



Humboldt County



2016 State and Federal
Legislative Platform



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STATE LEGISLATIVE GOALS

Humboldt County's primary, overarching goals for 2016 include:

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

SUPPORT STATE APPROPRIATIONS FOR PUBLIC INFRASTRUCTURE PROJECTS.

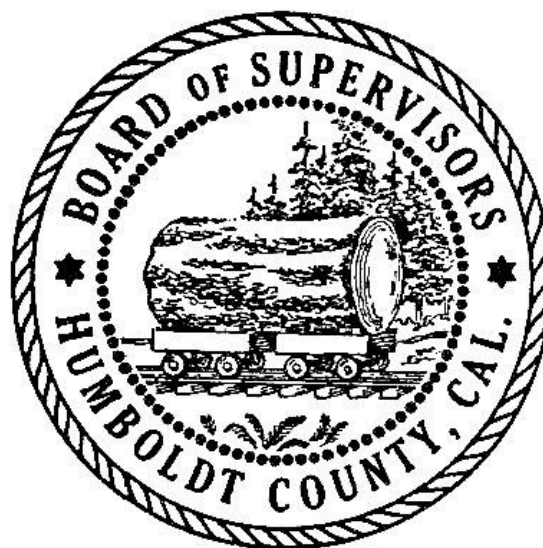
SUPPORT LEGISLATION THAT ADVOCATES FOR MAXIMUM LOCAL CONTROL AND FLEXIBILITY IN THE ALLOCATION OF RESOURCES AND THE ADMINISTRATION OF COUNTY PROGRAMS.

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

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

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

SUPPORT AND ADVANCE LOCAL INTERESTS IN NATURAL RESOURCE DISCUSSIONS.



STATE LEGISLATIVE PROPOSALS

AGRICULTURE

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

Supported by: McKinleyville Community Services District

The sea level of most of the coast of California is expected to rise by approximately one meter over the next century, and projections are even greater for areas north of Cape Mendocino. The prime agricultural lands around Humboldt Bay were created by flood control structures, and are at significant risk from sea level rise. These lands support a significant portion of the County's dairy and livestock industry, and the areas at risk were valued in 2012 at more than \$94 million.

In order to protect agricultural lands from the threat posed by sea-level rise, Humboldt County agricultural producers must begin planning to repair and increase the height of existing dykes and levees. Under the current rules (Section 30610 of the Coastal Act) agricultural producers are only exempted from Coastal Development Permit requirements for maintenance or repair activities that do not result in the enlargement or expansion of the objects (dykes, levees) under repair. Raising the heights of existing flood control structures will in many circumstances require enlarging the existing structure thereby triggering the requirement to obtain a Coastal Development Permit.

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

ECONOMIC DEVELOPMENT

ECONOMIC DEVELOPMENT TOOLS FOR SMALL MUNICIPALITIES

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

Senate Bill (SB) 628, which passed in 2014, enhances the rarely used infrastructure financing district law by lowering the threshold for voter approval for issuing bonds, expands the list of infrastructure projects eligible for financing and allows multiple cities and local governments to "opt-in" or reserve their share of the tax increment. SB 628 allows cities to create an infrastructure financing district that can issue bonds or obtain loans to finance capital public infrastructure projects with the resulting increase in property tax revenues generated by the affected area (tax increment).

STATE LEGISLATIVE PROPOSALS

Assembly Bill 2 (2015) authorized certain local agencies to form a Community Revitalization Investment Authority within a community revitalization and investment area to carry out projects previously associated with redevelopment. These projects include, among others, infrastructure, affordable housing, and economic revitalization.

The county, Cities of Blue Lake, Rio Dell and Eureka support development of additional tools that raise revenues for smaller-sized communities, similar to SB 628 (2013-14) and AB 2 (2015).

GENERAL GOVERNMENT

REDUCED VOTER APPROVAL THRESHOLD FOR LOCAL INITIATIVES

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

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

CALIFORNIA PUBLIC RECORDS ACT REIMBURSEMENT

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

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

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

IMPLEMENTATION AND MAINTENANCE OF COMMUNITY CHOICE AGGREGATION PROGRAMS

In 2002, the state provided local communities with the opportunity to procure electric power for their own residents through the establishment of community choice aggregation programs under Assembly Bill 117. The county is a member of a joint powers authority that

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is exploring options for establishing such a program for Humboldt County. Redwood Coast Energy Authority is leading this effort.

The county supports legislation that reduces cost or removes barriers to Community Choice implementation and operations.

HEADWATERS FUND INVESTMENTS

The county's Headwaters Fund was created in 1999 when the federal government purchased approximately 7,500 acres of land within Humboldt County called the Headwaters Forest and established it as a public reserve. The land was historically working forest land, and due to the loss of timber tax revenue to be received by the County as a result of the purchase, the state and federal governments awarded Humboldt County \$22 million as compensation. In October 1999, the Board of Supervisors decided to reserve \$18 million of those funds for "economic prosperity and quality of life for all Humboldt residents," and in 2002 adopted the Headwaters Fund Charter that outlines the purpose and structure of the Fund.

The management objective of the fund is to maximize the amount of money working within the community providing desired benefits while preserving the Headwaters Fund principal. The interest from the fund provides funds for projects supporting economic development in Humboldt County. These funds are expressly segregated from the County of Humboldt's General Fund and do not contribute to the operations of the County in general.

Since the inception of the fund, interest rates on the fund have plummeted, averaging less than 1 percent annually. On August 19, 2014 the Board approved an investment policy and HWF charter changes that allow the fund to be invested in longer term investments, reducing liquidity, but boasting interest to approximately 2 percent. Government code sections 53601 and 53635 limit options for investments, as they should, when dealing with funds requiring low risk and liquidity.

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

RETAIN LOCAL CONTROL REGARDING MARIJUANA

In 2015, a package of three bills were passed by the Governor related to medical marijuana. Specifically, the bills created the first statewide licensing and operating rules for medical marijuana cultivators and dispensaries since the state became the first to legalize medical marijuana in 1996. The package of bills took great strides to provide a statewide regulatory program, but issues remain and it is vital that counties maintain local control as these issues evolve.

Humboldt County continues to believe it has an obligation, through the California Constitution, to protect the health, safety, and general welfare of the public. The Constitution authorizes counties to take actions to address what an elected Board of Supervisors legislatively determines to be the negative secondary effects of medical

STATE LEGISLATIVE PROPOSALS

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

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

SEPARATING TRIAL COURT RETIREMENT SYSTEMS FROM COUNTY PERS

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

Chapter 850, Statutes of 1997, enacted the Lockyer-Isenberg Trial Court Funding Act of 1997 to provide for the creation of a Task Force on Trial Court Employees and altered funding mechanisms for local trial courts. This led to transferring funding responsibility for courts from the counties to the State. Also, Senate Bill 2140 (2000) granted courts the status of independent employers. Trial Courts and counties now function independently across the state of California. For over a decade the County of Humboldt has separated county functions from courts. Previously, court staff were considered county employees.

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

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MITIGATION OF IMPACTS FROM TRIBAL GAMING COMPACTS

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

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

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

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

OPPOSE CONSOLIDATION OF LOCAL WATER AGENCIES

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

In June 2015, the California State Legislature approved a drought-related budget trailer bill that includes Association of California Water Agencies-opposed language that would authorize the State Water Resources Control Board to mandate consolidation of public water systems. The trailer bill allows the State Water Board to order public water system consolidations or extensions of service when a system serving a disadvantaged unincorporated community “consistently fails to provide an adequate supply of safe drinking water.”

The budget trailer bill language therefore authorizes the State Water Resources Control Board (SWRCB) to mandate the consolidation of public water systems. While the title of this language is “Drought Water System Consolidation,” the language goes beyond emergency relief – it would authorize a state agency to mandate consolidation of two local entities under a broad scope of circumstances. While the County recognizes the need to supply safe drinking water is vitally important, these issues are best addressed at the local level.

The county, Humboldt Community Services District and Humboldt Bay Municipal Water District oppose legislation that would consolidate local water agencies.

STATE LEGISLATIVE PROPOSALS

OPPOSE PUBLIC GOOD TAX OR OTHER WATER TAX

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

During these times of extended drought in California, some disadvantaged communities need assistance to address their water supply challenges. However, a public goods charge imposed on water bills is not an appropriate mechanism to fund solutions.

Water agencies have made, and continue to make, significant local investments in water management programs and infrastructure. According to a recent report by the Public Policy Institute of California, local water and wastewater agencies are spending more than \$25 billion a year on local water-related programs and projects. State and federal agencies spend just a fraction of that on water in California each year. These local investments prepared local water managers to respond successfully to the current drought and have shielded the state's economy from the drought's most severe impacts over the past four years.

A Statewide public goods charge on water is contrary to local control and accountability - local water managers are best suited to identify ways to spend locally-generated revenues at their respective agencies. Layering an additional tax on water bills is not efficient and is not an appropriate solution or sound policy. Rather, it will make water less affordable. More appropriate funding sources - such as the state's general fund - should be pursued to address a problem that is in the general public's interest to solve.

The county, Humboldt Community Services District and Humboldt Bay Municipal Water District oppose legislation that would seeks drought relief by imposing water-related public good charges or additional taxes on citizens.

HEALTH AND HUMAN SERVICES

SUPPORT FOR REGIONAL APPROACHES TO SERVICE DELIVERY AND FINANCING

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

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

HELPING FAMILIES MOVE OUT OF POVERTY

The Department of Health and Human Services' mission is to reduce poverty and connect people and communities to opportunities for health and wellness. Poverty negatively impacts families, leading to poor health and social outcomes. Strengthening anti-poverty

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programs like CalWORKS that are dedicated to supporting families on the path to economic success, will assist more people in becoming self-sufficient.

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

INCREASING ACCESS TO CALFRESH

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

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

SUPPORT FOR REGULATING ELECTRONIC CIGARETTES AS TOBACCO PRODUCTS

There is increasing concern regarding the health impacts and marketing of e-cigarettes to children and youth. Legislation has been introduced that would expand the definition of "tobacco products" to include electronic devices and extend current restrictions and prohibitions against the use of tobacco products to electronic cigarettes.

The county supports increased regulation of electronic cigarette products.

PEDIATRIC OBESITY FUND - TAXATION OF SWEETENED BEVERAGES

Sugar-sweetened beverages have been linked to health problems ranging from obesity to diabetes. Legislation to impose a tax on sweetened beverages will aid significantly in reducing the consumption of sugar-sweetened drinks and generating revenue for health programs. Local health departments are in a prime position to administer programs that reduce childhood obesity and should be the recipients of a significant portion of funds generated by a sweetened beverage tax.

The county supports legislation to create a Pediatric Obesity Fund, funded by the taxation of sweetened beverages.

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SUPPORT FOR LIMITING MEDI-CAL ESTATE RECOVERY

Federal Medicaid law requires states to recoup the costs of certain health care benefits from Medicaid beneficiaries after they die. California law, however, recovers more than what is federally required. Many beneficiaries are not well-informed of the law, leading to confusion and difficulties for the surviving family members. Estate recovery acts as a deterrent to signing up for Medi-Cal and is counter to state, federal and county efforts to enroll people into health coverage. A bill was introduced in 2015 to limit Medi-Cal estate recovery for those age 55 and over to only the health care costs required to be recovered under federal law and importantly, would require the state to provide to Medi-Cal beneficiaries, free-of-charge, the total amount of Medi-Cal expenses paid on behalf of the beneficiary that are subject to estate recovery. This information helps beneficiaries make informed choices about their health care coverage and estate planning.

The county supports legislation that encourages eligible individuals to enroll in Medi-Cal by limiting and clarifying the Medi-Cal estate recovery program.

NATURAL RESOURCES

OAK WOODLANDS RESTORATION

Oak woodlands have important economic and ecological value. In the north coast these woodlands are under threat of loss due to the encroachment of Douglas fir from the lack of periodic wildfire. Forest management practices have the ability to restore these stands. However, current California Forest Practice Rules limit needed management actions. While the rules allow for harvest of the invading conifers, 912.7, 932.7, 952.7 *Resource Conservation Standards for Minimum Stocking*, outlines required conifer stocking standards after timber operations have been completed. These rules mandate conifer planting, even if the goal of timber operations is to restore oak woodlands and thereby reduce conifers. In addition, restocking conifers in oak woodlands creates issues with converting one species (oak) to another species (conifer).

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

PLANNING AND BUILDING

HOUSING ELEMENT COMMENT PERIOD

California Government Code Section 65585 defines the process and timeline for review of a local government's draft Housing Element by the Department of Housing and Community Development (HCD). The process requires that HCD shall complete its review and provide its response to the planning agency within 90 days of receipt of the draft, during which time it shall consider comments from any public agency, group or person. This allows that HCD

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may consider comments or information that were not made available to the planning agency at the time of its review. The process also does not establish any deadline for receipt of comments by HCD.

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

REDUCED STATE REGULATIONS FOR COMMUNITY DEVELOPMENT AND DESIGN

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

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

Given the current RHNA process, and the historical local distribution of RHNA requirements to the County by the Humboldt County Association of Governments, the county is compelled to site affordable housing in unincorporated areas that are distant from essential services and community centers. This development pattern is against the wishes of the community and is inconsistent with Legislative policies such as Senate Bill 375 (2008).

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

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

STATE LEGISLATIVE PROPOSALS

PUBLIC SAFETY

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

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

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

AMENDMENT TO BERGESON LAW

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

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

PUBLIC WORKS

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

In 1995, Senate Bill 414 was introduced by Senator Mike Thompson. This bill introduced 14 double fine zones across the state. The bill was set to expire on January 1, 2004, but under Assembly Bill 1238 (2003), State Highway 101 in Humboldt County was the only double fine zone to be extended to January 1, 2006. In 2005, the County received a grant with support from the Office of Traffic Safety through the California Highway Patrol to promote public awareness about how to drive safely while traveling along the State Highway 101 corridor between Eureka and Arcata.

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

STATE LEGISLATIVE PROPOSALS

In 2013, the California Coastal Commission conditionally approved a project submitted by the California Department of Transportation (CalTrans), which would improve the State Highway 101 corridor and eliminate the need for a double fine zone. This project, while beneficial to Humboldt County citizens, may be years away from completion. Therefore, due to current safety concerns, the County of Humboldt seeks to maintain increased safety enforcement through the segment of State Highway Route 101 between the Eureka Slough Bridge and the Gannon Slough Bridge, until improvements are made.

SURVEYOR MONUMENT PRESERVATION

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

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

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

HUMBOLDT BAY TRANSPORTATION INFRASTRUCTURE

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

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

ENVIRONMENTAL STREAMLINING FOR FISH PASSAGE PROJECTS

Local governments frequently undertake projects that will improve the passage of fish through streams and rivers by removing blockages and improving culverts. Often the permit process can delay and increase costs for these projects. Fish passage enhancement projects should be considered water quality improvements and not be delayed in the permit process.

STATE LEGISLATIVE PROPOSALS

Legislative and regulatory efforts should focus on streamlining the delivery of projects that improve fish passage for salmonids and therefore enhance the environment.

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

LOCAL REHABILITATION PROJECT ELIGIBILITY FOR STIP FUNDING

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

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

FINANCIAL RELIEF FROM STATE REGULATORY REQUIREMENTS FOR MUNICIPAL STORM WATER DISCHARGE

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

Humboldt County continues to support efforts to improve and maintain storm water quality. However, the MS4 General Permit is an unfunded mandate that requires extensive new programs and practices and shifts enforcement responsibilities to local communities while the State continues to collect and retain substantial fees. The administrative, reporting, and monitoring burden of the new storm water permit is substantial. For example, Humboldt County is required to perform expensive sampling and laboratory testing of storm water discharges in the remote, rural area of Shelter Cove for at least two years to prove that the storm water does not exceed standards established for more urban areas more likely to have pollutant sources. This requirement threatens to divert needed funds from the County's other commitments to environmental stewardship and be counterproductive for achieving real water quality benefits. The City of Trinidad faces the same situation.

Financial relief is needed to assist economically disadvantaged communities to comply with the State storm water permitting requirements. Options include (1) authorize State funds from Proposition 84 and/or the 2014 water bond to be used for financial assistance with

STATE LEGISLATIVE PROPOSALS

municipal storm water programs; (2) reduce State fees charged to cities and counties for the storm water permit; and (3) provide regulatory flexibility so the permit requirements are not radically disproportionate to the actual environmental risks.

The county supports legislation and/or state regulations to reduce state fees and authorize state funding in order to assist economically disadvantaged communities to comply with the State Water Board's 2013 MS4 general permit. The county also seeks legislative delegation support before regulatory bodies in ensuring that the State and Regional Water Boards provide needed flexibility for local agencies to comply with the new permit requirements.

REDWOOD CREEK LEVEE REHABILITATION AND ESTUARY RESTORATION

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

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

A large-scale, multi-objective water resources project is needed to achieve a sustainable solution for flood protection, ecosystem restoration, and endangered species recovery in lower Redwood Creek. The county is seeking legislation or administrative action to release Proposition 84 (Flood Control, Natural Resources and Parks Bond Act) or other State funding to be used for rehabilitation, repairs, and maintenance to the Redwood Creek levee system near Orick.

STATE FUNDING PROPOSALS

AGRICULTURE

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

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

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

DEPREDAATION OF ALEUTIAN GEESE AFFECTING AGRICULTURAL LANDS

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

A study by a Humboldt State University masters student suggested that the rate of available herbaceous/vegetative regrowth for cattle consumption drops considerably when geese graze alongside cattle. From January to April, these lands produced roughly 572 fewer pounds of grass per acre than land grazed only by cattle (Tjarnstrom 2014). That is enough forage to support one 900-pound steer for about 26 days. The average price for grass hay ranges between \$175 and \$200 per ton (2,000 pounds), which means producers are losing roughly \$55 per acre during this four-month period. Beef and dairy producers are already paying all-

STATE FUNDING PROPOSALS

time high prices for cattle, and this forage loss, over many acres, compounds the problem and causes serious economic impact for this vital sector of our economy and community.

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

FUNDING FOR INVASIVE SPECIES PROGRAMS

A number of significant invasive species are routinely introduced and detected in California that threaten agriculture and the environment. Continued funding of Pest Exclusion, Pest Detection Trapping and Survey Activities, Rapid Response, Pest Management and Eradication (if feasible), and Public Education Outreach Programs is critical in protecting California's resources.

Each year Humboldt County's Pest Exclusion and Pest Detection programs are underfunded by the California Department of Food and Agriculture and local expenditures are required to meet statutory obligations to conduct invasive species management and control.

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

MARKETPLACE EQUITY AND CONSUMER PROTECTION

Weights and Measures Programs are important to businesses and consumers in California. Weights and Measures regulatory activities ensure that there is a "level playing field" for business and industries. Likewise, these programs are critical in providing protection for consumers and a method for making value comparisons by providing equity in the marketplace. The Division of Measurement Standards (DMS) within the California Department of Food and Agriculture is the lead agency for weights and measures. DMS has incurred significant general fund reductions that have diminished their ability to provide consumer protection.

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

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

STATE FUNDING PROPOSALS

ECONOMIC DEVELOPMENT

DEVELOPMENT AND PROTECTION OF HARBOR

Supported by: Humboldt Bay Harbor, Recreation & Conservation District

In 2014 the Harbor District completed the Samoa Industrial Waterfront Transportation Improvement Plan through a grant from the California Department of Transportation for a highway and freight rail access improvement project on the Samoa Peninsula. In alignment with the district's 2007 Humboldt Bay Management Plan and 2011 Strategic Plan, the project report identifies a priority for an improved roadway system that supports commercial and industrial transportation on the Samoa Peninsula. The estimated cost of improvements to the system was \$8.3 million. The Harbor District need funds for the planning, permitting and engineering portions of these projects.

Also in 2014, the Harbor District purchased a cutterhead suction dredge to dredge Humboldt Bay marinas and docks for private and public owners. The dredge sediment material is an important resource for dike protection for sea level rise, storm surge and to restore subsided wetlands. However, the transportation and placement of sediments around the bay can be cost-prohibitive with the use of trucks. A tug, dump and flat top barge and crane are necessary to unload material for beneficial re-use of dredge material.

The county supports legislation that provides funding for further development and protection of the harbor, including dredging, planning and permitting.

GENERAL GOVERNMENT

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

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

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

RESTORATION OF PROPERTY TAX ADMINISTRATION PROGRAM

In 1992, the State enacted the Educational Revenue Augmentation Fund (ERAF), which shifted property tax revenues from local governments to the State. Although counties assess property values, act as a hearing board for property tax appeals, and collect property tax payments, the State receives more than 65 percent of every property tax dollar collected in Humboldt County. The state recognized that it was in its own best interests to ensure that

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properties were being assessed to the greatest extent possible. Therefore, in 1994, the State established the Property Tax Administration Program (PTAP). PTAP provided funds to each county to support the work of the Assessor's Office and the rest of the property tax administration system. Humboldt County received \$210,806 in PTAP funding in FY 2004-05, the last year the program was funded.

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

SEPARATING SUPERIOR COURT EXPENSES FROM COUNTIES

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

Grand Jury

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

The county supports legislation to move fiscal responsibility for the Grand Jury from the county to the state.

Courthouse

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

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

Courthouse Security

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

STATE FUNDING PROPOSALS

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

FUNDING FOR BIOMASS PRODUCTION

Biomass is a carbon-neutral, renewable resource that can be used to generate energy with the potential to offset fossil fuel use. Biomass can also contribute to lowering greenhouse gas emissions by utilizing woody materials generated from milling logs into lumber, wildland fuel reduction activities, removal of diseased or pest-infested trees, diversion of green waste, etc., that would otherwise be burned in piles, left on-site, or incorporated into solid waste streams.

The current purchaser of biomass power in the local region is PG&E, but they do not have policy direction to support the purchase of biomass power resulting in a lapse in contract for two of the three plants, with the third contract set to expire in 2017. The impacts of two of these biomass power plants shutting down have rippled across the forest products industries. Without a market to purchase sawmill residue or residue from fuel reduction or forest health activities, sawmills are scrambling, investors are looking elsewhere, and many forest stewardship activities have been stopped. This creates a significant economic and ecological crisis in this region.

The county supports legislation that would require utilities to include more biomass in their renewables portfolio. In addition, the county supports financial incentives for purchasers of biomass energy. Additionally, the county supports an amendment to SB 1122 that would change the capacity constraint from “gross” capacity to “net export” capacity.

HEALTH AND HUMAN SERVICES

SUPPORT FOR INVESTMENT IN LOW-INCOME HOUSING

Supported by: City of Eureka

Stable housing is a foremost concern for low-income individuals and families and without it, a primary barrier to health and self-sufficiency. Currently, the Department of Health and Human Services operates limited permanent supportive housing programs that have proven effective in helping people receive treatment and live productive lives. However, there is a shortage of single occupancy and small efficiency units for seniors and single individuals. In order to move forward initiatives such as the Housing First recommendation made by Focus Strategies in the Homeless Policy Paper presented to the City of Eureka, further investment in low-income, affordable housing is critical. Resources to rehabilitate or renovate existing buildings and provide income supports, such as subsidized rent, are needed.

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

STATE FUNDING PROPOSALS

SUPPORT FOR SUSTAINABLE HEALTH FINANCING

The managed care organization (MCO) tax is a state tax on health plans that supports health care services for low-income residents, and brings more than \$1 billion in federal funds to California each year. The current MCO tax expires on July 1, 2016. In response to federal concerns, the Governor called a Special Legislative Session to renew the tax and satisfy new federal requirements. Without the revenue the MCO tax generates, county health services including the In-Home Supportive Services program County Maintenance of Effort negotiated in 2012, may be in jeopardy.

The county supports renewal of a modified MCO tax or alternative sustainable funding sources for health services.

NATURAL RESOURCES

LONG-TERM FUNDING FOR NATURAL RESOURCE AFFAIRS

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

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

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

WILLIAMSON ACT FUNDING RESTITUTION, RESTORATION THROUGH CAP AND TRADE

The Williamson Act (California Land Conservation Act) is a State/county partnership to preserve and prevent the loss of farmland. By saving farmland from development, the Act supports many of the state's goals, one of which is reducing greenhouse gas (GHG) emissions through its Cap-and-Trade program. When land is enrolled in a Williamson Act agreement, the landowner is taxed at a rate based on the actual use of the land for agricultural purposes, as opposed to its Proposition 13 or unrestricted market value. The program is estimated to save agricultural landowners from 20 to 99 percent in property tax liability each year. In return, the landowner commits to restricting the use of his/her land to

STATE FUNDING PROPOSALS

agricultural and open space for at least nine years. The written agreements are automatically renewed each year. In Humboldt County there are approximately 199,000 acres eligible for subvention funding under Williamson Act contracts. Humboldt County continues to process new applications for entry into the Williamson Act Program.

There is a conceptual discussion at the State level of restoring Williamson Act subventions with Cap-and-Trade funding, and the County strongly supports this concept. According to the California Air Resources Board first update to the Climate Change Scoping Plan, Appendix B (May 2014), recent research has shown that GHG emissions are approximately 70 times greater from urban regions than agricultural lands, and “recent reports highlight the importance of farmland preservation as a key strategy for stabilizing and reducing California’s future greenhouse emissions across multiple economic sectors.” The Williamson Act more and more coincides with the State’s goals of reducing greenhouse gas emissions, and the county supports the idea paying for farmland preservation with Cap-and-Trade funding.

In addition, the county supports full restoration of subvention funds, including funding for subvention at their highest historical level. In addition, the county strongly requests restitution for the subvention payments that were not received in Fiscal Years 2008-09 in the amount of \$22,396; 2009-10 in the amount of \$219,155; and 2010-11 in the amount of \$161,804. The county did not receive subvention funds for fiscal years 2011-12, 2012-13, and 2013-14, a loss of approximately \$450,000.

PLANNING AND BUILDING

GRANT FUNDING FOR INFILL DEVELOPMENT

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

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

GRANT FUNDING FOR LOW-INCOME HOUSING PROJECTS

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

STATE FUNDING PROPOSALS

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

FUNDING FOR ASSISTANCE ON LOCAL COASTAL PLANS

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

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

FUNDING FOR ENERGY CONSERVATION AND RENEWABLE ENERGY GENERATION PROJECTS

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

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

PUBLIC SAFETY

FUNDING AND FLEXIBILITY NEEDED FOR THE IMPLEMENTATION OF PROPOSITION 47

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

STATE FUNDING PROPOSALS

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

SUPPLEMENTAL LAW ENFORCEMENT SERVICES

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

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

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

STABLE FUNDING FOR JUVENILE JUSTICE

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

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

FUNDING FOR INCREASED ENFORCEMENT OF ILLEGAL WATER DIVERSIONS ALONG MAD RIVER

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

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

On the Mad River, water is stored in Ruth Lake for use by the municipal, residential and commercial customers that are supplied by Humboldt Bay Municipal Water District. This water is released for re-diversion at the Essex facilities near Arcata, and is not available for diversion for other uses along the Mad River. The natural flow of the Mad River in the

STATE FUNDING PROPOSALS

upstream reaches during the summer period of full appropriation is normally quite low, and even more so in recent years, due to the drought.

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

FUNDING FOR CALEAP

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

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

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

PUBLIC WORKS

FUNDING FOR PREVENTATIVE ROAD MAINTENANCE

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

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

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

AVIATION FUEL TAX ALLOCATION TO CALIFORNIA AVIATION SYSTEM

The Federal Aviation Administration (FAA) passed a rulemaking that clarifies and enforces current federal statute regarding the use of airport revenues derived from the sale of jet and aviation fuels. If states fail to comply with the federal rulemaking they will be ineligible for

STATE FUNDING PROPOSALS

federal Airport Improvement Program grants, which are the primary source of funding for critical airport infrastructure projects. Additionally, federal regulations provide the FAA with the authority to impose severe civil penalties – up to three times the amount of the funding withheld – on state and local governments for being out of compliance. Currently, Senate Bill 747 is the vehicle for making this happen in California. It is estimated by the Board of Equalization that this would infuse the California Aeronautics program by approximately \$140 million each year.

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

USE OF PROP 1 FUNDS FOR WATER INFRASTRUCTURE PROJECTS

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

Proposition 1 is a \$7.5 billion general obligation bond measure approved by California voters on Nov. 4, 2014. Proposition 1 will fund investments in water projects and programs as part of a statewide, comprehensive water plan for California. In addition to funding programs from water conservation to recycling to groundwater cleanup to water storage, Proposition 1 is expected to leverage additional local and regional funds to provide a total investment of \$25 billion to \$30 billion to address California's water needs.

The bond measure is not detailed in various sections, and the Legislature is expected to provide additional guidance to State agencies in implementing the provisions of the measure. As the Legislature considers providing more specificity, the county's goal will be to maximize the benefits to Humboldt County agencies.

The county supports increased funding for water infrastructure projects in Humboldt County.

STATE ASSISTANCE WITH RECRUITMENT OF AIR SERVICE

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

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



FEDERAL LEGISLATIVE GOALS

Humboldt County's primary, overarching federal legislative goals for 2016 include:

SUPPORT INCREASING THE FEDERAL FINANCIAL PARTNERSHIP IN COUNTY PROGRAMS.

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

SUPPORT RELIEF FROM FEDERAL MANDATES AND STATUTORY BARRIERS.

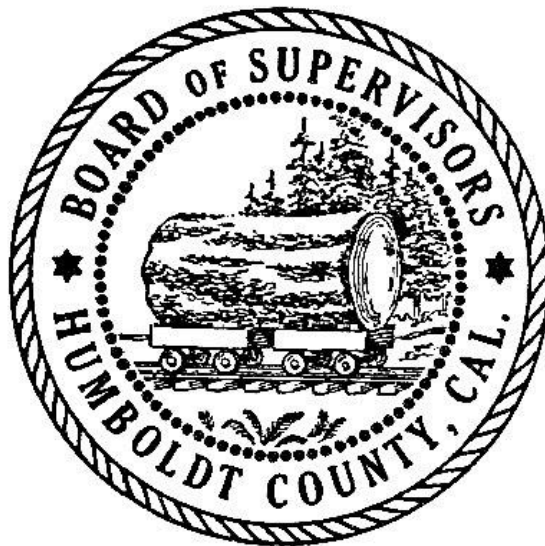
- Support broadening of allowable uses of Secure Rural Schools Act (Title III) funding to include fire protection services.

SUPPORT FEDERAL FINANCIAL PARTICIPATION IN LOCAL COMMUNITY TECHNOLOGY ADVANCEMENTS.

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

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

SUPPORT AND ADVANCE LOCAL INTERESTS IN NATURAL RESOURCE DISCUSSIONS.



FEDERAL LEGISLATIVE PROPOSALS

AGRICULTURE

DEPREDAATION OF ALEUTIAN GEESE AFFECTING AGRICULTURE LANDS

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

A study by a Humboldt State University masters student suggested that the rate of available herbaceous/vegetative regrowth for cattle consumption drops considerably when geese graze alongside cattle. From January to April, these lands produced roughly 572 fewer pounds of grass per acre than land grazed only by cattle (Tjarnstrom 2014). That is enough forage to support one 900-pound steer for about 26 days. The average price for grass hay ranges between \$175 and \$200 per ton (2,000 pounds), which means producers are losing roughly \$55 per acre during this four-month period. Beef and dairy producers are already paying all-time high prices for cattle, and this forage loss, over many acres, compounds the problem and causes serious economic impact for this vital sector of our economy and community.

The county is in support of efforts at the Federal level that would allow private landowners to be issued migratory bird depredation permits after hunting season is closed. To accomplish this, CDFW and USFWS should engage the Pacific Flyway Council to review population objectives and works towards issuing these permits.

FEDERAL LEGISLATIVE PROPOSALS

GENERAL GOVERNMENT

AMERICANS WITH DISABILITIES ACT REFORMS THAT WILL NOT UNDULY BURDEN BUSINESSES

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

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

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

In California, Governor Brown signed into law legislation (Senate Bill 1186, 2013) designed to protect California business from predatory lawsuits filed under the ADA. Although there are several positive features of the new law, there are a number of harmful unintended consequences that will likely lead to an increase in ADA lawsuits. For example, the law's provisions that ban so-called "demand letters" from litigious plaintiffs who threaten to sue over a potential ADA violation unless a business pays to settle the lawsuit have led plaintiffs to stop sending pre-litigation letters altogether. As a result, businesses are being served with ADA lawsuits without any warning, which eliminates the opportunity for a business owner and an aggrieved party to come to an out-of-court settlement.

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

FEDERAL LEGISLATIVE PROPOSALS

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

SUPPORT PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAMS

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

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

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

In 2014, the State of California implemented a PACE Loss Reserve Fund. The State-backed fund ensures that PACE assessments are paid off in the event of a mortgage default, which is intended to reduce the financial risk to Fannie Mae, Freddie Mac, or any other mortgage lender. However, FHFA continues to have concerns with California's first-lien PACE program, claiming that it fails to offer full loss protection. The Agency has also questioned the Reserve Fund's ability to be sustainable over time. As such, FHFA is not prepared to change its position and will continue to prohibit housing lenders from purchasing or refinancing mortgages with a PACE lien.

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

LOCAL AUTHORITY TO LEVY INTERNET SALES TAX

The Supreme Court ruled in 1992 that retailers are not required to collect sales taxes in states where they lack a physical presence. While the purchaser is still generally responsible for paying the use tax, the rate of compliance is low. States and local governments have been struggling with reduced revenues and increased demand for services, and the collection

FEDERAL LEGISLATIVE PROPOSALS

of Internet sales taxes is a revenue source that has been untapped. Recent legislation – the *Marketplace Fairness Act* - would allow states to require remote sellers to collect and remit sales and use taxes.

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

FEDERAL REPORTING REQUIREMENTS FOR STATE AND LOCAL PENSIONS

The county opposes legislative proposals that challenge the validity of current state and local government accounting rules and practices and would mandate inappropriate federal reporting requirements on state and local governments regarding their pension costs. Such a proposal would set a precedent for federal intervention into areas that are the financial responsibility of, and have thus been historically regulated by, states and/or localities. Furthermore, it would represent a lack of understanding regarding the strong accounting rules and strict legal constraints already in place that require open and transparent governmental financial reporting and processes. The county opposes legislation that conflicts with existing governmental accounting standards, and increases state and local government costs.

LIMIT CORPORATE AND UNION CONTRIBUTIONS IN ELECTIONS

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

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

CHANGES TO LEGAL STATUS OF MARIJUANA AND NEED FOR UNIFIED REGULATIONS

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

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

FEDERAL LEGISLATIVE PROPOSALS

REASSESSMENT OF AMERICAN COMMUNITY SURVEY DATA

Supported by: City of Rio Dell

The American Community Survey (ACS) represents Median Household Income (MHI) levels data for small communities and many federal and state agencies use this data to determine grant eligibility and the level of “disadvantage” of a community. Some communities in Humboldt County may have ACS data that is incorrect and therefore are finding it unnecessarily difficult to seek federal and state grants.

The county and City of Rio Dell support efforts of federal and state agencies to be proactive in confirming/altering ACS data. In addition, the county and city support the federal government reviewing and addressing how the ACS records income levels within small cities. Additionally, state and federal agencies should work together to help develop a common definition of a “disadvantaged” community.

ALLOWING CANNABIS REGULATIONS AT THE FEDERAL LEVEL

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

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

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

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

FEDERAL LEGISLATIVE PROPOSALS

PLANNING AND BUILDING

RETURN SENIOR HOUSING MODEL TO HOME PROGRAM FUNDING

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

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

PUBLIC WORKS

KLAMATH BASIN AGREEMENTS

Humboldt County is a signatory party to the Klamath Hydroelectric Settlement Agreement (KHSA) and the Klamath Basin Restoration Agreement (KBRA), a set of agreements signed in February 2010 to provide a framework for resolving the most contentious disputes involving dams and water diversions in the Klamath River basin. Humboldt County was one of nearly 30 parties that actively participated in the nearly four-year negotiation process that led to the development of the agreements. The county also believes the Comprehensive Upper Basin Agreement to be wholly consistent with the KBRA, as it serves to provide greater specificity and detail regarding off-project water issues and upper basin power.

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

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

FEDERAL LEGISLATIVE PROPOSALS

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

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

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

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

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

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

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

In March 2003, the Humboldt County Board of Supervisors formally requested that the U.S. Department of the Interior make available for release "not less than 50,000 acre feet" of water pursuant to the County's permanent contract with the Bureau of Reclamation. After

FEDERAL LEGISLATIVE PROPOSALS

numerous subsequent requests, the Interior Solicitor in December 2014 issued a long-awaited legal opinion confirming Humboldt County's right to the water in the 1959 Contract. Since that time, Humboldt County has and will continue to work with the Bureau of Reclamation regarding the release of the water, including the potential for its use for flow augmentation purposes.

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

The Bureau of Reclamation should work closely with Humboldt County to ensure adequate storage and availability for the annual release of not less than 50,000 acre-feet of water from the Trinity Reservoir for the beneficial use of Humboldt County. The county expects maximum flexibility consistent with federal and state law in the county's exercising of its priority right for Trinity River water. The county expects that the county's priority right is fully recognized in all Central Valley Project and State Water Project planning documents. . The county opposes any further water diversions from the Trinity River Division or releases from its reservoirs to supplant the loss of flows to the Sacramento Delta as a result of the California WaterFix Project. The county supports accounting for encumbered flows associated with Humboldt County's vested right in the proposed California WaterFix Project modeling and operations.

ENVIRONMENTAL STREAMLING FOR FISH PASSAGE PROJECTS

Local governments frequently undertake projects that will improve the passage of fish through streams and rivers by removing blockages and improving culverts. Frequently, the permit process can delay and increase costs for these projects. Fish passage enhancement projects should be considered water quality improvements and not be delayed in the permit process. Efforts in the legislative and regulatory arenas aimed at streamlining the delivery of projects that will enhance the environment such as projects that improve fish passage for salmonids should be undertaken.

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

TRANSPORTATION INFRASTRUCTURE

Ports throughout the world are becoming congested; California ports are exceptionally impacted by the growth of international trade and are losing business to other regions. California's agricultural producers are experiencing significant increases in transportation costs as their products are increasingly delayed, up to nine days through existing facilities. In order to minimize the environmental and economic impacts associated with port

FEDERAL LEGISLATIVE PROPOSALS

congestion, the United States must begin planning to maximize our freight handling capabilities. Humboldt County is the location of the only underutilized deep water port without a rail connection to the national rail system.

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

STRENGTHENING SMALL COMMUNITY AIR SERVICE

For several years Humboldt County has attempted to recruit additional air service to the California Redwood Coast – Humboldt County Airport. Specifically, Humboldt County has sought additional service to Los Angeles International Airport (LAX) as that is the most requested destination by local citizens and the business community. In 2012, Humboldt County received a \$750,000 Small Communities Air Service Grant (SCASG) to serve as a component of a minimum revenue guarantee, which is provided as a standard industry practice in order to entice airlines into rural airports. Without this incentive it is unlikely rural counties like Humboldt will be able to attract additional airline routes.

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

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

FEDERAL APPROPRIATIONS REQUESTS

AGRICULTURE

STABLE FUNDING FOR FOREST LEGACY PROGRAM

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

To qualify for participation in the FLP, private landowners must submit a multiple resource management plan. The federal government may fund up to 75 percent of the project cost, while private landowners, state and local governments are required to pay at least 25 percent of the project cost. Additionally, land owners have the added benefit of reduced taxes on the land. As of 2010, the Forest Legacy Program had protected nearly 21,000 acres of privately held forested land in California. A large portion of that land is in the Chalk Mountain Area in Humboldt County. Humboldt County is home to nearly 1,500,000 acres of public and private forest, and home to over 40 percent of all remaining old-growth Coast Redwood forests in California.

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

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

FUNDING FOR INVASIVE SPECIES PROGRAM

A number of significant invasive species are routinely introduced and detected in California that threaten agriculture and the environment. Continued funding of Pest Exclusion, Pest Detection Trapping and Survey Activities, Rapid Response, Pest Management and Eradication (if feasible), and Public Education Outreach Programs is critical in protecting California's resources.

Each year Humboldt County's Pest Exclusion and Pest Detection programs are underfunded by the California Department of Food and Agriculture and local expenditures are required to meet statutory obligations to conduct invasive species management and control.

FEDERAL APPROPRIATIONS REQUESTS

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

GENERAL GOVERNMENT

LONG-TERM FUNDING SOLUTION FOR PAYMENTS IN LIEU OF TAXES

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

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

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

ECONOMIC DEVELOPMENT

FUNDING FOR BROADBAND SERVICE TO RURAL AREAS

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

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

FEDERAL APPROPRIATIONS REQUESTS

DEVELOP LEGISLATION, BOND GRANT GUIDELINES THAT INCLUDE BROWNFIELD REMEDIATION

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

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

DREDGING HUMBOLDT BAY

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

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

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

FUNDING FOR HARBOR PLANNING AND DEVELOPMENT

SUPPORTED BY: Humboldt Bay Harbor, Recreation & Conservation District

In 2013 and 2015 the Harbor District acquired 88 acres of upland property to support a new multi-use public docking facility. The Samoa Waterfront Transportation Improvement Project was completed in 2013 using \$250,000 from the Federal Transportation Equity Act for the Twenty-First Century (TEA-21) grant. The plan identified transportation access to the docking facility as a high priority. Preliminary design work for the new cargo dock has been completed with the next phase to include design engineering and permitting and then construction.

FEDERAL APPROPRIATIONS REQUESTS

The county and Harbor District support legislation that would result in continued funding for the TEA-21 grant, and allowing the grant to fund development projects.

HEALTH AND HUMAN SERVICES

SUPPORT FOR INVESTMENT IN LOW-INCOME HOUSING

Supported by: City of Eureka

Stable housing is a foremost concern for low-income individuals and families and without it, a primary barrier to health and self-sufficiency. Currently, the Department of Health and Human Services operates limited permanent supportive housing programs that have proven effective in helping people receive treatment and live productive lives. However, there is a shortage of single occupancy and small efficiency units for seniors and single individuals. In order to move forward initiatives such as the Housing First recommendation made by Focus Strategies in the Homeless Policy Paper presented to the City of Eureka, further investment in low-income, affordable housing is critical. Resources to rehabilitate or renovate existing buildings and provide income supports, such as subsidized rent, are needed.

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

CONTINUED INVESTMENT IN COUNTY PUBLIC HEALTH AND PREVENTION

The Patient Protection and Affordable Care Act (Act) appropriated \$750 million in federal fiscal year (FY) 2011, escalating to \$2 billion in FY 2015 and each fiscal year thereafter to maintain and build core public health infrastructure and expand prevention and wellness activities. Proposals to divert these funds as offset for other federal spending continue to surface. Meanwhile, federal categorical public health funding has been in decline and prevention funding through the Public Health and Prevention Fund has often been competitively based. This unprecedented investment in prevention and public health must be protected to be used as intended under the Act.

The county supports full funding of the Prevention and Public Health Fund and requests that the funds are allocated to local public health departments.

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES REAUTHORIZATION

Reauthorization of the Temporary Assistance to Needy Families (CalWORKS/TANF) program is currently pending in Congress. The program was last reauthorized in 2005 and has since been operating on short-term extensions. TANF contains California's block grant for CalWORKs and the CalWORKs work participation rules.

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

FEDERAL APPROPRIATIONS REQUESTS

STRENGTHENING CHILD WELFARE SERVICES

In 2014, Congress approved the *Preventing Sex Trafficking and Strengthening Families Act* (HR 4980). The new law makes several federal reforms to better serve foster youth and includes provisions that focus on the emerging issue of sex trafficking of minors. The Act exemplifies the bipartisan approach that Congress typically takes on child welfare issues.

The County supports increased federal funding for services and supports needed by parents seeking to reunify with children who are in foster care. The County also supports increased financial support for programs that assist foster youth in the transition to self-sufficiency, including post-emancipation assistance such as secondary education, job training, and access to health care. In addition, the County supports retaining the entitlement nature of the Title IV-E Foster Care and Adoption Assistance programs and elimination of outdated rules that would give states flexibility to use federal IV-E funds to pay for evidence based preventative services.

NATURAL RESOURCES

LONG-TERM FUNDING FOR NATURAL RESOURCE AFFAIRS

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

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

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

PLANNING AND BUILDING

RESTORE CDBG PROGRAM FUNDING TO FISCAL YEAR 2011 LEVELS

The Community Development Block Grant (CDBG) program facilitates affordable housing, service provision to low-income and vulnerable citizens, job creation and efforts to support economic growth. At least 70 percent of the funds must be used on programs benefiting low- and moderate-income individuals. The County of Humboldt has benefited from the

FEDERAL APPROPRIATIONS REQUESTS

CDBG program and has received more than \$11.5 million in CDBG funding over the past seven fiscal years.

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

The county supports legislation that would return funding to fiscal year 2011 levels (\$3.34 billion) or increase funding for the CDBG program. In addition, the county supports allowing permanent housing to be considered an eligible activity for the CDBG program. The county also opposes efforts to reduce funding and operational flexibility for the program.

RESTORE HOME PROGRAM FUNDING TO FISCAL YEAR 2009 LEVELS

The County of Humboldt relies on the Housing and Urban Development HOME Program funds to develop multi-family housing. Since 2009, funds at the federal level have decreased by 50 percent. This has meant that only six to eight projects are funded annually for the entire State of California.

The County of Humboldt supports legislation that would return funding to the fiscal year 2009 levels (\$1.825 billion), or increase funding for the HOME program. In addition, the county supports efforts to re-establish a reliable and adequate source of affordable housing funds that can be used by formula in rural areas. The county also opposes efforts to reduce funding and operational flexibility for the program.

PUBLIC SAFETY

FUNDING FOR COMMUNITY ORIENTED POLICING PROGRAMS (COPS)

SUPPORTED BY: City of Blue Lake

The COPS program provides competitive grant funding to local governments and Native American communities for the hiring of police officers. The City of Blue Lake has been the recipient of COPS funding in the past.

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

PUBLIC WORKS

FEDERAL AVIATION ADMINISTRATION REAUTHORIZATION

The current Federal Aviation Administration (FAA) funding bill increased the local match requirements from airport owners for Airport Improvement Project (AIP) funding from five percent to 10 percent, while failing to increase the allowable Passenger Facility Charge that is used by the Aviation Division of the Humboldt County Department of Public Works. The

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increase in local match costs combined with a failure to allow airports to increase their PFC's will reduce the number of projects that can be performed under the AIP program for Humboldt County airports simply due to the longer time it will take to collect the funds for the local match. The AIP program has allowed the Aviation Division of the Humboldt County Department of Public Works to significantly improve airports while also providing for a large number of jobs in the community. Increasing the match requirement and not allowing local agencies to increase the funding source that provides for the local match negatively impacts the County's ability to improve our airport system and provide jobs for the local community.

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

APPROPRIATION FOR REDWOOD CREEK LEVEE REHABILITATION AND ESTUARY RESTORATION

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

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

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

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Reconnaissance Study is needed to address urgent flood protection and ecosystem restoration concerns

REAUTHORIZATION OF SECURE RURAL SCHOOLS

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

By 2000, these revenues dwindled – as policies and lawsuits restricted much of the economic activity that supported these payments. To ensure that the terms of the partnership were upheld, in 2000 Congress passed the *Secure Rural Schools and Community Self-Determination Act (SRSCA)*. The program initially expired at the end of fiscal year 2011; however, Congress has provided one-year extensions every year since then. These revenues have supported schools and the maintenance of infrastructure, and the health of watersheds and ecosystems. The program has once again expired, and unless it is extended or reauthorized, final payments will be distributed in March of 2016. Unless Congress acts, county payments will return to a revenue-based system. Consequently, Humboldt County could be left with significantly less funding than in recent years.

Humboldt County supports a long-term funding solution for SRS, including alternate models that provide stable funding for counties. However, in the absence of a long-term agreement, the County supports a short-term extension of funding. As part of a long-term reauthorization bill, the County supports re-establishing active management of the nation's forests, promoting responsible timber production on Forest Service commercial timber land, and revising Title III of the Act to allow fire protection funds to be spent as flexibly as possible, as funds are currently limited to fire protection activities on federal lands, severely restricting fire departments from containing fires adjacent to federal land.

HOMELAND SECURITY – FULL FUNDING OF SECURITY MANDATES FOR COMMERCIAL AIRPORTS

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

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

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FUNDING FOR RURAL WATER SUPPLY AND WASTEWATER PROJECTS SUPPORTED BY: McKinleyville Community Services District

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

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

