

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



**FROM:** Executive Office

546

**SUBMITTAL DATE:**  
February 1, 2011

**SUBJECT:** 2011 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. In addition to working with Board members and with our federal advocate, the Executive Office requests positions on federal issues from county departments. The 2011 platform contains new federal policy items and key selected policy items of continuing importance. The CSAC federal priorities are also included for Board approval. Previously adopted Board positions remain in effect.

Attachment

Alex Gann  
Principal Management Analyst

<b>FINANCIAL DATA</b>	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

<b>SOURCE OF FUNDS:</b>	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:** APPROVE

BY:   
Dean Deines

County Executive Office Signature

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

Prev. Agn. Ref.: | District: | Agenda Number:

3.2

# RIVERSIDE COUNTY 2011

## FEDERAL LEGISLATIVE PLATFORM



### BOARD OF SUPERVISORS

**Bob Buster**  
*Chairman*

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# **Executive Summary**

## **Executive Summary**

The Executive Office prepared this document with assistance from the Board members, department heads, federal advocates and regional stakeholders. Previously approved Board positions from earlier Federal Platforms are still in effect. The 2011 platform includes: key federal legislative priorities, new existing policy items, selected policy items of continuing importance, and finally the CSAC federal priorities are presented for Board approval. Due to the dynamic nature of the legislative process, additional federal legislative issues of concern to the county will be brought forward to the Board for appropriate action throughout the year as the need arises.

Based on the principles of fiscal stability, preservation of local control, efficient service delivery and operations and the promotion of inter-agency cooperation, the Riverside County Board of Supervisors provide specific direction and overall policy guidance by adopting an annual platform for each legislative session in accordance with Board Policy A-27.



## **New Federal Legislative Policy Items**

## **Export-Import Bank of the United States**

**Issue:** Expansion of Service of the Export-Import Bank of the United States in the County of Riverside.

**Action:** Support and advocate.

**Background:** The Export-Import Bank of the United States provides export financing assistance to manufacture and other exporters in Riverside County via a partnership agreement executed by the Assistant County Executive Officer/EDA, with the approval of the Board of Supervisors. The County Foreign Trade Commissioner-EDA, serves as the county representative to the Ex-IM Bank in Washington, D.C and to the business community. With the recent Brookings Institute study indicating Riverside County ranking 23 in the nation in exports, Ex-Im Bank is considering funding a full-time position in Riverside County to better serve our business community. Almost 50 county businesses rely on Ex-Im Bank services to assist in capitalizing exports. Advocating for the addition of a full-time staff position for the Ex-Im Bank will be a benefit to the county and its businesses and expands and improves services, which must now be offered from Newport Beach and or San Diego.

## **Office on Aging**

**Issue:** Older Americans Act Appropriations.

**Action:** Support Funding Increases for the Older Americans Act and Administration on Aging (AoA) included in the President's 2011 Budget.

**Background:** The President has included funding increases for the Older Americans Act in his 2011 Budget. In July House and Senate subcommittees increased the Older Americans Act recommended appropriations above the President's budget. The National Association of Area Agencies on Aging (N4A) reported in July that the Senate Subcommittee on Labor/HHS/Education Appropriations marked up its spending bill for FY 2011 and that there was an overall increase for the U.S. Administration on Aging (AoA) of \$143.3 million, which was higher than the President's budget request for AoA. The House Subcommittee on Labor/HHS/Education Appropriations recommended a funding level for AoA approximately \$135 million over FY 2010, which is also \$26 million over the President's recommended budget for AoA. However, neither bill was brought to the floor prior to the election and a continuing funding resolution froze appropriations at the FY 2010 level. The new Congress will need to approve the FY 2011 appropriations for AoA.

**Possible Fiscal Impacts:** In the long range budget planning for FY 2011-12, the Office on Aging was expecting federal increases to the Older Americans Act to offset the cut of the County General Fund and eliminate the need to lay off staff. Without any increase in appropriations to the AoA and Older Americans Act, the Office on Aging will likely need to eliminate positions and layoff staff. The AoA appropriations is an extremely small segment of the total federal budget, but these relatively small increases to the Older Americans Act will make a significant impact at the local level.

## **Empowerment Zone Renewal**

**Issue:** Empowerment Zone Renewal.

**Action:** Support and Advocacy.

**Background:** Empowerment Zone, Renewal Community and Enterprise Community Enhancement Act of 2009 - Amends Internal Revenue Code provisions relating to tax-preferred empowerment zones, rural enterprise communities, and renewal communities to: 1) extend the period of designation for such areas through 2015; 2) provide a safe harbor standard for employee residency requirements in empowerment zones; 3) eliminate certain residency requirements for the empowerment zone employment tax credit; 4) grant authority to expand the boundaries of empowerment zones and enterprise communities, including those located in rural areas; 5) allow carryovers of unused expensing allowances for enterprise zone businesses; 6) allow certain empowerment zone businesses to elect to receive payments in lieu of tax benefits; 7) allow federal guarantees and tax exemptions for enterprise zones and renewal communities; and, 8) allow the issuance of tax-exempt rural enterprise community bonds and empowerment zone facility bonds.

## **Homeless Persons Demonstration Program**

**Issue:** Fund the Housing and Services for Homeless Persons Demonstration Program and obtain an allotment of these vouchers for Riverside County.

**Action:** Support.

**Background:** The Administration has previously requested funding for Housing and Services for Homeless Persons Demonstration—\$85 million from HUD's Section 8 Housing Choice Voucher program to be combined with services provided through the Substance Abuse and Mental Health Services Administration (SAMHSA), Medicaid, and the Temporary Assistance for Needy Families (TANF) program within Health and Human Services (HHS). Housing coupled with services is a model proven to end homelessness for many individuals and families who are experiencing homelessness. The demonstration has the potential to promote the type of cross-agency partnerships that will greatly improve homelessness assistance.

The 2009 Riverside County Homeless Census revealed that there are approximately 3,336 individuals who are homeless in Riverside County on any given day. Section 8 vouchers reserved exclusively for homeless individuals/families would be an effective tool for permanently ending homelessness for these households. The Housing Authority has substantial experience in the administration of homeless programs and other special needs housing programs including: Housing Opportunities for Persons with HIV/AIDS (HOPWA), VA Supportive Housing (VASH), Shelter Plus Care, and the Homelessness Prevention and Rapid Re-Housing Program (HPRP). An allotment of these targeted vouchers would be an invaluable tool to the local homeless continuum of care.

## **HUD-VASH Program**

**Issue:** Increase funding for the HUD-VA Supportive Housing (HUD-VASH) program vouchers and obtain additional VASH vouchers for Riverside County.

**Action:** Support.

**Background:** The HUD-VASH program combines a Section 8 Housing Choice Voucher with case management and clinical services provided by the VA. Evaluation of the HUD-VASH program has found that recipients increase days housed, employment, income, and social networks. The HUD-VASH program has demonstrated decreases in the number of days recipients spend homeless or in institutions and reductions in the use of alcohol.

Recent homeless national census figures estimate that there are approximately 131,000 veterans experiencing homelessness, many of whom are chronically homeless, living on the streets with a severe physical or mental disability. Individuals who experience chronic homelessness typically require permanent supportive housing – housing linked with intensive supports such as those provided by the HUD-VASH program – to help them maintain housing stability. A number of studies have demonstrated that permanent supportive housing is a cost-effective approach that helps people who have intensive needs to maintain stable housing, and some evidence shows that once back in housing, they are likely to access health and substance abuse treatment services.

The Housing Authority was authorized 155 VASH program vouchers in FY 2009 and has successfully partnered with the Loma Linda VA Hospital to implement the VASH program locally. The current allotment of 155 vouchers is not sufficient enough to address the needs of homeless veterans in Riverside County and the Housing Authority is recommending an additional allotment of 100 vouchers.

## **Public Health and Medical Emergency Preparedness and Response Funding**

**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/public health consequences of terrorism, natural disasters and/or other public health emergencies.

Support the removal of restrictions on the utilization of grant funds to support personnel, including permanent and temporary staff positions and contract personnel.

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.

**Background:** The terrorist activity on and after September 11, 2001, Hurricane Katrina, the October 2007 fires in Southern California and the 2009 H1N1 Pandemic Influenza response are a few examples of events that have identified the impact of terrorism, natural disasters and public health emergencies on local, state and federal medical/health response capabilities.

Recent changes in federal funding have placed limitations on the amount of personnel that can be supported by emergency preparedness and response 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. In addition, some federal grants include contract staff in personnel caps. 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, natural disasters and other public health emergencies.

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.

## **Move To Work Designation For Riverside County**

**Issue:** The County of Riverside does not currently qualify to participate in the Move to Work Demonstration Program.

**Background:** Move to Work (MTW) is a demonstration program for public housing authorities (PHAs) that provide an opportunity to design and test innovative, locally-designed strategies that use Federal dollars more efficiently, help residents find employment and become self-sufficient, and increase housing choices for low-income families. An MTW designation gives PHAs exemption from many existing public housing and voucher rules and more flexibility with how they use Federal funds. MTW PHAs are expected to use opportunities presented by MTW to inform HUD about ways to better address local community needs.

The Housing Authority is currently authorized to serve 8,522 households through the Section 8 program and 469 households through the Public Housing Program for a total of 8,991 affordable housing units. As of December 28, 2010 there were 53,970 households registered for the Section 8 waiting list and 78,924 households registered for the Public Housing waiting list. The economic downturn has prompted even more households to seek affordable housing units. Given current funding levels and program capacity, the only way for the Housing Authority to serve additional households is through program policy changes which prompt working families to quickly transition to market rate housing. The MTW designation will enable the Housing Authority to implement such policies which prioritize self-sufficiency and encourage short-term use of vouchers. For working families, affordable housing must be a stepping stone not the end goal. Additionally, the MTW designation will align the Riverside County voucher program with local welfare-to-work goals which have been successfully implemented by the Riverside County Department of Social Services and the Riverside Workforce Investment Board.

**Action:** Support Federal legislation that will allow Riverside County Housing Authority to receive a Move to Work designation.

## **Training, Recruitment and Retention of Public Health Workforce**

**Issue:** Training, Recruitment and Retention of Public Health Workforce.

**Action:** Support legislation that allows for the establishment of a Public Health Workforce Scholarship Program and a Public Health Workforce Loan Repayment Program.

**Background:** The ability of the public health system is to prevent, respond to and recover from bioterrorism, infectious disease outbreaks and other health threats depends on the existence of adequate numbers of well-trained public health and environmental health professionals. The current public health system has an aging staff nearing retirement with no clear influx of highly skilled and capable employees to fill the void.

## **Tax Reconciliation Act**

**Issue:** Repeal Section 511 of Tax Reconciliation Act (P.L. 109-122).

**Action:** Support legislation to repeal the 3 percent withholding requirement which would require local government to withhold 3 percent of all goods and services over \$10,000 for eventual tax payment to the federal government (on behalf of our vendors).

**Background:** This program will require administrative efforts and costs with no return to the county. Withholding monies for payment to the federal government will not only consume county labor and system resources, it can create a negative impact on our vendors which could increase costs and cause some of them, especially the smaller, local business to withdraw from doing business with the county. If vendors know we are withholding any amount from them, they will most likely increase their bid or commodity price to cover some or all of that loss. I believe the small to midrange businesses, without large accounting staffs may find this one more piece of cumbersome “red tape” in doing business with government and move their efforts elsewhere. The small businesses are some of our best service providers, and provide employment for local residents who in turn spend their money in our county.

Studies done by the Department of Defense indicate that the cost to manage this program will actually be more than the amount collected. The Joint Committee on Taxation (JCT) estimated that the 3 percent mandate at all levels of government - federal, state and local - would generate a mere \$7 billion over five years. “It now appears that the cost of implementing the new law -- and for one government department alone -- will greatly exceed the revenues that were anticipated from the mandate,” the Small Business & Entrepreneurship Council (SBE) has stated.

The SBE has maintained from the outset that the cost to implement the 3 percent mandate would be staggering. Beyond that, it argued that the mandate would create serious cash flow issues for small government contractors, would prevent many from bidding, or would force them to raise prices.

## **Federal Transportation Authorization**

**Issue:** Federal Transportation Authorization.

**Action:** Support Federal Transportation Legislative Authorization.

**Background:** The existing Federal Transportation Legislation SAFETEA-LU expired on September 30, 2009. The Act has been extended five times through continuing resolutions with the latest extension set to expire on December 30, 2010. Developing a new Federal Transportation Bill is critical for the nation's transportation system at the national, state and local level to promote economic development and create jobs. Every \$1 billion invested in transportation translates into 18,000 jobs. Federal transportation investment is needed to improve safety, maintain our infrastructure investment, reduce congestion, and improve mobility across all modes of transportation. The following positions and priorities should be pursued under the new authorization:

- 1. Support an aggressive Safety Program for making local roads safer through a "Toward Zero Fatalities" policy goal which focuses on the reduction of fatalities and serious injuries over the next transportation authorization by one-half. In this effort to achieve "Toward Zero Fatalities" the following specific legislative actions are recommended:**
  - a. Improve the Highway Safety Improvement Program (HSIP) and the ability of greater access to and assured funding from it for local road safety improvements. Nationwide data documents that over 50 percent of fatal crashes occur on rural roadways and we would encourage the HSIP to dedicate a minimum of 50 percent of the formula allocation to target investments on rural roadways with the highest fatality rate.
  - b. Support the continuation of the High Risk Rural Road Program (HRRR) and recommend higher levels of funding. A \$1 billion program is recommended over the authorization.
  - c. Implement Project streamlining for Low Cost Safety Improvement Projects. FHWA needs to modify regulations regarding the ability to access federal aid dollars for low cost safety improvement projects on local roads that do not involve capacity increases, acquisitions of real estate and are under \$1,000,000 in value. The current project review and approval system is prohibitive for small projects at the local level. Regulatory relief is needed so local road professionals can execute safety improvement projects in a timely manner.
- 2. Expedite Project Delivery on All Federal Aid Projects.** FHWA needs to modify regulations regarding the ability to access federal aid dollars for all projects on

local roads that do not involve capacity increases, acquisition of real estate and are under \$5 million in value. The current project review and approval system is prohibitive for projects at the local level. Regulatory relief is needed so local road professionals can execute projects in a timely manner.

3. **Allow CEQA to Satisfy NEPA.** Under SAFETEA-LU, California was granted NEPA delegation authority. California has demonstrated strong environmental stewardship and reduced the environmental process between 18 - 24 months on delivering transportation projects. Further reductions in project delivery time would be realized if federal legislation recognized CEQA as an equivalent or better substitute for NEPA.
4. **Preserve and enhance the set-aside for Federal Highway Bridge Replacement and Rehabilitation Program (HBRRP).** Properly maintaining our nation's bridges is critical to preserving mobility and connectivity across our roads and highways. Lack of maintenance can result in a catastrophic failure, as seen in Minneapolis, Minnesota several years ago, with the collapse of the bridge on I-35. A separate program set-aside is needed for Bridge Replacement and Rehabilitation, because bridge repair won't compete favorably against regional capacity improvements such as interchange expansions or highway lane additions.
5. **Increase funding opportunities for maintaining local streets and roads.** Cities and counties own and operate over 81 percent of the road mileage in California, where every trip begins and ends. In order to bring pavement conditions and essential components of California's local streets and roads to an acceptable condition will require an additional investment of \$7 billion annually over 10 years. The current funding shortfall, considering all existing revenues, is \$71 billion over the next 10 years.

## **Child Nutrition Reauthorization Funding**

**Issue:** Child Nutrition Reauthorization.

**Action:** Support Child Nutrition Reauthorization to provide adequate funding for WIC participation and Nutrition Services and Administration (NSA) and make the WIC participant application process simpler and more streamlined.

**Background:** The economic recovery may take longer than anticipated and more families will turn to WIC for nutrition assistance requiring additional funding. In fiscal years 2006-2009, unforeseen economic circumstances have forced WIC to utilize contingency funds to assure that mothers and young children were not turned away. WIC urges Congress and the Administration to carefully monitor WIC participation and food cost inflation to assure that the budget request responds to economic conditions. Should the economic recovery take longer than anticipated, more families will turn to WIC for nutrition assistance and WIC may require additional funding. WIC strives to combat childhood overweight and obesity and has been part of the President's budget proposals to Eat Healthier, Live Better.

## **Medicaid**

**Issue:** Medicaid.

**Action:** Promote every opportunity to increase the Federal share and reduce county cost.

## **Workforce Investment Act**

**Issue:** Reauthorization of the Workforce Investment Act.

**Action:** Support the passage of the Workforce Investment Act.

**Background:** The Riverside County Workforce Investment Board is one of 49 California private-sector led Workforce Investment Boards (WIBs). California's WIBs have transformed California's workforce system to be responsive to the demands of a global economy. Local WIBs across the state have established comprehensive workforce development services accessible to job seekers, laid-off workers, incumbent workers, veterans, youth, new entrants into the workforce, persons with disabilities and businesses. Through strong strategic partnerships with private-sector businesses, local government, community-based organizations, institutions of higher education and K-12 education, WIBs remain in a prime position to serve as the pipeline for a skilled labor force necessary for economic recovery and long-term growth.

**Action Requested:** Our economic recovery is dependent on having a skilled, knowledge-based workforce. During these very challenging economic times, it is imperative to invest in our Nation's human capital by taking swift action to reauthorize the Workforce Investment Act. Building on what has been established, the Riverside County Workforce Investment Board urges Congress to consider the following improvements to the law:

Maintain private-sector business led WIBs to ensure the workforce system is meeting the demands of local businesses. Eliminate the mandated partners based on programs or funding streams. The number of mandated partners along with the private-sector majority creates very large and unwieldy boards. Instead, require WIBs to have mandated partners based on institutions instead of funding streams. Required members at a minimum would include: Community Colleges, the K-12 system, a local Welfare Department, an Economic Development Agency, Organized Labor, and if appropriate, four year colleges.

Local WIBs struggle to assemble funding for business services through a combination of adult, dislocated worker, and rapid response funding. Specific allowable business services should be written into the law, along with the ability to use any funding stream to support those activities. Increased opportunities to provide lay-off aversion services, on-the-job training, and customized training are key to economic recovery and long-term growth.

Allow WIBs the ability to fund skills training through contracted services with institutions of higher education. Current law allows this only when the local board determines there is a training program of demonstrated effectiveness offered in the local area by a community-based organization or another private organization serving special participant populations that face barriers to employment. The workforce development

system must move beyond Individual Training Accounts as the only method for assisting job seekers with skill acquisition and career advancement.

Current income-based eligibility requirements in youth programs arbitrarily exclude youth who would most benefit from services. Provide for cross program eligibility, so if a youth or family is deemed low income by one federal program or agency, documentation of their low income status would satisfy the income eligibility requirements of other federal programs, without having to provide additional proof of income. With common eligibility definitions, young people can receive coordinated support from education, workforce and social services programs.

## **Salton Sea Restoration**

**Issue:** The County of Riverside views the restoration of the Salton Sea as a significant priority to the legislative platform. Lack of consensus on a preferred alternative to restore the Salton Sea will cause additional delays, which will have a profound impact on the ecosystem of the Salton Sea include adverse impacts to air quality, bird habitat, fisheries, agriculture and public health.

**Action:** 1. Consensus on a preferred alternative is necessary to achieve the needed restoration of the sea and to protect the impacted ecosystem.

2. Assistance is needed to identify a sustainable funding mechanism to support restoration activities.

**Background:** The Salton Sea is a closed drainage basin that occupies the lowest elevations of the Salton Sink of Imperial and Riverside Counties in Southern California. The salt water lake covers approximately 376 square miles making it the largest in California. The Salton Basin has been alternately a fresh water lake and a dry desert basin, depending on random river flows and the balance between inflow and evaporative loss. A lake only exists when it is replenished by the Colorado River and rainfall, a cycle that has repeated itself countless times throughout history.

In 1905 heavy rainfall and snowmelt caused the Colorado River to swell, breaching the banks of the Alamo Canal. Over a period of approximately two years the entire volume of the Colorado River flowed into the Salton Sink forming the lake.

The lack of an outflow over the past 106 years has caused the Salton Sea's ecosystem to undergo accelerated change. Variations in agricultural runoff cause fluctuations in water level, the relatively high salinity of the inflow feeding the Sea, along with evaporation has resulted in ever increasing salinity. By the 1960s it was apparent that the salinity of the Salton Sea was rising, jeopardizing many species of fish. Fertilizer and nutrient runoff combined with the increasing salinity have resulted in large algal blooms and elevated bacteria levels which have impacted the oxygen content of the sea, resulting in significant fish kills over the last several decades. Ultimately, the only species of fish to survive in this environment are tilapia.

The Salton Sea has been termed a "crown jewel of avian biodiversity" with over 400 bird species documented at the Salton Sea. The Salton Sea supports 30 percent of the remaining population of the American white pelican and is a major resting stop on the Pacific Flyway.

In the late 1990s, the Salton Sea Authority, a local joint powers agency, and the U.S. Bureau of Reclamation began efforts to evaluate and develop an alternative to save the Salton Sea. Several alternatives and conceptual designs have been developed over the last fifty years but have been found to be either too costly or structurally deficient.

The California State Legislature, by legislation enacted in 2003 and 2004, directed the Secretary of the California Resources Agency to prepare a restoration plan for the Salton Sea ecosystem, and an accompanying Environmental Impact Report. As part of that effort, which is based on State legislation enacted in 2003 and 2004, the Secretary for Resources established an Advisory Committee to provide recommendations to assist in the preparation of the Ecosystem Restoration Plan. The California Department of Water Resources and California Department of Fish and Game were assigned as lead agencies to oversee the effort and between 2005-2008 developed a preferred alternative for the restoration of the Salton Sea ecosystem and the protection of wildlife dependent on that ecosystem.

On January 24, 2008, the California Legislative Analysis Office released a report entitled "Saving the Salton Sea." The preferred State alternative outlined within this draft plan calls for spending a total of almost \$9 billion over 25 years and proposes a smaller but more manageable Salton Sea. The amount of water available for use by humans and wildlife would be reduced by 60 percent from 365 square miles to about 147 square miles. The central portion of the sea would be allowed to almost completely evaporate and would serve as a brine sink, while the southern portion of the sea would be constructed into a saline habitat complex.

During that same time period the Salton Sea Authority made up of local water agencies, tribal interests and the counties of Riverside and Imperial developed an alternate preferred plan to restore the sea.

In February 2010, a ruling by a Sacramento County superior court judge invalidating the Quantification Settlement Agreement, or QSA — a 2003 pact between the state and major water agencies to divide Colorado River water and reduce its use overall in California. The judge said the QSA violated the California Constitution because it left the state on the hook for potentially unlimited Salton Sea mitigation costs.

In September 2010 the Governor signed Senate Bill 51, authored by state Sen. Denise Ducheny, creating the Salton Sea Restoration Council, a governing body of state and local officials and citizen representatives to oversee restoration efforts at the dying sea.

Local officials are unhappy with the makeup of the Salton Sea Restoration Council because of the disproportionate number of state to local representatives.



## **CSAC Federal Priorities**

## **CSAC Federal Priorities**

Support the California State Association of Counties position on the following federal issues:

### **New Authorization of the Nation’s Surface Transportation Law (SAFETEA-LU):**

CSAC continues to actively promote its transportation reauthorization agenda with key policymakers. Among things, the association is recommending a more streamlined and flexible approach to allocating federal transportation funds to state, regional, and local agencies. This policy change could take shape by reducing the current 108 programs under SAFETEA-LU into a smaller number of more flexible programs, such as the 10 new federal programs recommended by the National Surface Transportation Policy and Revenue Study Commission.

### **Health Care Reform:**

CSAC supports health system reform legislation to provide health coverage and access to the uninsured and funding for a robust public health system to detect and prevent disease. Medicaid expansion initiatives, however, must minimize the additional fiscal contributions of states and counties to fund such initiatives. CSAC also supports mitigating any reductions in the Medicaid disproportionate share hospital (DSH) payment program, given the federal estimates that 17 to 25 million will remain uninsured after reform is implemented.

### **Medicaid:**

Oppose Medicaid budget reductions that would harm health service delivery in California and supports an increase in the Federal Medical Assistance Percentage (FMAP) as part of any economic stimulus package.

### **State Criminal Alien Assistance Program (SCAAP):**

The SCAAP program is a critically important budget item for a large number of California’s counties. CSAC is one of the leading local government organizations in the fight to protect and enhance funding for SCAAP, which continues to be underfunded by Congress. CSAC will continue to advocate for maximum funding levels to offset the cost of housing undocumented criminals in county detention facilities.

### **Climate Change:**

Urge Congress to provide financial incentives to states that adopt and set greenhouse gas emissions reductions targets. CSAC also is urging Congress to provide additional funding for the Energy Efficiency and Conservation Block Grant, which provides resources to local governments for a variety of energy efficiency programs.

### **Fuels Management:**

CSAC actively supports legislation that would provide at-risk communities with incentives to improve fire prevention efforts.

**Tribal Gaming:**

CSAC promotes legislation that would require tribes, counties and other local governments to reach judicially enforceable agreements that address mitigation of off-reservation impacts, service impacts, and public safety costs associated with tribal gaming and other related development.

**Community Development Block Grant (CDBG):**

CSAC supports continued funding for the CDBG Program.

**Telecommunications Reform:**

CSAC continues to resist efforts in Congress to grant the Federal Communications Commission with additional decision-making authority over state and local telecommunications matters. However, CSAC supports funding for increased broadband penetration to rural and hard-to-serve areas.

**Foster Care Reform:**

CSAC supports legislation to reform the foster care financing system, as well as provide additional resources to stabilize families and train and retain child welfare staff. CSAC also supports additional programmatic flexibility along with an updated foster care payment methodology.

**Homeland Security:**

CSAC has successfully advocated for increased funding for first-responder programs, including the State Homeland Security Grant Program and Emergency Management Performance Grants. The association also has successfully lobbied to ensure that high-threat states, such as California, receive a greater share of homeland security grant funds.

**Byrne Grant Funding:**

The Byrne Memorial Justice Assistance Grant (JAG) received a nearly two-thirds cut during final negotiations on the fiscal year 2008 budget. CSAC strongly supports congressional efforts aimed at increasing funding for the JAG program.

**Immigration Reform:**

CSAC supports comprehensive immigration reform that recognizes the role that county governments play in the immigration arena. Any federal reform efforts should include the following elements: (1) a state and local impact grant program for health and education services; such a grant program should recognize that county governments – particularly along the southwest border – incur significant unreimbursed health care costs related to the provision of services to undocumented immigrants; (2) full funding for the State Criminal Alien Assistance Program (SCAAP); (3) border security strategic planning; (4) federal training dollars for county law enforcement officers targeted to jurisdictions along the borders; and (5) the promotion of access to health care.

**Clean Water Act:**

Support amendments to Section 404 of the Clean Water Act to define maintenance of flood control channels or facilities as a non-prohibited activity thereby exempting maintenance from requiring Section 404 permits.

**Cooperative Endangered Species Conservation Fund:**

Support increased funding for the U.S. Fish and Wildlife Service's Cooperative Endangered Species Conservation Fund 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 California and nationally.



## **Previous Federal Policies Positions**

## **Federal Housing Funding**

**Issue:** Federal Housing Funding is not based on a predictable formula that allows local housing authorities to properly plan future budgets. Furthermore, funding allocations have declined as rising unemployment increased the need for housing assistance in Riverside County.

**Action:** Create a set formula to determine the level of funding for the Housing Choice Voucher Program. The formula should reflect and adequately fund increasing housing needs.

**Background:** A five month delay in receiving the 2009 HUD funding notice left the Housing Authority of the County of Riverside (HACR) with insufficient time to adjust its budget and address funding shortfalls. HUD uses different formulas each year to determine funding levels, leaving local housing authorities with limited guidelines for budget planning. This created delays for families in need of rental assistance and can create serious budget issues for the agency.

Additionally, Riverside County's funding allocation was required to use its program reserves as part of its funding allocation. This reduced the level of funding Riverside County would receive from HUD for rental assistance. Unprecedented increases in the county's unemployment surged demand for Housing Assistance Payments, known as Section 8 subsidies. The housing authority was forced to reduce program costs and has issued vouchers to families from their waiting list to those who were slated to receive assistance. Families from outside the area who wanted to move to Riverside and transfer their Section 8 voucher were no longer accepted and those who wanted to move outside of the county were required to relocate to lower-cost locations. Increases in payments to landlords and rising demand for housing assistance further stressed the agency's finances.

The HACR was able to avoid further cuts to rental assistance by using all of its program reserves. Any delays in future funding notices or additional cuts to funding would jeopardize the rental assistance provided for many Riverside County families.

## **Jobs Stimulus Funding**

**Issue:** Jobs Stimulus Funding.

**Action:** Encourage federal jobs funding that creates jobs in regions hard hit by foreclosures and property value decline.

Prior stimulus programs have focused on job sectors such as weatherization and construction that are not helpful to Riverside County. Most of our two million residents live in homes that are new and generally have good insulation. Further, we have an excess supply of recently built homes and any new home construction would further lower home values. The proposed jobs programs would have little beneficial impact on county unemployment, which currently stands at 15 percent.

## **Regional Habitat Planning**

**Issue:** Regional Habitat Planning, Conservation, Management and Monitoring Fiscal Support via the *U.S. Fish and Wildlife Service's Section 6 Cooperative Endangered Species Conservation Fund* in the FY 2011 *Senate Interior and Related Agencies Appropriations bill*.

**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 Section 6 Cooperative Endangered Species Conservation Fund (the "Fund") be restored to previous levels, from the \$85.0 million current-year level to \$125 million in FY 2011. 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, throughout the state and nationally.

The Fund includes grants for land acquisition of approved HCPs, planning grants for HCPs in preparation, land acquisition grants for species that have Recovery Plans and sub grants for management and monitoring activities. 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. Management and monitoring activities, which are critical to the continued success of these plans, also need to be funded. 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 \$85.0 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.

With adequate funding, HCP's can significantly capitalize on our present economic situation by securing lands, previously out of market range, needed to establish the reserve systems. Given this unique opportunity a large increase of the Fund over the next several years is justifiable and necessary.

## **Ratification of the Columbia, Panama, and South Korea Free Trade Agreements (FTA)**

**Action:** Support the ratification of the Columbia, Panama, and South Korea Free Trade Agreements (FTA) by the United States Senate.

**Background:** Encourage the Congress of the United States and the Administration to pass the South Korean Free Trade Agreement, Panama Free Trade Agreement, and Columbian Free Trade Agreement. These free trade agreements are vital to the further economic recovery of the economy of the County of Riverside. Riverside County currently ranks 23<sup>rd</sup> in the nation in exports. Opening up new markets for exports is critical to our private sector business in the manufacturing and agricultural sectors. Exports, according to Beacon Economics, Claremont McKenna College, and the University of California, Riverside are the single sector that is growing in all economic indicators. This makes the execution and approval of these free trade agreements more important than ever.

Currently, more than 90 percent of Columbian exports enter the U.S. duty-free and regretfully, products manufactured in the County and the U.S. face high and stiff tariffs and other trade barriers. According to the County's Office of Foreign Trade, ratifying the Columbia FTA will eliminate duty on 80 percent of products manufactured in the County thus opening more markets for exports by the 1,020 manufacturers located in the County. Agri-business would also reap tremendous benefits from this FTA as it would see tariffs and duties eliminated on 50 percent of its exports immediately. Similarly the Panama FTA would open those foreign markets to County firms and farmers and result in allowing 88 percent of products manufactured in the County to enter duty-free upon entry in force of the agreement.

The South Korea FTA will eliminate tariffs and other barriers to the trade of goods and services, promote economic growth and development and strengthen existing economic ties between the U.S. and its 7<sup>th</sup> largest trading partner. This FTA would provide greater protection for patents, trademarks, and trade secrets; and provides small and medium-sized businesses access to greater exports to South Korea.

Riverside County has been hard hit by the economic downturn, including having one of the highest foreclosure rates in the nation. The County urges Congress to take quick action on the Columbia, Panama, and South Korea Free Trade Agreements because of the significant economic benefits they will bring to Riverside County.

## Direct-to-Consumer Shipping of Wine

**Issue:** Legislation was introduced in the 111<sup>th</sup> Congress that would have allowed individual States to eliminate direct-to-consumer shipping of wine, and is likely to be reintroduced in the 112<sup>th</sup> Congress.

**Action:** Oppose legislation that would relinquish Federal authority of alcohol regulation to the States, eliminating the protections granted by the Commerce Clause in the regulation of wine and alcohol.

**Background:** The Commerce Clause of the Constitution grants the U.S. Congress the sole power to regulate interstate trade, and bars States from passing laws and regulations that impede such trade. In the Supreme Court case of *Granholm v. Heald* (2005), the Court ruled that a state cannot pass laws that discriminate between in-state and out-of-state wineries unless the state can prove that it lacks other means of addressing such issues as public safety and public health.

Legislation introduced in the 111<sup>th</sup> Congress as H.R. 5034 would have allowed certain State alcohol laws to avoid judicial scrutiny through a presumption of validity, and insulate and sanction discriminatory state laws by reversing evidentiary rules for Commerce Clause challenges and increasing the burden of proof for plaintiffs. In essence, the measure would have allowed the elimination of direct-to-consumer shipping of wine in the 37 states and District of Columbia that currently permit it, including California, reducing consumer choice and hurting wineries.

California – *including Riverside County* – is the 4<sup>th</sup> largest wine producing region in the world. The industry creates more than 330,000 jobs, produces billions of dollars in economic impact, and preserves agricultural land and family farms. However, only 17 percent of wineries are distributed by wholesalers nationally, and 54 percent are unable to secure a wholesaler even where they actively seek representation. As a result, many wineries must rely on direct sales to survive. By allowing states to close down this method of distribution, the proposals would hurt businesses, jobs, and state and local economies in states with a thriving wine industry.

## **Emancipated Foster Youth**

**Issue:** Emancipated Foster Youth.

**Action:** To protect and support children in foster care by supporting legislation that provide states access to federal resources to support emancipated foster youth up to age 21.

Every year, more than 4,000 California youth lose foster care support when they reach the age of 18. These children who ‘age out’ often face economic, educational and social hurdles as they try to transition independently into adulthood. The critical years between the age of 18 and 21 are when these youth are most at risk of becoming homeless, involved in the criminal justice system or unemployed. Not only are there personal costs to the youth involved, but the failure to support these children reverberates throughout the state and local governments in the form of incarceration and social service costs.

The intent of this proposal is to support legislation to provide California with the ability to leverage federal resources to support foster children up to age 21.

## **Foster Care Background Checks**

**Issue:** Foster Care Background Checks.

**Action:** Federal law went into effect on October 2008 that requires California to use federal requirements to conduct its criminal background checks. California currently has a thorough background check process which allows for exemptions for potential foster-care parents, under specific circumstances. The exemption option is not available under the federal law. This will result in a decrease in the number of persons, especially relatives, who can be authorized to care for children in foster care.

The intent of this proposal is to support children in foster care by allowing California to determine standards of foster care placements.

Continued use of the current California background check process in foster care placements would not create a fiscal change.

**Supplemental Security Income (SSI) Benefits  
for Emancipated Foster Youths**

**Issue:** Supplemental Security Income (SSI) Benefits for Emancipated Foster Youths.

To protect and support children in foster care by supporting legislation that would allow foster care youth nearing emancipation to apply for SSI benefits in a timely manner.

**Action:** The intent of this proposal would be to support legislation to provide California with the ability to allow for timely application for SSI benefits to emancipating youth.

## **Communicable Disease Screening for Immigrants, Refugees and Asylees**

**Issue:** Screening, Follow-up and Reimbursement for Immigrants, Refugees and Asylees with Communicable Diseases of Public Health Significance.

**Action:** Support the Federal Government's efforts to standardize, improve and strengthen pre-entry screening of immigrants, refugees and asylees for communicable diseases of public health significance.

Support communication and mandatory follow-up with local health departments regarding immigrants, refugees and asylees who have been identified during screening as having either a communicable disease or a potentially communicable disease (e.g., those persons classified as Class B-1 tuberculosis status) of public health significance.

Support reimbursement from the Federal Government to local health departments for all un-reimbursed services provided on behalf of immigrants, refugees and asylees with communicable diseases of public health significance.

**Background:** Local health departments are often called upon to determine if an immigrant, refugee or asylee needs care and treatment for a communicable disease of public health significance. Pre-entry screening of immigrants, refugees and asylees is designed to prevent persons with active, transmissible communicable diseases from entering the United States, but the screening is not uniform. The requirement that immigrants, refugees and asylees with certain communicable diseases and potentially communicable diseases report for evaluation by local health departments is currently voluntary. This lack of consistent quality of pre-entry screening and lack of funded, mandatory requirements for evaluation upon arrival in the United States places an undue burden on local health departments and threatens the health of the communities they serve.

Immigrants, refugees and asylees need care and treatment for communicable diseases in the communities in which they reside. Local health departments are often called upon to absorb the cost of such services. Local health departments experience a financial burden in providing this care, essential to the health of the immigrant, refugee or asylee as well as to protect the health of the local community from the spread of communicable diseases of public health significance.



## **Continuing Federal Policy Positions**

## **Continuing Federal 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:

- Requiring adequate federal funds for new mandates arising from federal law, regulation, or policy; and,
- Reimburse 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, the Community 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 (PILT):**

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 reauthorize and improve the TANF program.

**Riverside County Regional Medical Center:**

Support legislation that would provide funding for capital improvement projects to improve Riverside County Regional Medical Center'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.

**Reimbursement Rates for Uninsured Persons Utilizing Hospitals:**

Support state efforts to gain additional federal funding to both reduce losses to hospitals under the Medicaid program, and to provide reimbursement for uninsured patients seen by hospitals.

**Empowerment Zones:**

Support measures that establish a formal funding mechanism and ensure long-term funding for Empowerment Zones.

**Foreign Trade Zones:**

Support Federal legislation that will allow existing Foreign Trade Zones to expand and support legislation that will allow for the creation of new Foreign Trade Zones.



## **2011 Federal Appropriations**

## **2011 Federal Appropriations**

The 111<sup>th</sup> Congress did not complete action on any of the FY 2011 appropriations bills. While work on many of the twelve individual appropriations bills was completed at either the subcommittee or full committee level, none were enacted. In February, the Republican House Caucus voted to impose a one year moratorium on earmark requests, which prevented members of the local Congressional delegation from advocating for County projects. However, Senators Feinstein and Boxer continued to support the County's requests.

The FY 2011 appropriations process came to a standstill due to the lack of a Budget Resolution to set overall spending parameters, and debate stemming from increased concern over Federal spending and the debt. When the logjam was temporarily broken in July, various House and Senate Appropriations Subcommittees began drafting bills under their respective jurisdictions, and in the Senate most bills were approved at the full committee level. As a result, the following levels of funding were proposed for County projects:

- \$1 million under the Health Resources and Services Administration for facilities and equipment for the trauma center at Riverside County Regional Medical Center (RCRMC);
- \$500,000 under the Bureau of Land Management for land acquisition related to the Santa Rosa and San Jacinto Mountains National Monument; and,
- \$250,000 under the Bureau of Reclamation for the Rancho California Water District.

After the August recess, work on the appropriations bills once again bogged down, and Congress was forced to pass a series of Continuing Resolutions (CRs) to keep the Federal government funded after the October 1 beginning of the Federal Fiscal Year. A last-ditch attempt was made to complete the process in the post-election Lame Duck session utilizing the *FY 2011 Omnibus Appropriations Act*, which included the proposed funding for RCRMC, the Santa Rosa and San Jacinto Mountains National Monument, and the Rancho California Water District. The effort was ultimately unsuccessful and Congress instead enacted a CR that funds Federal agencies and programs at the FY 2010 level until March 4, 2011, and does not include earmarks for specific projects of any kind. It will be up to the new Congress to determine what to do regarding the remainder of FY 2010 funding.