> per year.” Combined with the resources afforded by the local Energy Independence Program and Energy Upgrade California, local government input on the use of PGC would leverage the success of these programs and the one-stop-shop model of service delivery.

**Action:** Support legislation and language in regulatory action which:

- Includes local government input on Public Goods Charge uses to increase the success of energy efficiency programs;
- Increases direct funding of local government energy efficiency programs from the Public Good Charge before the CPUC and in legislation;
- Extends the utility public goods charge for energy efficiency and related programs; and

- Ensures local government entities such as the County or the Regional Climate Protection Authority are eligible to administer energy efficiency programs funded from the public goods charge.

### **63. Wheeling Energy**

Existing legislation, AB 2624, allows local government to apply excess renewable power produced from a customer account as energy credits against charges for power delivered to one or more of its other accounts. This option allows for local government to take advantage of a generation at a site compatible with renewable generation installations and apply the credits for overproduction of electricity to a less compatible site. Private sector entities and consumers would like this same option for supplying power (through credits) to their selected benefitting accounts (other business sites, family members, etc.).

**Action:** Support the passage of legislation that would allow private sector entities and consumers to apply credits from overproduction of electricity from one account to another account.

### **64. Community Choice Aggregation**

The Water Agency and the County engaged in developing feasibility studies for development of a community choice aggregation program (Sonoma Clean Power) that provides local residents and businesses with an alternative source for procuring power. A joint powers authority has been formed to develop and implement the Sonoma Clean Power entity, including an independent Board of Directors that is currently governing the entity.

**Action:**

- Monitor future community choice legislation and oppose bills that have negative impacts on Sonoma Clean Power;
- Support legislation that reduces cost or removes barriers to implementation; and
- Submit filings and testimony before the California Public Utilities Commission regarding utility cost allocation, energy efficiency programs and other issues impacting Sonoma Clean Power.

### **65. County Climate Initiatives**

The County of Sonoma is dedicated to combating the impacts of climate change. Beginning in the 1990s, the Board of Supervisors took steps to ensure that the County has operated in an environmentally sustainable way.

In 2006, in keeping with the County’s long history of environmental leadership, General Services was authorized and directed by the Board to develop and implement a Climate Protection Action Plan (the Plan). The Plan focused on optimizing the energy efficiency of buildings, the “greening” of County fleet assets, and a reduction or modification of employee commute levels and patterns. Since then, in collaboration with the Sonoma County Transportation Authority, the Sonoma County Water Agency, the Cities in Sonoma County and non-profits such as the Climate Protection Campaign (CPC), the County’s General Services Energy and Sustainability Division created a model for a regional program titled the Regional Climate Protection Coordination Program (RCPCP). The RCPCP was conceived to strategically address the issues related to climate change (including AB 32 and SB 375) and to provide a coherent framework to harness the tools, resources, and energy needed to effectively implement its elements, measure success, and make course corrections.

**Action:**

- Sponsor legislation and budget actions that support the Sonoma County Climate Protection Action Plan and Community Climate Action Plan;
- Support CARB or CPUC rule making and/or support or sponsor legislation that would ensure that local climate protection programs contribute to the state’s carbon emission reduction goals and that local government can secure the market value of the carbon reductions resulting from local government programs;
- Sponsor or support legislation that would improve accountability in allocation of utility public goods funds and ensure that local agencies have a voice in local allocation of these funds;

- Sponsor or support legislation to develop community scale greenhouse gas reduction programs that are eligible for an allocation of carbon value from the state’s cap-and-trade program;
- Prioritize projects that reduce or prohibit development and vehicle miles traveled potential on conservation lands, open space, agriculture and working lands, and important watersheds;
- Promote projects that enhance natural system functions whereby greenhouse gases are sequestered at a greater rate than the status quo;
- Achieve a portfolio of rural and urban investment projects to maximize statewide coverage;
- Promote new and innovative programs and projects that reduce or sequester greenhouse gases, including urban greening and land use planning;
- Identify synergies or multi-benefit attributes of coordinating or leveraging other federal, state, local, and private funding sources;
- Support legislation and/or budget language that ensures any new programs to reduce greenhouse gases or respond to climate change are implemented sensibly, equitably, and effectively, and recognize avoided conversion;
- Advocate that any new State mandates include full cost recovery by Counties;
- Support budgetary action to fund local implementation of AB 32 and SB 375 requirements;
- Support focus on parks and open space lands, as public natural resources, in providing offset credits; and
- Oppose efforts to redirect cap-and-trade revenues to unrelated budget program areas.

## **66. Electric Vehicle Charging Stations**

With the installation of electric vehicle charging stations for public use, there is a need for the charging station owner to have an option to recover the costs for operation of the charging station. Under current law, only utilities can bill for actual consumption of energy; charging station owners only have the option of establishing a fee structure for charging station use. Due to the factors of vehicle type, time connected to the charging station, condition of the vehicle charging system, etc., the calculation of a reasonable and accurate fee is not possible. Electric vehicle charging station owners need the ability to bill charging station users based on actual consumption (kWh).

**Action:** Support legislative action to allow electric vehicle charger owners to bill electric vehicles on a usage (kWh) versus fee basis, in compliance with Proposition 26.

## **67. Single Sourcing Based on Green Standards**

Sonoma County supports state action to develop “Green Standards” for single source procurement/sourcing decisions as they relate to the purchase of goods and professional services. As many of the standards today are self-certifying, the appropriate criteria would need to be established so that it is fair for all parties. Developing green preference programs, for example, would allow true benefits to be realized by suppliers. Similarly, expanding existing law to include incentives for suppliers that objectively demonstrate certifications in particular areas promotes expertise and an overall acceleration of green projects. Local government agencies will benefit from any legislative processes that help support and govern such green procurement policies.

**Action:** Support legislation that authorizes local procurement agencies to single-source green goods and professional services, and that provides incentives for suppliers to objectively demonstrate certifications.

## **68. Storm Drain Maintenance Assessment Districts New NPDES Water Quality Standards**

Storm drains are separated by law from sewer drains. To form a maintenance district and assess property owners to fund storm drain maintenance requires a high threshold of voter approval (66 2/3 %).

**Action:** Support legislation that equates funding mechanisms for storm runoff standards with funding standards for clean water standards and for water sewer treatment, as well as lower the voter approval threshold to form storm water maintenance districts to 60% or less of property owners.

## **69. Air Pollution Program Efficiency and Effectiveness**

Legislation, state regulations, and policy substantially shape local air pollution control programs. Each year, legislative efforts, as well as rules and policies, are proposed at the state level. Air pollution control districts, the ARB, and the CEC currently fund grants to incentivize cleanup of various pollution sources. Some of these grants are supported with state funds, others with local funds. Incentive programs are an increasingly important tool to achieve reductions in air pollution, including pollutants that harm public health and/or contribute to climate change.

In 2013, legislation sponsored by the air districts through the California Air Pollution Control Officers Association to extend several existing grant programs (AB 8, Perea) was approved. That bill calls for a continuing stakeholder process to evaluate the performance of the programs and make recommendations to the legislature. Air Board staff will be invited to participate in that committee. Incentive funding is also needed for sectors not addressed, or inadequately addressed, by existing incentive programs (for example, large scale incentives to replace old, high-polluting woodstoves and fireplaces). Any new incentive programs need to be efficient and effective, and also allow implementing agencies to recover the costs of administering those programs.

### **Action:**

- Support air quality bills or efforts that improve air quality or public health protection and enhance or do not restrict the District's authorities;
- Work to minimize negative program impacts and costs;
- Oppose or seek to change air quality bills or efforts that harm air quality or public health, or that restrict air district authority or impose significant unfunded obligations; and
- Support budget initiatives, legislation, or regulatory changes to increase funds available for incentive programs to reduce air pollution, reduce incentive program complexity and enhance incentive program efficiency and effectiveness.

## **70. Manufacturer's Extended Product Stewardship for Discarded Items**

Many existing products and several new waste streams have been identified as hazardous waste when discarded, requiring the County to provide for collection and load checking to remove these wastes from the waste stream. The state has provided funding assistance for only a limited number of these items (used oil, Cathode Ray Tubes (CRTs), etc.). Collectively, these waste streams are costing the County hundreds of thousands of dollars to manage annually. These increased costs have resulted in new and increased tipping fees at County disposal sites, and have also increased the incidents of illegal dumping. Electronic devices waste has emerged as a major concern, and requires attention and action from the Legislature.

**Action:** Support extended producer responsibility (EPR) legislation to include mercury-containing (fluorescent) lamps, electronic devices (in addition to CRT's), batteries, and other hazardous items that are prohibited from landfill disposal.

## **71. Property Assessed Clean Energy (PACE)**

Property Assessed Clean Energy (PACE) programs are innovative local government financing programs that allows a property owner to apply for funds to pay for energy efficiency and renewable energy improvements that will reduce their energy costs. Participation in the program is voluntary and repayment is accomplished through a property tax assessment on the participating home or business. An increasing number of local jurisdictions have implemented PACE programs as an economic development strategy, an environmental protection strategy, and as a means of helping home-owners and business clear the primary barrier to efficiency upgrades: steep up-front costs.



PACE financing does not constitute a loan, but instead is built on traditional tax assessments, which local governments have managed for over 100 years. PACE does not increase the risk of homeowners, business owners, lenders, or the financial system, and was created with stringent operating rules, to ensure a net positive benefit to all parties. However, the Federal government has yet to recognize PACE programs as providing these benefits or as a local property tax lien.

**Action:** Support legislative action to ensure the ongoing recognition of Property Assessed Clean Energy (PACE) bonds as assessments and support the Sonoma County Energy Independence Program.

## **72. New Funding Sources for Renewable Energy Projects**

In November 2012, California voters approved Proposition 39, an initiative which closes a corporate tax loophole and provides about \$550 million annually for clean energy and energy efficiency programs. The measure directs the funds to be used for energy efficiency retrofits and alternative energy projects in public facilities and for other purposes. The legislature will be responsible for determining the allocation of funds to eligible participants. Proposition 39 will be an important source of financial support for local clean energy and energy efficiency programs and may provide a source of funds for new programs like Sonoma Clean Power.

**Action:** Sponsor or support legislation or budget language that provides opportunity for local agencies to receive funding from the Clean Energy Job Creation Fund to be implemented under Proposition 39, and advocate for development of an effective local government program, especially with the Energy Commission and the Public Utilities Commission.

## **73. Summer Youth Ecology Corps**

The American Recovery and Reinvestment Act (ARRA) provided \$1.2 million for a youth summer jobs program. The Sonoma County Water Agency, Workforce Investment Board, Human Services Department, the Office of Education, and the nonprofit New Ways to Work combined forces to create the Summer Youth Ecology Corps. This program provided jobs, environmental education, and workforce skills to 300 young people aged 14-24. New sources of funding are needed to carry this program into future years.

**Action:** Sponsor or support state legislation or budget appropriations which would fund the Summer Youth Ecology Corps.

## **Criminal Justice**

### **74. Funding Responsibility for Civil and Criminal Grand Juries**

The state, through trial court funding, has transferred court fiscal responsibility to the state. The fiscal responsibility of criminal and civil grand juries was not included in the transfer. Since the County lacks control over activities, expenditures, and investigatory activities (which include county agencies and officials as well as special districts and cities) of grand juries, it is reasonable that the fiscal responsibility should also be transferred to the State. Grand juries report to the presiding judge and the presiding judge can order the county to increase funding for grand juries if a request is made and approved.

**Action:** Support legislation that would transfer fiscal responsibility of civil and criminal grand juries to the State since Government Code Section 914 allows the presiding judge to approve expenditures in excess of budget.

### **75. Reimbursement for Court Security Costs**

Pursuant to Government Code Section 69922, the Sheriff's Office is obligated to provide security for the local Court. For the past several years, funding for court security services has been provided through the State Trial

Court Trust Fund as a payment from our local Court. Many costs have been either non-eligible or not allowed to be paid until additional funds were allocated to the local Court by the State Legislature. These costs include new hire and ongoing general deputy training, initial uniform and equipment, Lieutenant's time managing the Court Security Bureau, professional services such as payroll and accounting, general overhead, retiree health care, 4850 costs, and costs to transport inmates to and from court.

As part of the 2011-2012 State Budget, the legislature enacted a "realignment" of State program responsibilities and revenues to local government. With the passage of AB 118, the Local Revenue Fund 2011 and various subaccounts, including the Trial Court Security Account, were created in the State Treasury. Funding is provided through specified tax sources and other monies. The Trial Court Security Account monies are allocated monthly by the State Controller to the counties. Certain court security costs not funded in the past will be eligible to be reimbursed, if monies are sufficient in the Trial Court Security Account. These costs include the Lieutenant Pay and professional services.

Confusion still exists around exactly what can and cannot be funded since the Administrative Office of the Courts rules and SB 1396 still apply with regard to the billing principals of negotiated security contracts. The legislative language needs to be consistent and allow the broadest use of the funds so that counties are not responsible for payment of Court costs. Ideally new legislative language should also allow for expansion of the funds to apply to costs required for the transportation of inmates to and from Court facilities. Additionally, realignment funding for court security ensure that future funding includes cost of living adjustments and allows for additional costs related to new judgeships, expansion of court facilities, or other conditions requiring additional court security personnel.

**Action:** Support legislation that:

- Allows counties to be reimbursed for all costs for court security;
- Provides future court security funding to the counties with cost of living adjustments, provisions for new judgeships, changing or expanding court facilities, and other events that require additional court security personnel or security costs;
- Allows for other court security related items, such as transporting inmates to and from Court facilities, to be considered as eligible costs for realignment funding;
- Cleans up language in the Superior Court Law enforcement Act of 2001 (SB 1396) to be consistent with the Realignment Act of 2011 (AB 118);
- Revises Government Code 69922 as a result of the State's Realignment Act of 2011 (AB 118);
- Clarifies the definition of what Court Security costs are and provide that all court security costs shall be reimbursable; and
- Expands the eligibility of costs to include transportation of inmates.

## **76. County Correctional Facilities and Funding/Overcrowding**

Sonoma County projects the County jail will reach its inmate population capacity by 2025. State prison reform efforts have shifted many state inmates to the county jail, further reducing available capacity. The estimated cost to consolidate and expand the County's main adult detention facility to house the increasing inmate population is over \$400 million. Furthermore, a panel of three federal judges has ordered the state to reduce the state prison population to 137.5% of capacity by April 18, 2014, down from the December, 2013, population of approximately 150% of capacity.

**Action:**

- Support legislation that enhances diversion strategies, to prevent offenders from further involvement in the criminal justice system, e.g. mental health treatment, substance abuse treatment, vocational training, and adult probation supervision;
- Support proposals to provide state funding to maintain and expand County correctional facilities to house increasing inmate populations, and to fund viable jail alternatives; and
- Oppose legislation that complies with the federal court order by shifting more State prison inmates to county jails and/or county probation, and releases dangerous felons into our community, for lack of a secure state facility to house them through the end of their sentence.

## **Development, Administrative Support & Fiscal Services**

### **77. CEQA Reform: Adaptive Management Practices**

Current CEQA rules require development and evaluation of a stable project description that does not change during the life of a project. Many of the Water Agency's fishery and habitat restoration projects use an adaptive management approach that is not easily implemented under the terms of CEQA in its existing form. Reform legislation would be an opportunity to seek modifications to CEQA that enable greater use of adaptive management methods while maintaining and even improving the environmental protections afforded by the law.

**Action:** Monitor development of CEQA reform legislation in Sacramento and support language that maintains the full integrity of environmental protections afforded by CEQA, and support amendments to CEQA legislation that would facilitate environmental review of projects that employ adaptive management methodology.

### **78. CEQA Reform: Tiering of Environmental Documents**

Recently, the CEQA Guidelines were modified in response to a 2002 lawsuit by the Citizens for a Better Environment (CBE vs. California Resources Agency). One effect of these changes was removal of specific guideline language (CEQA Guidelines Section 15152 (f)(3)(C)), which previously allowed agencies to "tier" a Mitigated Negative Declaration for a project on a previous Programmatic EIR, so long as no new, unmitigatable significant impacts are identified. Even if significant impacts were identified for the subsequent project, a mitigated negative declaration could still be used so long as the impacts were identified and found to be acceptable in the previous EIR (i.e., findings were made in support of a Statement of Overriding Considerations). The County has numerous Programmatic EIRs (General Plan, Arm Plan, Airport Master Plan, etc.) upon which environmental documentation for a wide array of future projects should be able to tier, without the preparation of new EIRs. Given confusion over the new CEQA Guidelines, agencies may now need to prepare new EIRs to address subsequent project impacts, even if they were previously analyzed and, if found to be significant, overridden. This is in direct conflict with longstanding CEQA principles in support of document tiering, and is in direct conflict with CEQA process streamlining.

**Action:** Support amendments to streamline CEQA statute and/or guidelines to clearly provide for the tiering of mitigated negative declarations on Programmatic EIRs, including situations where the subsequent project would have significant unavoidable impacts that were adequately identified in the Programmatic EIR, and allow for multiple projects within a given area to share recent environmental data collected in the area.

### **79. CEQA Reform: Last Minute Information Submittal**

The CEQA statute allows potential litigation issues to be raised very late in the decision-making process, well after the close of the public comment period. Despite prescribing very clear and publicly noticed review periods during which anyone can submit comments on the adequacy of CEQA documents, the statute also allows new information (and future causes of action in litigation) to be inserted into the process at any time prior to the close of the last public hearing before final project approval by the lead agency (PRC Section 21177[a]). Project opponents regularly take advantage of this provision to introduce voluminous information about environmental issues at the last minute, with the intent and effect of disrupting the project review process and delaying the decision while the lead agency scrambles to ensure that every issue is adequately addressed. At its most troublesome, this information consists of material that could have been known and submitted earlier or that duplicates earlier submittals. This practice diminishes the importance of the orderly public review opportunities included in the CEQA process and often introduces substantial uncertainty into the decision-making process at the eleventh hour.

**Action:** Amend the CEQA statute to limit the introduction of new environmental information after the close of comment periods, with an exception for significant new information that could not have been known earlier. Further, amend the statute to enhance public review opportunities prior to final decision.

### **80. CEQA Reform: Increase Defensibility of Negative Declarations**

The fair argument standard creates a very low threshold for a lead agency's decision to prepare an Environmental Impact Report (EIR) instead of a Negative Declaration (ND) or Mitigated Negative Declaration (MND). In many cases the standard has appropriately encouraged lead agencies to be accountable for sound environmental planning. However, the fair argument standard has not evolved, while the level of detail and sophistication of environmental analysis in ND/MNDs has improved dramatically in the nearly four decades since the standard was codified in *County of Inyo v. Yorty*. Consequently, unnecessary and costly EIRs have been required in circumstances where well-prepared ND/MNDs can and should suffice. As CEQA practice has matured, NDs and, particularly, MNDs, have evolved such that many now contain a thorough, well-supported discussion of environmental impacts and mitigation measures, with technical studies and other substantial evidence included to support the conclusion that "clearly no significant effect on the environment would occur" after mitigation (14 CCR Section 15064[f][2]). In this way, many MNDs now fulfill the essential disclosure and mitigation purposes of CEQA. Despite this evolution in the effectiveness of ND/MNDs, the only question that really matters is whether any substantial evidence exists to suggest that the project may have a significant impact. Under the fair argument standard, an EIR is required even when other substantial evidence clearly and convincingly shows that the project will not have a significant effect.

**Action:** Support legislation that balances more stringent standards for responses to public comments and greater opportunities for public review throughout the CEQA process with a more deferential standard of review for Negative Declarations and Mitigated Negative Declarations that have been subjected to this more rigorous review.

### **81. Tribal Issues**

Federally recognized Indian tribes can develop lands held by the federal government in trust, without regard to local land use plans, such as the County General Plan. Further, such developments can have a number of impacts on the County, its citizenry, services, lands, and infrastructure that the County may not have the ability to mitigate. Recognizing this, the Board has adopted resolutions and provided policy direction both on specific development proposals, as well as more general matters, for tribal gaming and other development on tribal lands. Board policy has included opposing tribal gaming and insuring that the impacts of tribal development projects approved by the BIA are fully mitigated. In addition, the Board and County staff have actively participated in developing policy which deals with these issues regionally, and on state and national levels.

**Action:** Monitor and support efforts to enact legislation and regulations consistent with California State Association of Counties (CSAC) and National Association of Counties (NACo) policies, prior and future Board resolutions, and policy direction with respect to tribal recognition, fee-to-trust reform, and development proposals. Oppose legislation and regulations that are inconsistent with the above.

### **82. Workers' Compensation**

Since passage of SB 899 (Poochigian, 2004) Workers' Compensation Reform, labor representatives and the workers' compensation applicant attorney bar have sought legislative support for weakening the just-enacted reforms, pressed the Administrative Director to produce weakened guidelines, and pursued legal challenges to the new reforms. Previously, extraordinarily high Workers' Compensation costs experienced by Sonoma County and other public employers resulted in the need to divert important discretionary general funds away from other identified needs to offset this growing liability. Further, the claims adjudication system became unbalanced to the point that common sense often did not prevail in the determination of benefits.

**Action:** Oppose all legislative and administrative efforts aimed at further reducing improvements made to the workers compensation system through SB 899. Continue to actively support the legislative platforms outlined by

various statewide public employer organizations, including the California State Association of Counties (CSAC), the CSAC Excess Insurance Authority (CSAC-EIA), and the Public Agency Risk Managers Association (PARMA).

### **83. Pesticide Regulatory Activity Funding and Early Pest Detection, Surveillance, and Management Programs**

The costs of operating County programs are not being adequately funded in order for counties to provide the level of pesticide enforcement activities expected by the public. Specific public concern and attention is focused on air and water quality, worker safety, and endangered species.

County early pest detection, surveillance, and management programs are critical to Sonoma County, and the entire state, as a means of preventing the introduction and spread of exotic pests. These pests can range from Sudden Oak Death, Light Brown Apple Moth, European Grape Moth, Asian Citrus Psyllid, Diaprepes Root Weevil, and Glassy-Winged Sharpshooter, to various noxious weeds and Vine Mealybugs. With an 80% reduction of funding to perform these activities, the state and counties have reduced or eliminated these programs, putting the program and entire state at risk. These programs are administered in conjunction with the California Department of Food and Agriculture and USDA.

**Actions:** Support legislative and budget proposals that would provide adequate funding to provide a robust level of service at the County level, and obtain broad support for programs and funding for these programs at federal, state and local levels. Support legislative and budget proposals that would provide resources for counties to perform early pest detection, surveillance, and management programs; and obtain broad support for programs and funding for these programs at federal, state, and local levels.

### **84. Transportation Fee Limits**

The County has authority to issue transportation permits for extra-legal loads (i.e., over height, width or length) on County roadways. The County issues over 1,000 such permits each year. Approximately 80 percent of these permits are for one-time uses, such as moving a large piece of equipment or a building. The remaining permits are annual permits for entities that regularly move large loads.

The fees for these permits are set by the Vehicle Code at an amount not to exceed the fee collected by Caltrans for similar permits on state highways. The fees themselves are set in the California Code of Regulations. Currently these fees are \$16 for a one-time permit and \$90 for an annual permit. The time needed for County staff to process these permits is not great. However, these very low fees do not begin to cover the actual cost. Staff analysis indicates that these fees only recover just over 60 percent of the actual cost. Occasionally a permit takes many hours of staff time to ensure the transport will occur safely and, still, \$16 is the only fee collected.

**Actions:**

- Amend the California Code of Regulations, Title 21, Section 1411.3 to increase transportation permit fees for one-time and annual permits to \$20.00 and \$110.00, respectively;
- Amend California Vehicle Code Section 35795 to allow local jurisdictions to charge transportation permits fees that reflect the cost of processing these permits; and
- Support the current proposal of the Caltrans Transporter Permits Advisory Council to increase transportation permit fees by 19 percent and support efforts to move toward eventual full cost recovery for these permits.

### **85. Force Account Labor Threshold**

Use of force account labor is restricted to projects totaling \$30,000 or less under the Uniform Construction Cost Accounting Act of the Public Contract Code (The Act). Sonoma County Facilities Operations is allowed to use its in-house Building Mechanic for labor construction and maintenance projects under \$30,000. The \$30,000 limit on force account labor is restrictively low and does not adequately take into account construction project costs escalation. Construction projects can be delivered effectively and efficiently through in-house labor. This

threshold level is constrictive, particularly with detention work which requires additional background clearance and security measures for outside contractors, at a cost of up to \$125,000. Legislation approved in 2011 increased the formal bidding threshold under the Act from \$125,000 to \$175,000. However, the \$30,000 threshold on force labor accounts remains.

**Action:** Support legislation to amend the Uniform Construction Cost Accounting Act of the Public Contract Code to increase the authorized amount of force account labor for construction projects to align with the same level allowed for purchasing.

## **86. Federal Transportation Funding Priorities**

The County has numerous transportation infrastructure projects that are planned or require funding. Transportation infrastructure is critical to the continued success and bolstering Sonoma County's economic development, tourist, and manufacturing industries. In addition, these projects improve the safety of residents. The project priorities include:

**Forestville Bypass.** The project proposes to reconstruct a portion of State Route 116 with a separate link connecting to Mirabel Road. This would be a significant safety improvement to this community. Portions of the right-of-way have been secured by developer subdivision process and County acquisitions.

**Monte Rio Bridge Replacement.** This project proposes to replace the main structure across the Russian River that has severely deteriorated in recent years. A cooperative agreement with Caltrans will be required.

**Brickway Extension.** This project proposes to extend Brickway Boulevard south over Mark West Creek to Laughlin Road. This project will provide a direct link connection to the airport area from River Road. This project will shift some traffic from Fulton Road and the Highway 101 at the Airport interchange. A major component of this project is a new bridge over Mark West Creek. Following construction of this new link, the existing narrow Laughlin Road Bridge over Mark West Creek will be closed to vehicular traffic, but will remain as an historical structure (1916 earth-filled arch). Future use will be limited to pedestrians, bicyclists, and emergency vehicle access only.

**Laughlin Road Widening and Intersection Improvements at River Road.** This project proposes to widen Laughlin Road from the Brickway extension to River Road. This project includes the intersection control improvements at River Road/Laughlin Road/Woolsey Road, with the accompanying widening of segments of River Road and Woolsey Road. This signal is necessary when the Brickway extension opens to allow traffic from airport area to access River Road.

**Action:** Support efforts for inclusion in the next federal transportation re-authorization bill.

## **87. Sonoma County Transit Buses**

This project proposes to purchase eight 40-foot compressed natural gas powered transit coaches. The County and the region are committed to a comprehensive effort to improve the air quality of this area. To this end, the County has replaced the diesel bus fleet with clean burning equipment powered by natural gas. The County is scheduled to replace eight buses over the next year to maintain service on all routes. In this difficult economy, bus transit has become more of a necessity to the general public, and these new buses will help fill service gaps.

**Action:** Seek federal appropriations for new bus purchases.

## **88. Code Enforcement Officer Access to Assessor Records**

Code Enforcement staff respond to numerous complaints alleging unpermitted construction and land use, including entirely new structures, additions and remodels to existing buildings, and creation of additional dwelling units. Investigating these allegations relies on access to various property records and permit histories. Of

particular importance are historical records showing the building footprint shape, interior characteristics (i.e., number and location of bedrooms, bathrooms, kitchens, floors, basements, etc.), and changes to the structure over time. The Assessor's Office maintains "appraiser's notes" and other proprietary records that specifically provide this type of information. Access to these records is critical for a Code Enforcement Officer's determination whether unpermitted construction has occurred.

Pursuant to the Revenue and Taxation Code, Section 408, these specific and detailed Assessor's records are considered not to be public records and may only be accessed by specified members of law enforcement, the Grand Jury, various other authorized state bodies, or through written authorization from the property owner. The Assessor's office does not regard Code Enforcement Officers (as defined in Penal Code Section 829.5) as either law enforcement or an authorized state body. Property owners are reluctant to allow a Code Enforcement Officer the ability to pursue an allegation of unpermitted construction and deny authorization.

As a result, Code Enforcement Officers only have access to "non-confidential property characteristics" information from the Assessor's Office, the same access granted to the public at large. These records are typically vague and only reflect current conditions. This general information does not provide the historical context and details required by Code Enforcement to thoroughly investigate an allegation of unpermitted construction.

**Action:** Support unrestricted access by Code Enforcement Officers to view "appraiser's notes" and other confidential records maintained by the Assessor's Office for the purpose of researching and investigating alleged unpermitted construction and land use. Amend the Revenue and Taxation Code Section 408 to include Code Enforcement Officers (as defined in Penal Code Section 829.5) as authorized to view Assessor's documents not otherwise considered to be public records.

## **89. Sudden Oak Death Outreach and Control Program**

The County remains concerned about the ongoing threat of Sudden Oak Death (SOD) in county parks and open space. SOD threatens the survival of tanoak and several oak species in California, and has afflicted tree populations along the coast since 1995. SOD has killed more trees this year than in the last two years. Sonoma County is experiencing the worst tree mortality of any county in the State. The Forest Service conducts annual aerial surveys over California forests to document damage. The 2012 survey reflected a significant increase in SOD's impact on the North Coast. An estimated 136,918 of the newly dead trees, predominantly tanoaks, are in Sonoma County. In this county an estimated 105,000 acres are infected. In January 2008, the Sonoma County Department of Emergency Services and the University of California Cooperative Extension (UCCE) released the Sonoma County SOD Strategic Response Plan, citing threats ranging from falling trees to habitat and economic losses. This followed their 2006 launch of a successful education and outreach program designed to mitigate the spread of the disease, and to manage the increased fire hazard resulting from the disease. Early detection is crucial to management. In spring of 2012, as part of an annual field inspection, hundreds of trees were examined for SOD in Sonoma County and 278 suspect trees were tested for infection. Of those tested, 46.4% came back positive for SOD. The proportion of infections in this small sample of trees illustrates the potential severity of the issue throughout the entirety of Sonoma County.

**Action:** Seek \$1,000,000 appropriation for fire hazard mitigation. Support legislation to allocate funding to support Sudden Oak Death monitoring, education, fire fuel mitigation, and hazardous tree removal for all affected County departments and agencies.

## **90. Fair Share of Property Tax Administration Costs**

**Issue:** Since 2005 the State of California, on behalf of schools, has not paid any of the property tax administration costs. The prior Property Tax Administration Program (PTAP) only covered a small portion of the state's share of the costs (Sonoma County's share was \$1,035,000). The county, cities and special districts pay all costs for the property tax administration program, but get less than 40% of the property tax revenue. Having the State pay its "Fair Share" of the administration costs would provide more financial support for Assessor's, Tax Collector and Auditor's offices, as well as potentially reducing the County's cost for the program.

**Action:** Seek and support legislation which would ensure that the State, on behalf of schools, provides its share of needed funds associated with administering and collecting property taxes.

## **91. Dissolution of Redevelopment Agencies**

**Issue:** Governor Brown approved legislation in 2011 to eliminate all redevelopment agencies (RDAs) in California. The provisions of the Redevelopment Dissolution Act as initially enacted and subsequently revised have been unclear, subject to change, and in some cases apparently contrary to other laws (such as federal contract law). Additionally, the State Department of Finance (DOF) has excised broad, unilateral, and retroactive decision-making authority in implementing the Dissolution Act. Despite close adherence to the provisions of the Act, the duly appointed County Oversight Board's decision to authorize completion of the Highway 12 and Roseland Shopping Center projects has been challenged by the DOF. The initial ruling by the Court upheld the County's position that the projects are authorized legally enforceable obligations, but the DOF has appealed that ruling.

While the elimination of RDAs will greatly impede the County's ability to improve and expand the infrastructure, facilities, and economies of the three project areas of Roseland, Sonoma Valley Springs, and Russian River, the County as Successor Agency and the Sonoma County Community Development Commission (CDC) as Successor Housing Entity are complying with every provision and timeline established in the Dissolution Act. The State DOF is not adhering to this same standard, and is therefore frustrating the Successor Agency and Housing Successor Entity's attempts to unwind and satisfy the former County RDA's non-housing obligations, and prudent management of the former County, City of Sebastopol, and City of Sonoma RDA's housing assets.

**Action:** Support legislation that:

- Prevents the State DOF from any retroactive application of the provisions of AB 1484 to cover a time period prior to June 28, 2012;
- Prevents the State DOF from retroactively revising or rescinding its decisions;
- Removes or reduce the State DOF's authority to overturn Oversight Board decisions that are made appropriately pursuant to the terms of the Dissolution Act;
- Enables Successor Agencies and Housing Successor Entities to use bond proceeds from issuances through December 29, 2011 (the date on which the State Supreme Court upheld the validity of the Dissolution Act) for the purposes stated in the bond indenture;
- Allows Housing Successor Entities to keep unencumbered balances of low/moderate-income housing funds for use pursuant to the housing provisions of California Redevelopment Law (CRL); and
- Creates new programs or financing mechanisms to support redevelopment, infrastructure, and economic development activities.

Oppose passage of any legislation that:

- Allows the State DOF to retroactively apply the provisions of AB 1484 to cover a time period prior to June 28, 2012; and
- Strengthens the State DOF's unilateral authority to overturn Oversight Board decisions that are made appropriately pursuant to the terms of the Dissolution Act.

Monitor new legislation or initiatives that:

- Revises the Dissolution Act to reform the way in which Successor Agencies will be permitted or required to implement the unwinding and final satisfaction of their enforceable obligations;
- Revises the Dissolution Act to reform the way in which the Housing Successor Entities will be allowed to take ownership of, and use, housing assets of the former RDAs;
- Amends the housing provisions of CRL to reform the way in which Housing Successor Entities are permitted or required to use housing assets, and future income from housing assets; and
- Creates new programs or financing mechanisms to support redevelopment, infrastructure, and economic development activities.



## **County Supported Items with Other Lead Agencies**

### **Sonoma County Water Agency**

#### **A-1. Russian River Biological Opinion (BO)**

The Water Agency is required to implement the Recommended Prudent Alternatives and Measures and the other terms and conditions of the Biological Opinion (BO) and continue to coordinate with US Army Corps of Engineers on obtaining currently identified funding needs, identifying long-term funding needs, determining the appropriate review and approval process and federal authorization needs, and ultimately to jointly implement the alternatives and terms and conditions. Russian River Project authorization was included in the proposed 2010 House Water Resources Development Act (WRDA) legislation and will need to be included in future WRDA legislation. American Recovery and Reinvestment Act (ARRA) funding and additional Operations funding has been received to initiate some of the alternatives and measures. Over the remaining 11 year term of the BO, millions of dollars of annual funding beyond the operations and maintenance needs of the existing Lake Sonoma and Lake Mendocino facilities will be needed to meet the timelines and project needs identified in the BO.

**Action:** Support Water Agency efforts to:

- Seek legislation that would implement the Recommended Prudent Alternatives and Measures and terms and conditions of BO;
- Support reintroduction Russian River Project Authorization/Water Resources Development Act language amending existing authorization in 113th Congress and where possible use existing Corps authorities; and
- Support continued appropriations for Corps authorized BO requirements in Energy and Water appropriations bills.

#### **A-2. Russian River Project: Warm Springs Dam and Coyote Valley Dam Operations**

Operations and Maintenance funding varies annually, and is not always adequate to fully fund hatchery operations. The Sonoma County Water Agency has pursued additional funding annually to support existing Coho broodstock program.

**Action:** Support Water Agency efforts to acquire full funding of Operations and Maintenance (O&M) needs and to implement an existing and expanded Coho broodstock program; and support SCWA efforts to pursue statutory or report language directing the Corps to use O&M funding for ESA purposes.

#### **A-3. North Bay Water Reuse Program**

The North Bay Water Reuse Program is a regional cooperative program in the North San Pablo Bay Region that includes as partners the Sonoma County Water Agency, Napa Sanitation District, Sonoma Valley County Sanitation District, the County of Napa, Las Gallinas Valley Sanitary District, North Marin Water District, and Novato Sanitary District. The purpose of the Program is to promote sustainability and environmental enhancement by expanding the use of recycled water. The United States Bureau of Reclamation (Reclamation) is the federal partner in this program and has already provided millions of dollars in funding toward 50% of the Feasibility Study for Phase 1.

There is an existing federal authorization for a \$100 million dollar construction program with up to \$25 million federal cost share and the ability to expand into additional phases of another \$100 million dollar construction program. Phase I construction works are already underway with an award of ARRA funds of \$7.3 million in 2011 for design and construction of multiple projects in Napa, Sonoma, and Marin Counties. A scoping effort for Phase II of the program to increase storage and distribution of recycled water beyond

Phase 1 projects is currently underway with cost share being provided by Reclamation and the local partners and an estimated scoping analysis completion date of early 2013.

**Action:** Support Water Agency efforts to:

- Request for additional funding for Phase I construction projects through the Water Smart Grant program administered by Reclamation;
- Increase grant limits for regional, multi-phase projects such as this program; and
- Request for additional funding for a Phase II Feasibility Study, including engineering and economic analysis and amendments of existing environmental documents, if project partners determine a desire to enter into this phase pending the results of the scoping analysis.

#### **A-4. Pacific Coastal Salmon Recovery Fund**

Appropriations of \$80 million per year were approved in fiscal years 2009-2012, and funding for fiscal year 2013 was \$65 million. Funds are allocated among the Pacific states based on applications submitted by the states. California disburses the funds to local projects through the California Department of Fish and Game Fishery Restoration Grant Program. SCWA Director and Supervisor Efren Carrillo is part of the selection committee.

**Action:** Support Water Agency efforts to maintain future years funding and advocacy for an equal share among states. Funding for this program, which is restoration oriented, should be kept separate from reparations for losses in fish harvest.

#### **A-5. Climate Protection and Energy Efficiency Legislation**

Legislative measures to implement nationwide reductions in greenhouse gas emissions failed passage in the prior legislative session. The 112<sup>th</sup> Congress is likely to consider less expansive measures that would make incremental progress toward increased energy efficiency, implementation of renewable portfolio standards, and other items. Staff and Board members have monitored and participated in Climate Communities efforts to establish revenue streams to support local government addressing climate change.

Climate protection and energy efficiency program legislation offers an opportunity to advance local efforts by providing federal funding and policy support. Authorization language would help establish long-term program with federal cost-share.

**Action:** Support Water Agency efforts to seek the introduction of legislation that authorizes a competitive grant program that addresses energy efficiency, renewable energy, and water conservation programs; and support implementation language of renewable portfolio standards and revenue streams to support local governments that are addressing climate change.

#### **A-6. San Pablo Bay Ecosystem Restoration**

The Water Resources Development Act (WRDA) 2007 authorized \$40 million for restoration projects in the San Pablo Bay watershed, but no appropriations have been allocated. There is a need for funding allocation in an appropriations bill. Existing authorization and future funding could possibly be utilized to offset costs for storage and wetland restoration for water reuse projects in the San Pablo Bay watershed.

**Action:** Support Water Agency efforts to obtain federal funding for the San Pablo Bay Ecosystem Restoration effort.

## **A-7. Quagga/Zebra Mussel Statewide Fee and Inspection Program**

The quagga and zebra mussels (collectively referred to as Dreissenids) are among the most devastating invasive species to invade North America fresh waters. The mussels create severe ecological and economic impacts because, once established, they can clog water intake and delivery pipes, infest hydropower equipment, adhere to boats and pilings, foul recreational beaches, and damage fisheries. Invasive Quagga mussels are present in several California lakes and represent a threat to water supply and fish hatchery operations at Lakes Sonoma and Mendocino; both lakes are susceptible to a mussel invasion because of the high amount of year round watercraft recreation traffic and the lack of mandatory inspection.

There is no effective eradication method and the cost to remove the mussels from water intake screens and pipes could have substantial costs. Prevention of contamination and spreading of mussels is an effective way to preserve an invasive-free waterway. Proper and thorough inspection is a necessary component in the ongoing effort to eliminate the spread of mussels. Dedicated permanent funding to support permanent staff and programs is necessary to effectively prevent infestation in local water supply facilities. The U.S. Army Corps of Engineers operates and manages the recreational functions of both lakes and their support and cooperation is essential for implementation of programs to prevent mussel infestation. To date, the Corps is not operating any mandatory inspection programs at either Lake. The Corps has posted public outreach signs and is relying on voluntary, self-imposed inspections of watercrafts entering the reservoirs.

**Action:** Support Water Agency efforts to:

- Requests for increased Operations & Maintenance funding for the Corps to develop and implement a mandatory Boat Inspections Program at Lakes Sonoma and Mendocino for Invasive Species Eradication/Control;
- Request for specific Energy and Water appropriations bill report language directing the Corps to implement boat inspection programs to prevent mussel infestation in Lake Sonoma and Lake Mendocino.

## **A-8. NOAA's Hydrometeorology Testbed Project Implementation**

National Oceanic and Atmospheric Administration (NOAA) studies demonstrated the potential value of new hydrometeorology technology for improving water resource management in California. The program introduces advanced forecasting methods developed in the US mid-continent region for severe weather studies to the western US in an effort to provide more accurate and longer range precipitation forecasts. Water managers in California manage reservoirs in the winter season for flood prevention purposes. Water is released from storage as storms approach in order to increase capacity to capture runoff behind dams and reduce downstream flooding. Availability of more accurate and longer range precipitation forecasts could enable water managers to retain more water in storage and provide a larger water supply for the summer dry season. Improved precipitation forecasting also has critical importance for flood prediction and emergency response in Sonoma County. The Russian River Watershed is one of the most flood prone regions in the nation and Sonoma County receives more Federal Emergency Management Agency (FEMA) assistance than any other county in California. Implementation of the hydrometeorology program known as the Hydrometeorology Testbed (HMT) would be performed by the NOAA Physical Sciences Division and would require \$7.6 million in funding.

**Action:** Support Water Agency efforts to:

- Request federal appropriations for the NOAA Hydrometeorology Testbed program;
- Request for NOAA's senior management to direct any available discretionary funding for HMT programs; and
- Develop a coalition of local and regional agencies to participate in the HMT program and support additional federal funding.

## **A-9. San Francisco Bay Restoration**

San Francisco Estuary Project is part of the National Estuaries Program but receives considerably less funding than other regions. Increased funding would benefit reuse and wetland restoration projects and monitoring and research needs in the San Francisco Bay Watershed.

**Action:** Support Water Agency efforts to secure funding for the San Francisco Bay Estuary Project.

## **A-10. Collaboration with USGS and NOAA**

The Water Agency has an ongoing need for better information regarding stream flows, water quality and quantity in both ground and surface waters, and near and long-term weather predictions. This information will help with all aspects of the Water Agency's responsibilities to provide water, reduce flooding, and provide sanitation services. The United States Geological Survey (USGS) and the National Oceanic and Atmospheric Administration (NOAA) are two federal agencies that provide technical services to analyze, monitor, and model these areas of Water Agency interest. Any opportunity to work with such agencies, support funding for such programs, and assist in development of programs that would provide more detailed and accurate information to the Water Agency should be supported.

**Action:** Support Water Agency efforts to:

- Monitor and support federal appropriations for research, modeling, and data collection in the areas of water quality, ground and surface water supplies, streamflows, and weather and climate predictability for related programs with USGS and NOAA; and
- Collaborate with USGS and NOAA to develop and implement such programs.

## **A-11. Agricultural Water Enhancement Program**

The Northern California Wine Country Agricultural Water Conservation and Water Quality Improvement Program is funded out of the federal Agricultural Water Enhancement Program and focuses on construction of off-stream ponds and other water conserving infrastructure to reduce direct diversions. This particular program was approved for \$5.7 million in July 2009, and includes the Russian River and Sonoma Creek watersheds along with the Navarro and Napa Rivers.

**Action:** Support SCWA efforts to acquire ongoing funding of this program to assist agricultural interests in implementing projects that benefit fisheries, water conservation, and other watershed improvements in the Russian River Watershed and in the SCWA's service area.

## **Agricultural Preservation and Open Space District**

### **A-12. Sonoma Mountain Habitat Preservation Project**

The District has invested \$37 million to permanently protect 4,100 acres on Sonoma Mountain through conservation easement and fee purchases to preserve important scenic, agricultural, and natural resources. These funds would support protection through purchase of a conservation easement over a 1,112-acre property that includes significant habitat types and forms the complete headwaters to Carriger Creek, a priority riparian corridor that contains Endangered Species Act listed steelhead. This easement acquisition will complete the protection of a critical legacy piece of Sonoma Mountain, and connect this key habitat and recreation area to Jack London State Historic Park.

**Action:** Support Sonoma County Agricultural and Open Space District efforts to attain federal appropriations for Sonoma Mountain Habitat Preservation Project.

### **A-13. Mark West Creek Agricultural Diversity and Habitat Protection**

The Sonoma County Agricultural Preservation and Open Space District (SCAOSD) is working in partnership with Sonoma County Regional Parks to protect the remaining piece of a 1,076-acre natural area, which will promote agricultural diversity in Sonoma County as well as provide habitat preservation and restoration opportunities and important ecosystem services (climate mitigation and adaptation, water quality, water supply reliability, flood & storm water management and biodiversity protection). These funds would protect key riparian habitat and enable restoration of ESA-listed Coho habitat in Mark West Creek Watershed (priority area for National Marine Fisheries and California Department of Fish and Game) in the context of viable agriculture. Funds would also allow for several demonstration projects to evaluate ecosystem services and opportunities for reducing water withdrawals from the Mark West Creek Watershed.

**Action:** Support Sonoma County Agricultural and Open Space District efforts to attain federal appropriations for Mark West Creek Agricultural Diversity and Habitat Protection Project.

### **A-14. Sonoma County Stream Channels Project**

Over 80,000 acres of land in the county are protected by the Sonoma County Agriculture Preservation and Open Space District (SCAOSD) through fee and easement. These funds will support development of a plan that, when implemented, will connect urban streams and flood control channels to upslope watershed lands, increase the number and quality of recreational trail options, and increase the number of people using alternative transportation. Additionally, implementation of the plan will support climate change mitigation and adaptation. Plan implementation will also support enhancement of wildlife corridors, habitat for aquatic ecosystems, and ESA listed salmonids and other aquatic species. The plan will be developed in collaboration with the SCAOSD, Regional Parks, Sonoma County Water Agency, Sonoma County Regional Climate Protection Campaign, cities, non-Government Organizations, and other community groups.

**Action:** Support Sonoma County Agricultural and Open Space District efforts to attain federal appropriations for the Sonoma County Streams Channels Project.

### **A-15. Integrated Watershed Restoration, Stewardship and Climate Adaptation Program**

The Mark West and Maacama watersheds are two Russian River tributaries with high levels of biological diversity and a large percentage of working agricultural landscapes. These funds will support the development and implementation of a comprehensive acquisition and stewardship plan for these watersheds, which will build upon existing efforts and utilize the best available data from the scientific and agency community. A foundational element of this planning process is a fine scale habitat map which will enable targeting of acquisition and habitat restoration projects, resulting in more efficient utilization and higher return on investment of acquisition, restoration, and public access funds in the future.

A second key element of the plan will include the identification and evaluation of new tools and strategies to reduce conflicts among agricultural operations and ecosystem protection, such as new legal and policy tools to retain in-stream flows, expand riparian corridors, and incentivize best management practices. It is expected that this plan will be exportable to other watersheds and provide technology transfer to other groups. Implementation of this plan will support the protection, restoration, and enhancement of biological diversity and open-space resources of regional importance; preservation of working landscapes; improvements in water quality, habitat, and other coastal resources; and natural resource-based climate mitigation and adaptation. Key partners in this effort would include the Sotoyome Resource Conservation District (RCD), agricultural landowners, non-governmental organizations (NGOs), and watershed groups.

**Action:** Support Sonoma County Agricultural and Open Space District efforts to attain federal appropriations for the Integrated Watershed Restoration, Stewardship and Climate Adaptation Program.

## **Sonoma County Transportation Authority**

### **A-16. Sonoma County Transportation Authority (SCTA) Projects**

As a quorum of the Sonoma County Board of Supervisors helps constitute the Sonoma County Transportation Authority, and regional transportation priorities reflect County residents' needs, this Program recommends working, where feasible, in collaboration with SCTA staff and advocates to seek transportation funding from the federal government on the following focus areas.

1. Monitor the federal process related to new federal transportation legislation – development of the successor to MAP-21 or any changes, extensions or clean up to MAP-21.
2. Monitor any efforts at the federal level to implement funding or financing mechanisms that could impact transportation.
3. Engage in administrative deliberations on project delivery and implementation at the federal and state level. Advocate for efficiencies in project delivery and cost cutting measures that enable more projects to be built.
4. Advocate for legislative or administrative proposals to increase overall funding levels for transportation infrastructure, operations and maintenance in Sonoma County. Options may include: Cap and trade revenue; Statewide bond; Vehicle miles traveled tax; Fuel tax; Carbon tax; Vehicle registration fee; and Vehicle license fee.
5. Advocate for reduction of the voter threshold for special sales tax measures.
6. Oppose efforts to reduce or divert funding from transportation projects, and support efforts to protect and preserve transportation funding.

**Action:** Support Sonoma County Transportation Authority (SCTA) efforts for inclusion in the next federal transportation re-authorization bill and support, where feasible, the SCTA 2014 Legislative Platform.

## Appendix A – Combined Federal Advocacy Issues

<b>A. Top Federal Advocacy Priorities – Primary focus of Advocacy efforts</b>		
<b>No.</b>	<b>ISSUE</b>	<b>NOTES</b>
13	Geothermal Royalties	\$2,100,000
14	Family Justice Center	\$800,000
15	Perinatal Alcohol and Drug Treatment Program	\$1,000,000
16	Youth Employment Program	\$800,000
17	Dental Program for Foster Youth	\$120,000
18	Healdsburg Dam Renovations	\$2,100,000
19	Taylor Mountain Regional Park and Open Space Preserve Development	\$8,000,000
20	Bodega Bay Bicycle and Pedestrian Trail	\$5,000,000
21	US 101/River Road Interchange improvements	\$10,000,000
22	ICE Detainers – Local Flexibility	\$0
23	Broadband Deployment	\$50,000,000
24	Behavioral Health Services In Community Clinics	\$800,000
25	Subsidized Employment Program	\$2,500,000
26	CalFresh Outreach	\$600,000
27	Senior Transportation	\$1,000,000
28	McCullough/Mark West Creek Acquisition	\$8,000,000
29	Tolay Lake Regional Park Master Plan and Development	\$12,000,000
<b>Total of Federal Priority Requests</b>		<b>\$104,820,000</b>