

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

998



FROM: Executive Office

SUBMITTAL DATE:
January 27, 2009

SUBJECT: 2009 Federal Legislative Platform

RECOMMENDED MOTION: That the Board of Supervisors approve the attached policy positions on Federal issues and direct the Executive Office and the Board's Washington, D.C. legislative representatives to further the Board's positions.

BACKGROUND: Annually the Board adopts positions on selected Federal legislative issues to guide advocacy efforts at the Federal level. Although previously adopted Board positions remain in effect, several are briefly mentioned to emphasize the Board's continuing support for these measures. Finally, the FY 2009 specific federal appropriations for Riverside County are included. Additional federal issues will be brought to the Board for appropriate action as the need arises.

Attachment

Gary M. Christmas
Gary M. Christmas
Chief Deputy County Executive Officer

FINANCIAL DATA

| | | | |
|-------------------------------|------|-------------------------|-----|
| Current F.Y. Total Cost: | \$ 0 | In Current Year Budget: | N/A |
| Current F.Y. Net County Cost: | \$ 0 | Budget Adjustment: | N/A |
| Annual Net County Cost: | \$ 0 | For Fiscal Year: | N/A |

SOURCE OF FUNDS:

| | |
|----------------------------------|--------------------------|
| Positions To Be Deleted Per A-30 | <input type="checkbox"/> |
| Requires 4/5 Vote | <input type="checkbox"/> |

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

BY: *Jay E. Orr*
Jay E. Orr

- Policy
- Policy
- Consent
- Consent

Dept's Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.: 3.7 12/19/06

District:

Agenda Number:

3.7

**RIVERSIDE COUNTY
2009**

FEDERAL LEGISLATIVE PLATFORM



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County Executive Officer
January 27, 2009

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2009 NEW FEDERAL LEGISLATIVE POLICY ITEMS

The United States is in economic trouble. As a nation we lost over 2.5 million jobs in 2008 with massive new job losses predicted for 2009. Unemployment is around 10 percent in Riverside County and projected to go higher. Riverside County has one of the highest foreclosure rates in the nation. Counties are integral to local economies are in the position to invest stimulus funds quickly and effectively.

Last year the President and Congress enacted the Emergency Economic Stabilization Act of 2008, providing authority for the Federal Government to appropriate more than \$700 billion for the purpose of purchasing and insuring troubled private assets and stabilize disruption in the economy and financial systems.

A new economic stimulus package is the county's federal priority for 2009. This stimulus package should include:

- Funding for local ready-to-go infrastructure projects.
- Jobs creation programs.
- Financial measures that will assist local governments in providing services to their residents.

ISSUE: Regional Habitat Planning and Conservation - U.S. Fish and Wildlife Service's Cooperative Endangered Species Fund.

ACTION: In partnership with approximately a dozen counties in northern and southern California, we request that funding for the U.S. Fish and Wildlife Service's Cooperative Endangered Species Conservation Fund (the "Fund") be restored to previous levels, from the \$73.8 million current-year level to \$125 million in FY 2010. This will restore the Fund to approximately its fiscal 2001 level, adjusted for inflation and provide much needed support to regional Habitat Conservation Plans (HCPs) in Riverside County, in California and nationally.

The Fund includes funding for grants for approved HCPs for land acquisition, planning grants for HCPs in preparation, and land acquisition grants for species that have Recovery Plans. Section 6 grants are the main source of federal funding to aid the preparation and implementation of HCPs. In the years ahead, the land acquisition grants will be an essential component for meeting the biological conservation and permit streamlining benefits of HCPs. However, the program is currently funded at a substantially lower level than in Fiscal 2001 in actual dollars. Fiscal 2001 appropriations were \$104.7 million. The current funding level is only \$73.8 million. The decrease is far more severe when inflation is taken into account. Due to the increasing number of HCPs emerging throughout the country, the Fund will have to increase significantly over the next several years in order to ensure that HCPs continue to be initiated and implemented successfully. In California alone, the number of regional HCPs has doubled while the Fund has failed to keep pace with inflation. Despite the recent economic downturn, costs to fully implement and manage regional HCP reserve systems remain high. Demand is particularly high for planning and land acquisition funding, given the large number of completed HCPs and Recovery Plans. For example, fiscal year 2008 requests from California for HCP Land Acquisition grants from the Fund totaled \$74.5 million, but total nationwide funding of the Land Acquisition component of the Fund was only \$35 million.

A 2008 study of the Western Riverside MSHCP (the "Riverside Plan") by the RAND Corporation (the "RAND Report") concluded that \$3.8 - \$5 billion in land acquisitions are needed to simply finish the reserve system of the Riverside Plan and up to an additional \$690 million will be needed to operate and manage the reserve system through the plan's permit term. Given these costs and the significant additional financial needs of other regional HCP plans, a large increase of the Fund over the next several years is justifiable and necessary.

ISSUE: Streamlining Permitting for Critical Infrastructure, Economic Stimulus, and Alternative Energy Projects –“Green” Job Creation.

ACTION: Request recognition of Habitat Conservation Plans (HCPs) as the most reliable way of streamlining critical infrastructure, economic stimulus, and alternative energy project permitting in a manner that is consistent with federal environmental regulations. HCPs not only facilitate such projects through permit streamlining, but the planning, implementation, management, and monitoring needs associated with regional HCPs plans also create many quality “green” jobs.

It is highly likely, if not certain, that there will be a dramatic increase in infrastructure and alternative energy projects associated with impending state and federal alternative energy, infrastructure, and economic stimulus plans. Regional HCPs are the best tool currently available for streamlining the necessary project permitting and environmental mitigation associated with these investments in a manner that will be consistent with federal environmental regulations. Not only do HCPs facilitate and streamline job creating investments, but, as discussed above, the planning, implementation, monitoring, and management needs related to these plans create “green” jobs. Creation of these types of jobs is likely to be a top priority of the new presidential administration.

ISSUE: The lack of pharmacy services for veterans living in rural areas.

ACTION: That the VA authorize a pilot project to honor prescriptions written by non-VA physicians for veterans living in remote areas. Authorize the purchase of a limited supply of medications at VA expense from non-VA pharmacies for veterans living in remote areas. That an amount not-to-exceed \$500,000 be appropriated to fund the pilot project. That Congress consider designating Blythe, California as one of the pilot sites supported by the VA Medical Center at Loma Linda, CA. VA medical facilities honor only prescriptions written by VA or VA-contract physicians. DOD hospital pharmacies set a federal precedent by honoring prescriptions written by any certified medical doctor. VA does not.

Transportation hardships can prevent reasonable access to VA medical and pharmacy services for veterans living in remote areas of the country. Even annual prescription renewals can pose transportation hardships for veterans living in remote areas. Urgent situations and mid-year prescription changes can increase those hardships.

ISSUE: Funding local health jurisdiction planning, preparedness and response to acts of terrorism, disasters, or other public health emergencies.

ACTION: Support the continuation of federal and state funding to offset the local costs associated with planning for and responding to the medical/health consequences of terrorism, disasters or other public health emergencies.

Support the development of funding formulas that consider proximity of jurisdictions to high profile targets and are not based solely on the presence of such targets within jurisdictional boundaries.

Support the removal of restrictions on the utilization of grant funds to support permanent staff positions.

The terrorist activity occurring on and after September 11, 2001 identified the need to increase preparedness efforts and local public health jurisdiction response capabilities for dealing with terrorism, including bioterrorism, at the local level. Hurricane Katrina and the October 2007 fires in Southern California identified the impact of natural disasters on local, state and federal medical/health response capabilities. Pandemic influenza threatens to overwhelm an already fragile medical and public health system. California counties are at a severe disadvantage in their ability to fund new programs to address these additional public health and safety issues.

Increases in state and federal funding are needed to augment local programs to prepare for and respond to all forms of terrorism, natural disasters or other public health emergencies. Legislation is needed which increases prevention and response capabilities and strengthens the partnerships between state, federal and local agencies to effectively identify, prevent and respond to the medical/health consequences of terrorism, disasters, or other public health emergencies. Funding formulas should consider proximity to high profile, high impact targets as nearby jurisdictions to such targets will likely be severely impacted through the provision of mutual aid to the impacted jurisdiction or by the influx of large numbers of people seeking shelter and/or treatment.

Recent changes in federal funding have placed limitations on the amount of personnel that can be supported by grants. Although the grants allow for the utilization of contract staff, these staff are often unfamiliar with local policies and procedures, do not necessarily have a vested interest in the community in which they are working, and are often only contracted for a short period of time. Local health jurisdictions recognize that there are risks in hiring permanent personnel with grant funds; however, this is a risk that is assumed by the local health jurisdiction and imposes no liability on the Federal Government once funding is exhausted. Federal grants should not restrict the funding of personnel at the local level; such restrictions severely impair the ability of the local health jurisdiction to develop and support comprehensive activities to combat the evolving threats of terrorism and other public health emergencies.

Federal Appropriations

As has often happened in recent years, the annual Federal appropriations process for 2008 bogged down and Congress completed work on only three appropriation's measures – *Defense, Homeland Security, and Veterans Affairs* - before recessing for the November elections. Most Federal agencies are currently funded at FY 2008 levels under a continuing resolution in effect through March 3, 2009. However, Congressional leaders have pledged that completion of the remaining FY 2009 appropriations bills will be one of the first orders of business of the 111th Congress.

County proposals for 2008 that were included in the appropriations bills that were drafted but not completed include:

- \$1.8 million for the Sheriff's regional fingerprint identification system in the House version of the *FY 2009 Commerce, Justice and Science (CJS) Appropriations* bill.
- \$500,000 for the Probation Department's automated kiosk reporting system in the House CJS bill.
- Committee report language directing USDA to give Mountain View Estates and the Crossings at Middleton special consideration under the Rural Housing Assistance Grants program in the *FY 2009 Agriculture Appropriations* bill.

The following requests are still pending through FY 2009 Appropriations bills that have not yet been drafted:

- Funding for renovation of the trauma center at the Riverside County Regional Medical Center (Labor/HHS Appropriations bill).
- Funding for Health Information Systems Upgrade at the Riverside County Regional Medical Center (Labor/HHS Appropriations bill).
- Funding for Santa Rosa and San Jacinto Mountains National Monument acquisitions (Interior Appropriations bill).

While not appropriations per se, the county (or region) is receiving the following funding as a result of Congressional action in 2008:

- \$48,567,786 under the Neighborhood Stabilization Program to address the foreclosure issue.
- \$5,277,100 to the region as a Tier II Urban Area under UASI.

- \$1,928,934 as its FY 2008 SCAAP reimbursement.
- An additional \$1,142,956 in FY 2008 funding for PILT, for a total of \$3,026,517, as well as \$196,807 under the Secure Rural Schools Program.
- \$466,613 under the Section 6 Cooperative Endangered Species Fund for acquisition of up to 2,869 acres to further the recovery of the peninsular bighorn sheep in the Santa Rosa Mountains.
- \$321,221 to the County under the FY 2008 Metropolitan Medical Response System (MMRS) grant program, and the same amount for FY 2009.

Federal Fiscal Year 2010 Appropriation Requests

The County will pursue a variety of funding mechanisms for the projects identified below, including seeking specific federal funds through the annual appropriation process and grants from appropriate federal agencies. These requests for the Federal Fiscal Year 2010 will be presented to Senators Boxer and Feinstein, as well as appropriate members of the County's house congressional delegation. The majority of these proposals are continuing requests from previous years, with the specific exception of the proposal to seek funding through the Bureau of Indian Affairs to implement the County's plan for addressing the relocation of the nearly 300 households to be displaced from the "Duroville" situation. The nature and critical status of this issue makes it one of the highest priorities for Federal funding.

As in previous years, the county platform only approves general appropriation request proposals, not detailed the appropriation requests forms that are submitted. This allows staff the ability to develop the detailed appropriation requests required for submission to the congressional offices based upon the board approved platform. Proposals will be submitted as appropriate based on factors such as committee assignments, delegation member priorities, agency priorities and what other jurisdictions may be requesting. The process is even more difficult this year, since the outcome of most FY 2009 requests will not be known until congress finishes dealing with the appropriations bills left from last session.

Due to the new administration and new Congress, procedures and guidelines to follow for the appropriation process have generally not been developed by the various congressional and senatorial offices. To date, only Senator Feinstein has issued a deadline and submittal process, with the deadline being February 5, approximately three weeks early than in past years. Other delegation members have indicated their respective appropriation request deadlines will be around the end of February.

More rigorous rules governing member's requests and the appropriation process have been adopted by congress. Therefore, it is anticipated that the number and dollar amount of individual jurisdiction requests for Federal Fiscal Year 2010 appropriations cycle will be greatly reduced.

The County's Federal Fiscal Year 2010 Appropriation Request highest priority is Duroville.

Funding to Address the Duroville Crisis:

Despite ongoing litigation by the Bureau of Indian Affairs and the County's own efforts to address the situation, the crisis involving "Duroville", the significantly dilapidated and hazardous mobile home park on the Torres Martinez Indian Reservation, remains unresolved and of the highest priority to the County. The proposed closure of Duroville by the Court will result in the displacement of approximately 600 families, immediately

creating a substantial homelessness population throughout the region. In response, the County has developed a three-phase plan for the relocation of all the residents living in the Duro's Mobile Home Park, and shared this plan with the Bureau of Indian Affairs. The first phase is to address the immediate need to relocate the residents living in the worst units. The second phase is to relocate all of the residents by mid 2010 to the proposed Mountain View Estates Mobile Home Park. The third phase is to clean-up the current mobile home park and restore it to vacant land with no environmental hazards. The Superintendent of the Southern California Bureau of Indian Affairs has indicated to the County that the office has submitted a request for Federal appropriations of \$25 million to address the Duroville matter. The County is seeking targeted funding for the implementation of its three-phase plan through that appropriation.

Other appropriation requests are:

- **Expansion and Renovation of Trauma Center:**
Riverside County Regional Medical Center (RCRMC) is considered the Emergency First Responder for the County of Riverside with a population of 2 million. It is the major trauma center in the county handling twice as many cases as any other hospital. RCRMC is also the only trauma center in proximity to March Air Reserve Base which is used as a deployment base for our armed forces. In addition, RCRMC is the only hospital with a pediatric trauma designation in the entire county and the only hospital in Riverside County with a mass decontamination unit for chemical, biological and nuclear incidents. Due to the recent growth within Riverside County, the hospital has seen a significant increase in visits to its Emergency Department. In 1999, RCRMC treated an average of 190 patients per day; today the hospital treats an average of 285 patients per day in the Emergency Department.
- **Santa Rosa and San Jacinto Mountains National Monument acquisitions (BLM):**
Acquisition of 612 acres (a 544 acre property, and two 40 acre parcels) by BLM would protect important private inholdings in the Santa Rosa and San Jacinto Mountains National Monument. The 544 acre parcel is bounded by BLM land to the north and east. The property abuts the existing Andreas Hills residential development and is located within the City of Palm Springs. Given the availability of infrastructure and dirt roads on the property, there is definitely a development threat. The property contains portions of two trails proposed as year-round trails in the Coachella Valley Multiple Species Habitat Conservation Plan (MSHCP); thus, providing recreation opportunities in the Monument. It also contains a palm oasis. The two 40 acre parcels are also largely surrounded by existing BLM land, and provide habitat for the bighorn sheep.

- **Santa Rosa and San Jacinto Mountains National Monument acquisitions (USFS):**

Acquisition of two properties comprising 871 acres would protect important inholdings in the Santa Rosa and San Jacinto Mountains National Monument, improving resource management. A 504 acre property is bounded by USFS land on 4 sides. A portion of an 8.1 mile segment of Palm Canyon Creek, found eligible for classification as a Wild and Scenic River in the Forest Land Management Plan, traverses the property, as does the Palm Canyon trail. A 367 acre property is bounded by USFS land on 3 sides. The property also adjoins an existing rural residential area where a paved road provides access to the property. This access and available water and electric service create development potential. Acquisition of the property prevents potential future residential development on it and the attendant wildfire issues and water supply issues in this area of extremely high fire hazard. The property provides habitat for the gray vireo.
- **Automated Kiosk Reporting System:**

The Riverside County Probation Department would like to implement an automated kiosk reporting system to monitor juvenile and adult offenders who have been released from the Division of Juvenile Justice and the Probation Department's Youthful Offender Program. Re-entry programs targeted at promoting the reintegration of offenders back into the community upon release from prison or jail are effective in reducing recidivism rates. Re-entry strategies, which provide direct services to offenders while holding them accountable, also increases public safety within the community. One of the most effective tools in working with offenders is to monitor their activities within the community and maintain ongoing and regular contact with each offender.
- **Regional Fingerprint Identification Project:**

This is a collaborative project that enables officers in the field to fingerprint suspects using handheld Mobile Identification Devices (MID) that transmit information via cellular communication to a regional server capable of handling multiple data requests. This server would then return a photograph and descriptors from CAL-ID mugshot databases of the top three closest matches using a point scale system. This allows the officer in the field to immediately and positively identify the individual. More than ever, it is necessary to provide information to intelligence gathering networks and facilitate the sharing of this intelligence.
- **Health Information Systems Upgrade:**

Riverside County Regional Medical Center (RCRMC) is in need of updating the operating systems and has very limited resources available. RCRMC's existing system has the following disadvantages: below industry standard capability in automated information systems; over 20 manual systems to integrate and support; a large number of interfaces among systems and many of them do not

interface with each other; significant gaps in information that should be available to clinicians for patient care; significant gaps in information that should be available for measuring and monitoring performance; multiple systems are not user friendly or efficient. Most application are at only basic functionality; which are less than current industry standard and are well below state of the art for application and software.

- **Coachella Valley Western Regional Homeless Multi-Service Center:**
The Riverside County's 2007 Homeless Census counted 1,515 homeless individuals in the Coachella Valley and immediately surrounding areas; although *two-fifths of these individuals reside in the Western Coachella Valley*, the closest *comprehensive* services are 30 miles away in the Eastern Coachella Valley. The problem continues to grow: valley wide, it is estimated that 2,000 households, (or approximately 7,000 individuals), will become homeless in the next 12 months. The Coachella Valley Association of Governments' Homelessness Committee was created to regionally address homelessness with its first priority: increasing services in the Western Coachella Valley. In response: a Western Regional Multi-Service Center, will be a regional effort between non-profits and local governments, including nine cities and two of Riverside County's Supervisorial Districts, to provide co-located services that will move the homeless population from dependency on local resources to becoming self sufficient citizens.
- **Corrections Video Surveillance:**
Corrections facilities are stretched beyond capacity with more inmates being detained at the local levels. Federal Court orders capping housing populations levels, require that inmates charged with lesser crimes be released, causing the housing population to be comprised of the more violent criminals. Therein lays a *need to be able to monitor the inmates and staff within the facility to maintain safety for all concerned*. Technological advancements and enhanced video monitoring equipment will allow staff to supervise and direct inmate activity as well as review disturbances to ascertain initiating inmates and hold them accountable.
- **Construction of Nursing Education Building:**
The nursing shortage in Riverside County is especially critical given the rapid population growth. The acute shortage now undermines both the County's ongoing Emergency/Medical Trauma System and the County's first responder capacity. The proposal is to urgently address the shortage with a quickly implantable program that can produce new Registered Nurses (RNs) in a one-year program, compared to traditional two – four year programs.
- **Construction of Thermal Affordable Housing:**
Mountain View Estates is a proposed 365 space manufactured home community in Thermal, CA. Thermal is a vastly low income farm worker community. The project is proposed as a two phase affordable housing development. The County's redevelopment agency is prepared to commit \$5,000,000 toward the

construction of the first phase. Given the impending federal action to close the nearby Duroville Mobile Home Park, the County requests federal funding assistance in the amount of \$5,000,000 to ensure timely completion of both phases and sufficient spaces for the to be displaced residents of the Duroville Mobile Home Park.

- **Construction of Middleton Affordable Housing:**

Crossings on Middleton is a proposed mixed use development that includes 144 garden apartment style rental units, 56 town home style rental units, 8 single family ownership homes, 3 acres of recreation park area and 60,000 square feet of retail and commercial space. The County Redevelopment Agency owns the 25 acre site. We are in the concept design stage of the project working in cooperation with Urban Housing Communities, an experienced affordable housing developer. The developer has requested approximately \$12.5 million in public contribution to facilitate development of the entire project including affordability of the housing units. The County Redevelopment Agency is prepared to commit a portion of this amount but we need federal funding assistance in the approximate amount of \$5,000,000 to ensure its timely development considering the potential eminent closure of the Duroville Mobile Home Park.

- **Rancho California Water District Southern Riverside County Recycled/Non-Portable Distribution Facilities and Demineralization/Desalination Recycled Water Treatment and Reclamation Facility Project:**

Rancho California Water District's (RCWD) project will substantially expand the use of recycled and raw water in Riverside County, will free up enough treated water to serve 70,000 new households in Southern California by converting agricultural demands from treated water to recycled and raw water, shifting 144 cubic feet per second peak demand off Metropolitan Water District of Southern California's (MWD) treated water system, providing for additional recycled water reuse of 16,000 AF/year, relieving pressure from the Bay Delta and Colorado River, increasing annual storage by 10,000 AF/year, reducing carbon emissions by 4.9 million pounds/year. RCWD completed a feasibility study, which insured viability of the project and was approved by Bureau of Reclamation (2007). The project was selected as an MWD Tier I project (MWD Official Integrated Area Study), was approved by California's Proposition 50 Integrated Regional Water Management Plan and is expected to receive funding under Proposition 84.

SELECTED EXISTING FEDERAL LEGISLATIVE POLICY POSITIONS

Re-Entry and Anti-Recidivism Programs:

Support measures that will increase funding for re-entry and anti-recidivism programs to provide a second chance at the local level.

Alternative Energy:

Support incentives and programs that encourage alternative energy, including wind power and solar.

Santa Ana River Parkway:

Support federal funding for this tri-county parkway, including support of the Army Corps of Engineer's request for funds for use at Prado Dam.

Unfunded Mandates:

Support measures that ease the burden of Federal regulations and mandates on local governments by:

- 1) Requiring adequate federal funds for new mandates arising from federal law, regulation, or policy; and,
- 2) Reimbursing local governments for the costs of complying with existing federal mandates.

Public Safety Funding:

Support measures that provide funding opportunities for local public safety efforts, including law enforcement, juvenile justice and delinquency prevention, violence against women, domestic terrorism, communications interoperability, and drug court activities.

Public Health Funding:

Support measures that continue or increase critical federal funding for local public health services, including Medicaid/Medicare, DSH, Ryan White, SAMHSA, and Preventative Health funding.

Social Services Funding:

Support measures that continue or increase critical federal funding for local social services, including Child Welfare Services programs, the Social Services Block Grant and funding under the Older Americans Act.

Maternal and Child Health Care:

Support funding for Maternal and Child Health Block Grants and legislation to revise the distribution formula for MCH funds to provide a more equitable distribution of funding for jurisdictions that have experienced population growth.

Election Reform:

Support measures that provide support and funding for upgrading and maintaining local voting systems.

Endangered Species Act (ESA):

Support measures consistent with the Board's policy to amend and reauthorize the ESA, including a more systemic approach to implementation of the Act.

Payment in Lieu of Taxes:

Support measures that increase PILT to the amount authorized by the Act in 1994.

Housing, Homeless, and Community Development Funding:

Support measures that address the housing and homeless needs in the county, and increase and fully fund the CDBG program.

Agricultural Pests:

Support measures to provide funding to address agricultural pest issues in the county.

Mental Health:

Support measures that provide funding for mentally ill offenders and other mental health programs.

Habitat Conservation:

Support measures that support and fund:

- 1) Habitat conservation and related activities;
- 2) Transportation and communication corridors to relieve congestion; and,
- 3) Planning efforts to establish future land use and housing needs.

Temporary Assistant to Needy Families (TANF):

Support measures that will continue the TANF program.

Riverside County Regional Medical Center:

Support legislation that would provide funding for capital improvement projects to improve RCRMC's ability to serve as the region's first responder for health-related incidents, and oppose any attempts to reduce Medicaid payments to public hospitals.