

## **Rural County Representatives of California 2017-18 Policy Principles**

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The Rural County Representatives of California (RCRC) is a member county service organization championing policies at the State and federal levels on behalf of California's rural counties. Rural counties face unique challenges when dealing with state and federal policies, such as greater distances, lower population densities, and geographic diversities which lead to unique obstacles for California's rural communities.

Founded in 1972, RCRC provides the rural county perspective on a myriad of issues throughout the state and federal legislative and regulatory processes with the mission to improve the ability of small rural California county governments to provide services to their constituents.

RCRC members and staff work to inform and educate State and federal representatives on the unique challenges California's rural counties face and to seek viable solutions for member counties through its advocacy efforts.

Each year, the RCRC Board of Directors adopts a set of Policy Principles that guide legislative and regulatory advocacy efforts for the organization. These Policy Principles set the stage for the organization's priorities on both broad categories and specific issues, and allow RCRC staff to take formal positions on individual pieces of legislation and regulatory proposals each year.

### **AGRICULTURE**

Agriculture continues to be a major economic sector for California. Comprised of 76,400 farms and ranches, California agriculture is a \$47 billion industry with over \$100 billion in related economic activity (based on 2015 California agricultural production statistics). California agriculture is a highly adaptable and diverse industry, encompassing more than 400 plant and animal commodities that feed the State, the nation, and the world.

Agriculture also fills many other vital and diverse roles in the California landscape. California agriculture provides for much needed open space in an ever increasing urban California; national security through the raising of our own fruits and vegetables, meat, poultry and other agricultural products; residual products for biomass to create clean alternative energy sources; science-based research and development through major universities; agri-tourism; preservation of habitat; and the reduction of greenhouse gas emissions.

Much of California's agriculture is rooted in rural counties. It is imperative that policies affecting the agricultural industry such as water, land use, air quality, taxation, and numerous others create an environment that allow California's farmers and ranchers to continue to provide safe and nutritious products to consumers around the world.

## **AGRICULTURAL LAND MITIGATION**

**Agricultural Land Conversion to Habitat.** RCRC believes that mitigation should be required for the conversion of agricultural lands to terrestrial or aquatic habitat when the easement is permanent and/or agricultural land uses are prohibited. This mitigation should be required for a period of time that is commensurate with the amount of time that the agricultural land uses will be precluded. An exception to this policy is agricultural development, where land is set aside for habitat or open space to address the impacts of the agricultural development.

**Easements.** RCRC believes that the “stacking” of habitat and agricultural conservation easements may or may not be appropriate depending upon the specific county and circumstances.

**Feasible Mitigation.** RCRC believes that permanent agricultural land conservation through easements and fees should be recognized as feasible mitigation for the loss of agricultural land as determined by the local government. RCRC supports clarifying in statute that the permanent protection of agricultural land is feasible mitigation under the California Environmental Quality Act for the loss of agricultural land.

**Local Land Use Authority.** RCRC opposes efforts to preempt local land use authority in connection with the conversion of agricultural land to nonagricultural uses. A one size fits all approach with respect to mandatory mitigation requirements, arbitrary minimum or maximum mitigation ratios, the types of agricultural land required to be mitigated, and the location of mitigation lands ignores the unique characteristics of each county, has no scientific basis, and would establish a bad precedent.

**Mitigation Lands.** RCRC believes that mitigation lands should be of comparable quality and value as those that were permanently converted.

## **BIOTECHNOLOGY**

Agricultural biotechnology is a collection of scientific techniques that are used to create, improve, or modify plants, animals, and microorganisms. Agricultural crops developed utilizing biotechnologies are often referred to as genetically engineered, genetically modified, or bioengineered. The United States is the largest producer of genetically modified crops, one of the largest producers of organic crops, and one of the largest exporters of conventionally-grown, identity preserved crops in the world. Coexistence among these three categories of crops is a distinguishing characteristic of United States agriculture, and makes it different from some other parts of the world.

**Adventitious Presence.** Adventitious Presence is the unintentional, low level presence of transgenic material in seed, grain, or food. Until such time as the United States Department of Agriculture (USDA) adopts a comprehensive policy, RCRC supports the practice of local, regional, and state-level stakeholders developing rules,

practices, and standards (e.g., planning of flowering and harvesting of different crops, grower districts, crop improvements and seed certification associations, seed sourcing standards, and noxious weed standards) that enable the coexistence of specialized or sensitive agricultural products and the need to meet diverse consumer and marketplace demands.

**Education.** RCRC supports efforts by the food industry to educate consumers about biotechnology, as consumer perception and market acceptance will determine the viability of the technology and the products produced.

**Federal Regulation.** RCRC supports the rigorous, science-based federal regulation of biotech products. This includes the United States Food and Drug Administration's broad authority to regulate all foods that are derived from new biotechnology food crops, regulations that require a scientific basis for approval/disapproval of agricultural products both domestic and foreign, the USDA's regulation of the movement, importation and field testing of genetically-modified crops, and the United States Environmental Protection Agency's establishment of limits for the amount of pest-control proteins present in foods derived from new genetically-modified crops.

**Labeling.** RCRC supports allowing, as a marketing tool, the voluntary labeling of products as not produced utilizing biotechnology if the label statements and/or advertising are not false or misleading, and the labeling and/or advertising meets established federal guidelines or standards, if any.

**Research.** RCRC supports policies including state funding for colleges and universities to support research and development of biotechnology techniques in agriculture to improve the productivity and competitiveness of California's agricultural and allied industries.

**State Policy.** RCRC supports a consistent statewide policy for the use of biotechnology in agriculture.

## **DISTRICT AGRICULTURAL ASSOCIATIONS/COUNTY FAIRS**

California fairs and fairgrounds have a complex governance structure and property ownership arrangement. There are 22 county fairs on county-owned land that are generally operated by the county with little or no State support. There are 41 District Agricultural Associations (DAA); in most instances, the State owns the fairground properties and the DAA operates the annual "county fair." The Governor appoints members to the governing board of each DAA and these entities are bound by various State procurement, personnel, and asset management rules.

Fairs and fairgrounds are an integral asset to rural counties, and the health and viability of each county's fair and fairgrounds is critical to both the local community as well as the State. Fairground properties are utilized throughout the year for numerous community events and are utilized by the California Department of Forestry and Fire Protection and other state and federal agencies as evacuation

centers, incident command centers, and equipment staging areas during catastrophic wildfires and other emergencies.

In the 2015 State Budget, the Legislature provided a modest amount of annual, on-going state assistance to small- and medium-sized fairs. And, in recent budgets, the Legislature has provided financial assistance for capital needs on all fairground properties. RCRC supports the current state funding assistance while pursuing both an increase and a sustainable funding stream in order to preserve a number of struggling fairs. RCRC also supports increased flexibility in the governance structure of fairs so they may operate in a more efficient and cost-effective manner.

## **INSPECTION AND COMPLIANCE**

Today's farming operations, both large and small, face many challenges including pressure from development, scarcity of resources such as water, increasingly stringent regulations, and increased imports of fruits and vegetables with minimal oversight. Agriculture is one of California's leading industries, and the primary economic base for many rural California communities. RCRC is supportive of programs and regulations that assist in preserving rural lands for agriculture; adequate supplies of resources at reasonable cost; and regulatory enforcement at the local, state, and federal levels to help assure a fair and equitable market for California's agricultural products.

**Inspection and Compliance.** RCRC supports funding for the operation of all state and national border inspection stations and monitoring of pesticides and pests in order to assure a safe, fair and equitable marketplace for California's agricultural industry.

**Right-to-Farm.** RCRC supports responsible local right-to-farm ordinances designed to permit and protect the rights of agricultural producers to engage in necessary activities without undue or unreasonable restrictions.

## **CLIMATE CHANGE**

In 2006, California established official state policy on climate change via the California Global Warming Solutions Act of 2006, also known as Assembly Bill 32. In 2008, California began working on the California Climate Adaptation Strategy, which addresses the possible effects of climate change and California's strategies to diminish the effects on California's population. While there are scientific uncertainties with respect to the causes and effects of climate change, RCRC recognizes the need to respond to California's climate change policy, while also encouraging reduction of greenhouse gas (GHG) emissions and mitigation of possible climate change effects where cost-effective and technically feasible.

**State and Local Agency Coordination.** In recognition of the fact that reducing GHG emissions and climate adaptation will require the efforts of multiple state

agencies, RCRC supports a coordinated effort between the various state agencies to avoid duplicative rulemaking processes.

RCRC also supports the formation of stakeholder advisory committees to lend practical expertise to state agency working groups during the development of multi-agency regulations and voluntary programs. Because every community has different needs, involvement of a variety of stakeholders including local governments, is vital to ensure that the State avoids a “one size fits all” approach when adopting regulations and establishing programs to mitigate the effects of climate change.

RCRC believes that it is the State’s responsibility to reach out to rural communities to promote and educate stakeholders during the development and implementation of statewide GHG emissions reduction measures. When individual rural communities are affected, the State should conduct workshops in those communities to provide opportunities for public input and to take comments on the State’s GHG policies.

**Land Use Authority.** RCRC supports the development of technical guidelines by the Office of Planning and Research that set specific, quantifiable GHG emissions standards for the California Environmental Quality Act (CEQA) and general plan documents.

RCRC believes that the development of state and federal assistance programs to provide data, methods, and financial support to help determine and quantify GHG emissions is vital for local governments to be able to address climate change in CEQA and general plan documents.

RCRC opposes any legal, legislative, or regulatory action which uses climate change policy as a vehicle to restrict or remove local land use authority.

RCRC supports a collaborative process between state and local agencies in the development of all climate change adaptation strategies related to land use decisions. The State should have the responsibility to identify possible strategies for its own agencies’ use and for voluntary use by local or regional agencies.

**Green Industry.** RCRC recognizes the potential for growth of green industry in California, and supports the continuation of existing incentives, and the creation of new incentives for those organizations to build new operations in areas with the highest rates of unemployment.

**Incentive-Based Programs.** RCRC supports the development of state programs that offer incentives to entities that voluntarily reduce GHG emissions and implement climate adaptation programs including grants, loans, offsets, early action credits and market-based credits trading programs. RCRC believes the State should recognize and offer special incentives to industry sectors that have already made significant GHG emissions reductions. RCRC supports free allocation of credits in market-based systems to smaller entities that may not be able to compete with large entities in an auction-based structure.

**Public Health.** RCRC supports a strong emphasis by the State on the important role of local and state public health departments in possible climate adaptation strategies. The State should provide fiscal and policy support to public health departments to ensure their ability to expand and advance to meet the potential needs of a changing climate.

**Monitoring and Reporting.** RCRC supports the development of GHG monitoring and reporting protocols through an open, transparent public process. RCRC opposes mandatory reporting for sectors that have been shown through the state emissions inventory to represent net GHG sinks.

**Regulatory Compliance.** In anticipation that the costs for GHG regulatory compliance will be disproportionately high in rural areas of the state, RCRC encourages flexibility for economically disadvantaged and rural areas in state regulatory programs including exemptions and tiered compliance schedules based on appropriate, regulation-specific parameters. RCRC believes that a State financial assistance program is imperative to enable local agencies to comply with GHG regulations.

**Greenhouse Gas Capture and Sequestration.** RCRC supports scientific studies that examine the benefits of carbon sequestration and methane gas capture projects. RCRC supports the development of broad, scientifically-based methods of accounting for carbon storage in sequestration projects including agriculture and forestry projects, and methods of accounting methane gas capture at landfills. RCRC supports programs that offer early action credits and offsets for GHG capture and sequestration projects.

**Forest Carbon.** RCRC supports the development of comprehensive and cooperative federal and state programs and strategies to reduce carbon emissions from forested lands, and preserve forest carbon sequestration. RCRC supports the development of a complete forest carbon inventory, as well as immediate fuels management and fire prevention projects as a vital component of the State's climate adaptation strategy. Coordination between federal, state and local agencies is critical to the mitigation of wildfires.

**Tribal Gaming Compacts.** Recognizing the potential expansion of tribal gaming facilities and anticipating the renewal of current gaming compacts, RCRC encourages the inclusion of GHG mitigation strategies in all new and renegotiated tribal gaming compacts.

**Cap-and-Trade.** Recognizing that the Cap-and-Trade program has collected hundreds of millions of dollars in revenue from utilities during the auction process and through the sales of transportation fuels, RCRC supports an equitable distribution of those funds back to ratepayers.

RCRC also supports using funds from Cap-and-Trade auctions for projects that will both reduce GHG emissions and benefit disadvantaged communities. In particular, RCRC supports using the proceeds to fund innovative transportation projects, fuels reduction, forest restoration, agriculture, organics processing infrastructure biofuels utilization, land use projects, and residential woodstove replacement programs, as well as utilizing these funds for State subvention funding to counties for the Williamson Act. RCRC supports the use of these proceeds on private, local, state, and federally owned and managed lands.

RCRC opposes the use of the California Communities Environmental Health Screening Tool (CalEnviroScreen) to identify “disadvantaged communities” for the purposes of allocating Cap-and-Trade funds. The CalEnviroScreen tool is flawed and excludes many rural communities that would be included as “disadvantaged” under other methodologies (such as the one outlined in the Public Resources Code). RCRC supports the development and expansion of Cap-and-Trade funding programs specifically targeted at rural communities.

## COUNTY OPERATIONS

Although RCRC member counties comprise more than 55 percent of California’s land mass, less than ten percent of California’s population resides in these counties. Low population, geography, and distance present rural counties with unique challenges in providing services. Consequently, requirements imposed by the State on county operations can have a significant and often disproportionate impact on rural counties.

## CALIFORNIA BUILDING STANDARDS CODES

The California Building Standards Code, California Code of Regulations, Title 24, consists of twelve parts. By statute, the California Building Standards Code is based upon the newest national model codes published by various independent code-developing bodies and organizations. The California Building Standards Code is subject to an administrative rulemaking process administered by the California Building Standards Commission (CBSC). Every three years, the CBSC reviews the most recent national model codes during their triennial update cycle of the CBSC. Once adopted by the State, these building standards become the minimum standards throughout the state. Local jurisdictions have the authority to adopt stricter or alternative standards with the same effect.

**New Building Code Standards.** With California’s diverse geography, topography, climate, weather, conditions of general development and other environmental and economic factors, RCRC supports more flexible local variations to code requirements and their implementation. RCRC supports tailoring regulations and requirements to local conditions.

**Increased Building Costs.** Building costs can be disproportionately higher in rural counties due to geography, low population density and lack of resources. Bearing the cost of new regulations can be especially burdensome for rural counties. RCRC

supports the ability of a local jurisdiction to delay implementation of costly new code requirements in rural areas in order for the requisite infrastructure to become cost effective and readily available.

## **ELECTIONS**

**Election Costs.** RCRC supports timely reimbursement of county costs associated with complying with the provisions of the federal Help American Vote Act (HAVA). RCRC also supports state reimbursement to counties for conducting special elections called by the Governor.

**Electronic Voting Machines.** RCRC supports expeditious certification of electronic voting machines by the Secretary of State so that counties will be in compliance with federal and state law and the integrity of conducting an election is maintained. The federal HAVA requires counties to use voting machines that allow individuals with disabilities to vote unassisted.

**Vote by Mail.** Two of California's rural counties (Alpine and Sierra) currently enjoy the ability to conduct all of their elections by mail. Many other RCRC member counties have a large percentage of their electorate casting ballots via mail. In 2016, the Legislature enacted Senate Bill 450 (Allen) which allows counties, via action by their respective Boards of Supervisors, to choose to conduct all of their elections via mail, provided a number of criteria are met – voting centers are established, ballot drop-off locations are made available, etc.

RCRC supports expanding the ability of counties to conduct all of their elections via all-mail balloting. In the event a county does not choose to conduct all of their elections under the SB 450 model, recently-enacted legislation – Assembly Bill 2686 (Mullin) – allows these counties, at the discretion of the Board of Supervisors to conduct any special election for the House of Representatives and the Legislature via all-mail balloting.

## **EMPLOYEES**

**County Workforce Responsibilities.** RCRC opposes legislative proposals that supersede and interfere with the constitutional duties of county Boards of Supervisors to provide for various terms of employment for their county workforce.

**Collective Bargaining Process.** The Meyers-Milias-Brown Act specifies the process for local governments to use in collective bargaining with represented employees. RCRC believes the current collective bargaining process is more than adequate to ensure that employees' rights are protected in both the bargaining process and the employment terms secured under labor contracts. As such, RCRC opposes:

- Binding arbitration for public employee wage and benefit disputes where no appeals of an arbitrator's final decision is allowed;
- Mandatory mediation as requested by one or more party when an impasse is reached;

- Mandatory fact-finding or an expanse of mandatory fact-finding to issues outside the immediate scope of an impasse; and,
- State mandates for the establishment of “ground rules” for the local bargaining process.

**Medical Marijuana in the Workplace.** The federal Drug Free Workplace Act of 1998 requires federal grantees and contractors to certify that they maintain a drug-free workplace and inform employees that it is unlawful to use and/or possess a controlled substance (including marijuana as cited in the federal Controlled Substances Act) in the workplace. Failure to adhere to the federal Drug Free Workplace Act could lead to a loss of a variety and extensive amount of federal monies. Absent any change in either the Drug Free Workplace Act or the Controlled Substances Act, RCRC opposes state efforts that would make it unlawful to hire, fire and/or base a promotion or demotion on a person’s status as a user, qualified or otherwise, of medical marijuana. RCRC believes such state efforts compromise a county’s position as employers and would lead to extensive litigation by employees that are using marijuana within the confines of state law.

**Outsourcing.** Counties, like other public agencies, are faced with enormous cost pressures and often have limited revenue opportunities associated with delivering certain services. In order to provide many of these services, counties must have a variety of options to ensure the service is delivered and can fit within budget structures. One option is to rely on a private vendor, commonly referred to as “contracting-out” or “outsourcing.” RCRC opposes limitations on county governments’ ability to outsource municipal services to the private sector.

**Public Employees’ Retirement.** RCRC supports efforts to reform pension benefits administered by the California Public Employees’ Retirement System (CalPERS) and other California public pension systems that would help protect the long-term solvency of California’s public pension systems and local entities while maintaining competitive pension benefits for county employees.

RCRC supports preservation of the exemption for elected officials from reinstating in their respective public pension systems including CalPERS. RCRC opposes efforts that would force locally-elected officials to choose between receiving compensation for their service as a county elected official and maintaining their current retirement benefit.

**Workers’ Compensation.** RCRC supports the preservation of reforms enacted to the workers’ compensation system in 2004 and 2012 to further reduce premiums, minimize costs, manage claims, and insure that injured workers are properly compensated and able to return to work in a speedy manner.

## **MEDICAL MARIJUANA**

The issue of medical cannabis regulation is of great importance to California’s counties. In the last several years, there has been a dramatic proliferation of marijuana cultivation, and the scale and volume of individual grow sites has

enlarged. In 2015, the Legislature enacted a comprehensive licensing and regulatory framework for commercial medical cannabis. The package addressed RCRC's four key policy concerns:

- Preserving local control;
- Providing explicit county taxing authority;
- Ending collective model – putting in place strict licensing requirements; and,
- Addressing environmental impacts.

In addition, the package addresses:

- The ability to have policies restricting the use of marijuana by employees;
- The power to collect fees associated with local medical marijuana licensing and regulatory activities;
- Prohibitions on the cross-ownership of licenses;
- The allowance of appellation verification statements to be permitted (“branding”); and,
- The restriction on licensees for previous criminal convictions and a strong revocation process for violations of corresponding state medical marijuana laws.

RCRC opposes any effort – in the Legislature, the regulatory process, and/or the statewide initiative process – that weakens, eliminates or compromises the implementation of these policies.

The regulatory framework places a number of responsibilities with regulating agencies, including the Bureau of Medical Cannabis Regulation and the Department of Food and Agriculture. These include the development of cultivation standards including a unique identifiers/track and trace program; detailed transportation standards; pesticide-use standards; and statewide limits on the number of large cultivation sites.

RCRC recommends the following be included in the implementation of the regulations:

- As a condition of issuing a State license, an applicant must demonstrate a local jurisdiction's approval – via a certified copy of documents – to operate within the local jurisdiction's borders;
- The establishment of uniform standards for the potency of medical marijuana products;
- Ensure the state properly and fully enforces the statutory and regulatory aspects of the scheme for those who are non-compliant, and in the case where this falls upon locals, adequate state reimbursement must be made;
- Proper labeling of THC levels and other products used for cultivation;
- Proper State enforcement of worker and worker safety standards;
- Assurance that no new state law or regulation grants any new “rights” relating to medical marijuana activities;

- Attention to the issue of tax compliance and enforcement, including assuring effective enforcement mechanisms for local tax obligations;
- Efforts at both the state and federal level to allow for and make available banking and other financial services to cannabis operators in order to minimize the use of cash; and,
- Statewide enforceable standard of what constitutes driving while impaired.

**State Oversight Board.** Any state board with oversight or advisory responsibilities relating to medical marijuana must include in its composition several rural county supervisors and/or rural county representatives in order to reflect the unique issues that occur in the cultivation of marijuana in rural areas.

**Environmental Enforcement.** Despite the best efforts of counties to utilize their operational and/or land use authority, counties lack the tools, resources, and legal authority to fully address the environmental degradation that is occurring with unregulated grows – the negative impact on water quality and water supply, the destruction of habitat, and the improper use of pesticides/fertilizers, among others, is rampant. RCRC believes that environmental damage must be addressed by a variety of State agencies including, but not limited to the, Board of Forestry, the California Department of Fish and Wildlife, Regional Water Quality Control Boards as well as other traditional state law enforcement agencies (i.e. California Highway Patrol, Department of Justice). RCRC supports a requirement that State environmental agencies coordinate with local government to ensure uniform application in enforcement efforts.

**Federal Lands.** Addressing all of the regulatory, public safety, and environmental issues on lands managed by the United States Forest Service, the National Park Service, and the Bureau of Land Management presents a set of challenges that exceed those found on State and private lands. Failure to adequately address cultivation on federal public lands will marginalize the work on State and private lands. RCRC supports efforts by federal land management agencies to properly manage and eradicate the illegal growing of marijuana on public lands and encourages federal agencies to actively work with State and local enforcement entities to achieve this objective.

## **PUBLIC SAFETY**

**Safe and Secure Local Detention Facilities.** The role of county detention facilities has drastically changed since the enactment of criminal justice realignment (Assembly Bill 109) in 2011. County jails now house a variety of criminals previously sentenced to State prison. This shift requires local detention facilities to now be reinforced to house more high-level offenders, to include facilities for rehabilitation and alternative treatment programs, and to ensure that facilities meet all accessibility, safety, and security standards under the law. Prior to 2011, many counties had mandatory population caps on the number of inmates being housed or serving time in county detention facilities. Enactment of AB 109 exacerbated the problems associated with county facilities where the population demands exceed capacity and programming space available. Further, many local detention facilities

have exhausted their lifespan and are in dire need of rehabilitation and/or major reconstruction.

The State has created several jail construction programs to provide financial assistance to counties to construct new or rehabilitate existing local facilities. RCRC supports further State efforts to provide a funding mechanism and/or funding sources that assist to these efforts. Many rural counties have challenges meeting State-match requirements; therefore, RCRC supports flexible and innovative financing options to address county financial hardships. RCRC also supports establishing funding streams that provide rural counties the ability to compete for State funds within low-population groupings.

**Certified Unified Program Agencies.** RCRC continues to support financial incentives for rural counties to operate Certified Unified Program Agencies (CUPAs). These incentives include reimbursement of local costs incurred in operating a CUPA so that businesses in rural counties do not pay disproportionately high fees compared to other areas of the state. RCRC also supports the reduction of non-essential reporting by CUPAs and a reduction in State administrative fees. In the event the State retains the administration of a local CUPA, the State should adequately reimburse counties, in a timely manner, for any costs the county incurs providing services during the absence of CUPAs.

**Emergency Medical Services.** The State Emergency Medical Services Authority (EMSA) is responsible for establishing standards for the training and scope of practice for emergency medical technicians (EMTs). These standards and regulations are applicable to local governments, agencies, and other organizations that provide this training. State law also provides for the certification of EMTs through local EMSAs, which are designated by counties. With few exceptions, RCRC counties meet these statutory requirements through participation in Local Emergency Medical Services Agencies (LEMSAs) through participation in multi-county Regional Emergency Medical Services Agencies (REMSAs). In most counties, at least one supervisor serves on a REMSA Board of Directors and has an important role in the governance of REMSA activities. To promote uniformity throughout the state, the EMSA provides an allocation of State General Fund dollars to REMSAs. RCRC supports adequate and continual State General Fund support for the REMSAs to ensure uniform levels of emergency medical care are available to residents and non-residents of rural areas. RCRC believes that rural county supervisors must directly participate in any EMSA proposal affecting the delivery of emergency medical services regardless if the county is serviced by a single county LEMSA or a multi-county REMSA.

**Illegal Drugs – Methamphetamine.** The production and use of methamphetamines continues to be a serious problem in rural counties. Consequently, counties - especially rural counties - must deal with the costs of law enforcement, environmental cleanup, and treatment and rehabilitation related to methamphetamine use. Additionally, methamphetamine use has a direct effect on safety and quality of life in a community. RCRC supports funding from federal and

State sources to help counties combat methamphetamine production and provide services for recovery.

**Butane - Honey Oil.** RCRC supports State legislation and regulations that will help counties address the proliferation of non-commercial Honey Oil manufacturing. RCRC supports the adoption of regulations under the recently-enacted Medical Marijuana Regulation and Safety Act to restrict the production of Honey Oil to only those entities that are fully licensed. Additionally, RCRC supports innovative policies to: restrict sales/or the quantity of sales of butane; provide resources for environmental cleanup associated with illegal Honey Oil production; put forth rules for both the residential and commercial storage of items used in the manufacturing process; and enacting butane canister retail take-back programs to avoid disposal into municipal landfills and recycling facilities.

**Opiates.** RCRC recognizes that opioid-related overdoses and deaths have dramatically increased in rural counties. The opioid epidemic affects a variety of quality-of-life aspects in rural communities, including local law enforcement efforts, demands on health care providers and is a major public health concern. RCRC supports efforts and prevention strategies that focus on decreasing opioid misuse, overdoses, and death.

**Volunteer Firefighting.** RCRC strongly supports the right of counties to utilize volunteer firefighters and volunteer fire departments as the official structural fire protection resource for any areas within their counties. RCRC recognizes the importance of volunteer firefighters and volunteer fire departments and opposes any legislation or changes to regulations that would disadvantage any county that utilizes volunteer units. RCRC supports the current system that enables volunteer fire departments to be created and operated independently, without direct control or oversight from the county. Additionally, RCRC supports the usage of volunteers as part of a mutual aid system, and encourages State and federal firefighters and land management agencies responsible for firefighting to recognize local volunteer firefighters as partners. Finally, RCRC supports existing policy that within the context of the State Responsibility Area fee, those residents covered by volunteer fire departments qualify for any discounts available to those who have local structural fire protection.

**Pretrial Programs and Services.** Recent reforms through criminal justice realignment in 2011 have placed an increased number of offenders in the local jail system. According to the most recent data available by the Public Policy Institute of California, as of September 2014, roughly 62 percent of beds were filled with inmates awaiting trial or sentencing. To address long-term jail capacity issues, RCRC supports providing counties and public safety stakeholders additional resources and flexibility for managing their pretrial detainee population.

## ECONOMIC DEVELOPMENT

Economic development in rural counties encompasses a broad range of RCRC ideals including ensuring adequate and affordable housing finance options, maintaining county control of land use planning, protecting the agriculture, forestry, manufacturing industries, and small to medium-sized businesses from damaging budgetary, legislative, or regulatory changes, improving infrastructure such as transportation corridors, telecommunications, and high-speed broadband deployment, maintaining and growing tourism, constructing and upgrading water and sewer networks, and supporting advances in alternative energy such as solar, biomass, geothermal, and municipal energy-to-waste electrical generation.

**Film Industry.** California's diverse weather, variety of landscapes, scenic beauty, skilled workforce/talent and world-class production facilities draw the interest of filmmakers from across the country and around the world. The majority of RCRC's member counties maintain film commissions or offices that provide localized support and assistance to filmmakers with permit applications and detailed location searches. RCRC supports State and local efforts to promote filmmaking in California's rural areas.

**Incentives.** RCRC supports State and federal incentives as a stimulus to job growth and economic improvement within our communities. However, RCRC believes in balancing these incentives with the importance of ensuring county revenue from sales and property taxes, and preserving a county's right to plan and site new growth and development within its jurisdiction. Additionally, RCRC supports a county's right to maintain maximum flexibility and autonomy over the allotment and expenditure of any incentive dollars and exemptions, where appropriate, to matching fund requirements for economically disadvantaged communities.

**Military Presence.** RCRC recognizes the importance of the defense industry to California's economy and particularly to the counties in and around where military bases are located. Between direct spending and the positive multiplier effect on local businesses through the spending by those military personnel and their families who live in the counties surrounding a military facility, California's military presence accounts for tens of billions in spending and hundreds of thousands of military and civilian jobs.

RCRC encourages lawmakers to recognize the impact base reductions or closures will have on the local economies of the small and rural counties that rely upon these bases as a financial driver for their communities. Additionally, RCRC encourages policy and lawmakers to provide avenues and incentives for local governments to revitalize former military facilities to enhance local economic opportunities.

**Technology.** RCRC supports ensuring that new technologies are available in rural counties to enhance economic growth. From new biomass, solar, wind and geothermal power generation facilities, to high-speed broadband deployment, distance learning, telemedicine and the creation of centers of innovation, new

technologies are critical to the economic health and growth of rural California. RCRC supports proactive policies that are created to make these and other new technologies available and accessible to rural residents.

**Tourism.** Millions of travelers from around the globe are attracted to rural California's natural beauty, colorful history, and variety of year-round recreational activities. In 2015, California's tourism generated \$122.5 billion, which directly supported 1,064,000 jobs. Additionally, travel spending in 2015 generated \$4.6 billion in local tax revenue, and \$5.3 billion in state taxes. RCRC supports and encourages the promotion of rural California as a travel destination, and supports appropriate funding for the infrastructure and service demands created by the influx of visitors such as emergency medical services systems, highway construction and maintenance, and telecommunications.

**Small Business and Entrepreneurialism.** Small communities are heavily reliant on small businesses and manufacturers for local employment, revenue generation, access to goods and services, and quality of life. Small businesses, entrepreneurs, and small manufacturers are a primary source of economic growth and job creation, and are of particular importance in rural communities with few large employers. RCRC opposes policies, regulations and strategies that negatively impact small to medium-sized businesses in rural areas, which are often the cornerstone of these communities. The imposition of excessive fees, health insurance requirements or other statutory or regulatory action that disproportionately affect small to medium-sized businesses has the potential to destroy local industry and commerce, and thus deprive rural areas of jobs, services and opportunities for prosperity.

**Workforce Innovation and Opportunity Act.** In 2014, Congress enacted the Workforce Innovation and Opportunity Act (WIOA) to reauthorize and modernize the Workforce Investment Act (WIA) of 1998. The WIOA assist states with job training, education, and employment investments. In addition to State-level oversight, local individuals (including elected officials) form local Workforce Investment Boards (WIBs) to plan and oversee the workforce investment system at the local level. The local efforts are often reflected through California's system of American Job Centers, which employers and job seekers access for career information, job counseling, job training, education, and other related employment and job training services. Monies used by local WIBs are primarily derived from federal dollars and must be expended under federal guidelines and State statutes.

Rural counties have unique employment situations and factors as compared to other parts of the state. RCRC supports State and federal efforts that preserve as much local flexibility as possible to ensure the appropriate employment and job training programs match the needs of local employers and job seekers.

RCRC advocates for workforce development policies and programs that provide job seekers the skills they need to compete in the global economy and businesses with the skilled workforce to maintain and grow their competitive edge. RCRC supports business-led local WIBs governed and supported by local elected officials and local

leaders, the use of demand-driven and data-driven strategies within regional economies and labor markets, and access to employment opportunities, career counseling, and job training programs and services through American Job Centers.

RCRC opposes proposals that negatively impact and burden rural small businesses. RCRC encourages flexibility for disadvantaged communities and rural areas in State regulatory programs and legislative approval of State regulatory agency fees.

## **EDUCATION**

Rural areas face unique challenges in providing access to a high quality education for all students. These challenges include low student density, long travel distances and challenging geography to access educational facilities, limited opportunities for vocational or elective courses, as well as weather and transportation issues. Additionally, there are fewer teachers in rural areas, which results in a limited scope of educational opportunities such as career training courses. RCRC advocates for increased investment in new programs that foster innovation and help prevent youth from these communities from being forced to move to urban areas to receive job training. This is critical because few who move away for skilled training or education ultimately return to rural areas.

**Access.** RCRC supports continued changes to State policy, allowing for increased access to “concurrent enrollment” (being enrolled in high school and community college classes at the same time) as one opportunity for rural students to access courses such as higher-level math or science classes and vocational education courses that may not otherwise be available through their local schools. RCRC also supports increasing the utilization of distance learning to improve educational opportunities in rural areas. Professors, licensed instructors, and credentialed teachers that communicate with pupils via interactive television, online courses and other appropriate means of technology have the ability to significantly broaden the scope of education opportunities available to California’s rural students.

**Community Colleges.** RCRC supports community colleges receiving their full-share of State funding. Community colleges play a key role in educational opportunities in rural counties, particularly in the area of vocational education and training. RCRC supports stable and consistent funding for grant programs that fund job training programs and changes to current law to allow community colleges to grant bachelor’s degrees in certain subject areas, which would significantly help students who reside in rural areas where there are no California State University or University of California campuses.

**California State Universities and University of California.** RCRC supports keeping public higher education affordable and accessible to students from rural, and often economically depressed, areas.

**School Transportation.** Home-to-School Transportation (HTST) plays a necessary role in ensuring student safety and accessibility to education. RCRC strongly

supports the continued funding of HTST and will work to ensure that State reimbursement rates for services in rural areas are sufficient to meet the need. Students in rural areas travel longer distances in more difficult terrain and weather than many of their urban and suburban counterparts, and the funding should reflect these potentially increased costs. RCRC supports restructuring the current system of HTST to better allocate this funding based upon need rather than antiquated formulae that no longer reflect the requirements of many districts. Additionally, RCRC supports creating a system of funding that would stabilize the funding for HTST.

## ENERGY

California continues to face challenges to ensuring adequate electricity supply and meeting its renewable portfolio standard goals. Rural counties support the use of alternative and renewable sources of energy including solar, wind, biomass, hydroelectric, and geothermal. Rural counties also support increased incentives and a streamlined permitting system to encourage the development of new generation facilities.

Additionally, RCRC acknowledges that an increased focus on clean energy, energy efficiency programs, and the development of new forms of energy generation at the State and federal levels create an opportunity for new jobs and economic development in rural areas.

**Biomass.** RCRC supports incentives that would encourage biomass-to-energy usage including the creation of more opportunities for biomass co-generation in rural counties through State and federal legislative and regulatory changes. RCRC supports the continued operation of existing biomass facilities and supports the extension of current biomass contracts to keep those facilities open. RCRC supports the use of forest as well as agricultural biomass at conversion facilities, and supports usage of woody biomass from areas disproportionately impacted by tree mortality. RCRC supports having forest materials removed from timber and scrublands and being put to their highest and best use, and where possible, any revenues derived from this removal being used to offset the cost of biomass utilization and transport. Further, RCRC supports the broadest possible definition of biomass for use in any renewable energy standard at the State or federal levels. This definition should include material taken from any source including public lands. RCRC supports a full life cycle analysis when determining the air quality standards for biomass power generation plants. RCRC supports the use of biomass for wildfire, tree mortality, and bark beetle infested wood waste, and the expedited process needed to meet the timelines associated with it.

**Land Use Authority.** RCRC supports the ongoing recognition by State and federal agencies of a county or other local government's authority to exercise land use authority over commercial-scale energy projects, whether renewable or traditional, and the related infrastructure including the issuance of conditional use permits and

other discretionary actions. Additionally, RCRC supports clarification of existing law to eliminate confusion relating to the jurisdiction of the California Energy Commission (CEC) and the jurisdiction of local governments over non-thermal power plants.

**Mitigation Measures.** RCRC recognizes the CEC's sole authority for permitting certain renewable energy power plants. However, RCRC supports efforts to require the CEC to give "due deference" to impacts and recommended mitigation measures identified by the county in which a power plant is proposed for inclusion in the CEC's proposed conditions of certification for the project.

**Nuclear Power.** Nuclear power should be considered part of the solution for improving California's ability to generate reliable, affordable, and clean energy, so as to benefit California's consumers, the economy, and the environment.

**Rebates and Tax Exemptions.** RCRC supports and recognizes the importance of State incentives in the placement of new renewable power generation facilities. However, these incentives should not be detrimental to county or other local government revenue streams. A county's ability to tax commercial-scale renewable energy projects must be preserved.

**Renewable Portfolio Standard.** RCRC supports recognition of hydroelectric power as a component under the renewable portfolio standard. Large hydropower generation – over 30 megawatt of generation capacity - should also be recognized as a renewable energy source.

Additionally, RCRC supports a broad definition of renewable biomass that includes a variety of plant-based material removed from various sources including agricultural lands and timber lands regardless of whether the land is under private or public ownership. RCRC also supports including the utilization of municipal waste as a qualified source of renewable energy in any renewable portfolio standard.

**Transmission Corridors.** California has adopted energy policies that require substantial increases in the generation of electricity from renewable energy resources. Implementation of these policies will require extensive improvements to California's electric transmission infrastructure. While RCRC supports planning for future transmission needs, RCRC opposes the preemption of local land use authority in connection with State or federal designation of transmission corridors.

## **ENVIRONMENTAL QUALITY**

State regulatory agencies often develop programs based on a "one size fits all" approach that fails to recognize realities in different locations of the state. Environmental quality compliance costs can be disproportionately high in rural counties because of geography, low population density, and fewer available resources. Bearing the cost of these regulations can be especially burdensome for rural counties.

RCRC strives to reduce or prevent unnecessary regulatory requirements while promoting practical and cost effective environmental quality practices that reflect the actual threat to the environment. RCRC supports prioritizing environmental inspections, compliance reporting, and regulatory enforcement activities that are consistent with the need for environmental protection and the preservation of public health.

## **AIR QUALITY**

**Air District Boards.** RCRC supports the establishment of policy by local Air District Boards. RCRC opposes the placement of State appointees on local Air District Boards.

**Emission Standards.** RCRC supports extending the compliance date in rural counties for retrofitting and replacing on-road and off-road vehicles and equipment. RCRC supports exemptions and extensions for rural counties that do not have the resources to meet regulatory requirements and encourages financial assistance from the California Air Resources Board (ARB) to foster compliance. RCRC supports tailoring regulations to address the quantity of emissions actually generated in rural counties.

Currently, many rural counties only receive the minimum Carl Moyer funding, which is inadequate to fund the number of vehicles and equipment subject to ARB regulations. RCRC supports an increase in funding for the Carl Moyer Program for rural counties without the requirement for match funding.

**In-Home Wood Heating Appliances.** RCRC supports the reduction of emissions from in-home wood heating appliances. Many if not all rural counties in California have a high residential wood fuels use rate for heating purposes. Consequently, emissions of PM10 and black soot from wood stoves and fireplaces can contribute to exceedances of the State and National Ambient Air Quality Standard for PM10 and increase greenhouse gas emissions. RCRC supports State and federal grant programs to upgrade and replace in-home wood heating appliances, including programs funded by Cap-and-Trade auction proceeds.

**Land Use Authority.** RCRC opposes any new statewide air quality standards that restrict county land use authority.

**State Ambient Air Quality Standards.** State law requires the Air Resources Board (ARB) establish and periodically review State ambient air quality standards (SAAQS). These standards define the maximum level of a pollutant that can be present in outdoor air considered safe for the public's health. Many of our rural counties experience nonattainment for ozone due to downwind transport from the upwind urban areas. While RCRC supports not applying upwind and more restrictive regulations on the downwind transport-impacted counties, RCRC also encourages ARB to exercise its authority to ensure that the State Implementation Plan includes

sufficient control strategies to attain the SAAQS in all parts of California including areas impacted by intrastate transport of air pollution.

## **ENVIRONMENTAL IMPACT ASSESSMENT**

**California Environmental Quality Act.** Counties, as “lead agencies,” conduct the California Environmental Quality Act (CEQA) review required for both public and private projects. Counties, therefore, have a unique and critical perspective on CEQA. The misuse and abuse of the CEQA process to delay or unduly stop potential projects wastes scarce public resources that would otherwise fund essential public programs and services.

RCRC supports efforts to streamline the CEQA process to strengthen the certainty of required timelines. RCRC opposes limiting or reducing the authority provided to lead agencies under CEQA. RCRC supports facilitation of early agency and public participation in the CEQA process to allow the lead agency and project proponents to more fully address environmental concerns resulting from a proposed project and to facilitate preparation of a legally adequate environmental document.

RCRC supports legislation that limits the circumstances under which a challenge for noncompliance with CEQA can be filed, eliminates awarding of attorney’s fees to the plaintiff in CEQA challenges, and specifies that a lead agency does not have a duty to consider, evaluate, or respond to comments received after the expiration of the CEQA public review period. RCRC opposes CEQA-related legislation that would make it more difficult for rural counties and rural residents to access the court system.

**Disadvantaged Communities.** There are numerous disadvantaged and severely disadvantaged communities (DACs) throughout the state, in rural, suburban, and urban areas alike. RCRC supports state and federal funding for DACs to meet their needs for a variety of projects such as water infrastructure, transportation, waste diversion and recycling, and forest and watershed health programs. RCRC supports a definition of DACs that addresses the unique needs and make-up of DACs located throughout the state, such as the Public Resources Code 75005 which describes a "disadvantaged community" as a community with a median household income less than 80% of the statewide average, and a "severely disadvantaged community" as a community with a median household income less than 60% of the statewide average.

RCRC is opposed to the sole use of the California Communities Environmental Health Screening Tool (CalEnviroScreen) to define DACs for the allocation of Cap-and-Trade auction proceeds, or any other statewide funding programs. CalEnviroScreen is flawed, and excludes many rural communities that would be included as “disadvantaged” under other methodologies (such as the one outlined in the Public Resources Code). Specifically, CalEnviroScreen eliminates around half of the state’s 58 counties that do not have a census tract in the top 25 percent of the tool. RCRC supports the development and expansion of Cap-and-Trade funding programs specifically targeted at rural communities.

**California Communities Environmental Health Screening Tool.** The California Environmental Protection Agency and the Office of Environmental Health Hazard Assessment released a tool in 2013 to screen the environmental health of California's communities. The California Communities Environmental Health Screening Tool (CalEnviroScreen) model uses existing exposure, environmental, health, sensitive population, and socio-economic data on a geographic basis to create and compare the cumulative impact scores of environmental pollution for the state's communities. The stated intent of the tool is to provide State and local decision-makers with information that will enable them to focus their time, resources, and programs on those portions of the state or jurisdiction that are most in need of assistance. RCRC opposes the use of the CalEnviroScreen tool as a substitute for a focused risk assessment for a specific area or site, or as the basis for any regulatory, permitting, or land use decisions or studies. RCRC also opposes using CalEnviroScreen results as the sole determination of "disadvantaged communities" for any funding or regulatory program.

**National Environmental Policy Act.** RCRC supports a reassessment of the National Environmental Policy Act (NEPA) effort to streamline the environmental review and permitting process, and federal policies that establish reciprocity between NEPA and State environmental laws and regulations, such as CEQA. RCRC supports an expedited NEPA analyses process for categories of projects where experience demonstrates that such projects do not result in a significant impact to the environment, such as forest health and watershed restoration projects, particularly after wildfires. RCRC also supports increasing opportunities for local involvement and changes that provide greater weight to local economic impacts and comments.

**Regulatory Reform.** RCRC supports State and federal agency review of all existing and proposed regulations, as well as quasi-regulatory actions such as permits, policies, and guidance documents. State and federal regulatory agencies should consider the costs and benefits associated with public and private sector compliance, as well as the cumulative impact of all existing and proposed regulations and quasi-regulatory actions on regulated entities. RCRC supports changes to the law that would require more in-depth analysis of the fiscal impact of new regulations to rural areas and reduce the overall financial impact threshold before such fiscal analysis is required for all new regulatory actions.

## **WASTE MANAGEMENT AND RECYCLING**

**Disposal Bans.** RCRC supports advanced statewide planning and infrastructure for convenient identification and recovery of all materials and products prior to banning from California landfill disposal or requiring separate handling or processing. RCRC maintains that manufacturers and retailers must actively contribute to establish programs to cover the costs for disposal, recycling, special handling, and/or any public education required for their end-of-life products, before any such disposal bans are implemented.

**Extended Producer Responsibility.** RCRC supports producer responsibility for financing and arranging the collection and recycling of their products at end-of-life. Producer responsibility removes the financial burden from local governments and makes recycling a cost of doing business. Placing the responsibility with manufacturers/retailers will additionally provide incentive for products to be redesigned in a manner to eliminate or reduce their impact, and to increase their recyclability. RCRC prefers producer responsibility through product take-back by the manufacturers/retailers. RCRC will consider the reasonable use of Advanced Recycling Fees and Advanced Disposal Fees.

**Electronic and Universal Waste.** RCRC supports the proper disposal of electronic and universal waste through programs that place the cost of compliance on manufacturers and consumers rather than on county-operated landfills or waste management programs.

**Jurisdictional Compliance.** RCRC supports using program-based criteria to determine jurisdictional compliance with statutory waste diversion requirements that incorporate rural considerations. RCRC opposes numerical justifications on program implementation that do not include rural considerations.

**Incentives.** RCRC favors the use of “incentive-based” policies to promote local waste diversion activities and to encourage regulatory compliance at publicly operated solid waste facilities, rather than the threat of State-imposed financial penalties. Rural considerations should be incorporated into these policies to properly reflect the costs commensurate with the impact of the regulatory effort at rural sites, whenever appropriate.

**Incentive Funding.** Recognizing that the costs for solid waste regulatory compliance are disproportionately high in rural areas of the state, RCRC supports the continuation and expansion of grant programs and funds that provide needed financial assistance to implement and maintain local waste diversion activities and support community-based household hazardous waste management programs.

**Local Control.** RCRC opposes any loss of local land use control with respect to the siting and environmental review of new solid waste collection, disposal, and processing facilities.

**Permitting.** RCRC supports “tiered” solid waste facility permitting and operating requirements with reduced administrative and operational requirements that are commensurate with the limited environmental and public health risks associated with small-volume facility operation in low-density population areas.

**Increasing Diversion/Decreasing Disposal Mandates.** State law requires municipalities divert at least 50 percent of the solid waste generated in their jurisdiction. The California Department of Resources Recycling and Recovery (CalRecycle), which enforces this mandate, allows some rural counties flexibility in meeting these mandates through either a ‘Rural Reduction in diversion requirements’

or compliance through a ‘Good Faith Effort.’ Recent legislation now establishes a statewide goal of 75 percent of solid waste to be reduced, recycled or composted. As the State works towards the 75 percent statewide goal, RCRC believes municipalities should be given additional tools that allow them to assist in achieving the new statewide diversion goals. Such tools should include, but are not limited to, extended producer responsibility, an easing of the permitting restrictions for organic waste processes and other solid waste activities, model program guidelines, and increased funding.

RCRC recognizes that organic materials in landfills are a major contributor to methane gas production, and alternative treatment systems need to be pursued. However, any regulatory requirement needs to consider existing infrastructure and capacity, the economic feasibility of new facilities, and provide the flexibility for phasing-in various regions and areas of the state, especially in rural counties.

**Financing State Solid Waste Disposal Programs.** State law requires that \$1.40 be collected for every ton of solid waste disposed in a California-permitted landfill, commonly referred to as the “Tipping Fee.” Proceeds from the current tipping fee are deposited into the Integrated Waste Management Account (IWMA) and used by CalRecycle to enforce solid waste laws, permit facilities, provide local assistance, administer programs and rulemaking, and provide grants to municipal jurisdictions to assist in the management of many solid waste products. As solid waste disposal decreases due to a number of recent events (economic factors, new recycling mandates, and consumer awareness), proceeds from the tipping fee are not sufficient to sustain CalRecycle programs into the future. CalRecycle and other agencies with enforcement authority over solid waste facilities are turning to their fee authority to augment decreasing IWMA funds. A similar dynamic is occurring at the local level where local tipping fee revenues are not generating enough funds to sustain local programs including the direct management of landfills.

RCRC believes a wide range of options should be considered to reform the financing mechanisms for the management of solid waste programs. Options include: increasing the current tipping fee as a temporary measure; applying new solid waste management fees on aspects of the waste stream that currently have no levies; reforming the programs that CalRecycle manages to limit costs; or a combination of these options. Any new financing scheme should be comprehensive and lead to a stable and equitable source of funding that also assists counties in complying with solid waste management programs. Implementation of any new financing mechanism needs to consider lead time for county processing and budgeting purposes. RCRC does not support an increase in the Tipping Fee or other funding mechanisms for projects and programs that are not part of a direct effort to manage and reduce the overall amount of solid waste.

**Alternative Daily Cover.** State and federal law require that the working face of landfills be covered at the end of each working day with dirt, tarps, or “alternative daily cover (ADC),” such as shredded automobile fluff or green waste. For many rural counties, green waste is the preferred ADC. Commencing January 1, 2020, state law

will provide the use of green material as alternative daily cover does not constitute diversion. RCRC strongly supports preserving the use of green waste materials for ADC as a viable option, and does not support having the Tipping Fee apply to green waste materials that are used as ADC under the current fee structure.

## **FEDERAL AFFAIRS**

Many actions taken by the federal government - both in Congress and within Administrative agencies - have a direct impact on rural areas, especially those counties in California that contain large amounts of federal land. RCRC is committed to working with members of Congress and our agency partners to develop legislative and regulatory policies that complement local and state policy, funds vital county and state programs, and do not preempt local and state authority.

**Federal Funding.** Many county and State programs rely on federal funds to survive including monies for health and social services, infrastructure, environment, public safety, and education. Long extensions and delays in the budget process cause unpredictability for these vital programs, leaving local and State officials responsible for trying to fill the funding gaps. RCRC supports the timely adoption of spending authorization efforts to ensure there is no disruption in funding vital federal programs.

**Infrastructure.** RCRC supports continued federal commitments and funding for the nation's infrastructure including housing, transportation, water, telecommunications and natural resources. In particular, RCRC strongly supports the continued commitment of the federal government to reimburse rural counties for the loss of revenue – tax and resource generated – on federally held lands located in our counties. The continued reauthorization of full funding of the Secure Rural Schools and Community Self Determination Act (SRS) and the Federal Payment in Lieu of Taxes (PILT) program is vital to rural economies.

In addition to SRS and Federal PILT, federal laws that govern and fund vital county programs and services such as the Fixing America's Surface Transportation Act, Federal Aviation Act, the Farm Bill, Water Resources Development Act, the State Children's Health Insurance Program, the Patient Protection and Affordable Care Act, the Workforce Investment Act, the Telecommunications Act, annual appropriations bills, and other ongoing federal programs are critical to the continuance of a vibrant rural way of life.

**Monuments.** The designation of new national monuments is a process that currently can be done directly by the President with no Congressional oversight and no requirement for local input. RCRC supports changes to the current system so that the creation of national monuments requires the approval and/or the oversight of Congress to allow for local government and public input prior to designation.

**Natural Resources.** RCRC supports the development of a long-term comprehensive federal and state strategy to manage our federal lands to actively prevent wildfire and promote multiple-use land designations. RCRC will continue to work closely with the United States Forest Service (USFS) as they seek to develop and implement the Cohesive Strategy for addressing these issues. Additionally, RCRC supports efforts to streamline and modernize the Endangered Species Act.

**Relationship with Public Lands Management Agencies.** RCRC represents counties that have regulatory and public trust responsibilities over the natural resources in their jurisdictions. In a number of our counties, the federal government manages well over half of the land mass. RCRC supports a strong relationship with the federal government to integrate county policy into federal land management decisions to better balance conservation with economic strength and quality of life.

RCRC supports the emphasis on partnerships with local government, communities and organizations demonstrated in the current Forest Plan Revision process. Local partnerships are critical for rural counties with tourism and recreation-based economies, and necessary to increase recreation opportunities and directly engage the public in forest stewardship.

RCRC supports local government involvement in public land use planning decisions at the earliest possible time in order to facilitate the best possible working relationship and outcome for any decision. RCRC supports strengthening coordination efforts by public land management agencies to engage counties earlier and in a more meaningful manner in planning decisions made on public lands within their respective counties. Additionally, RCRC supports a true government-to-government role for county officials in the development of land use planning decisions for public lands within their jurisdictions. Plans for public land management should be as consistent as possible with local land use plans. When it is not possible to bring disparate plans together, the land management agencies should provide an explanation as to why the final plan needs to follow a divergent path from the local land use plans.

Lastly, RCRC encourages State agencies working with federal land use agencies to work to enhance the relationship between federal land use agencies and local governments within California, and encourages the use of tools such as the Memorandum of Agreement between the California State Association of Counties, RCRC, the Bureau of Land Management, and the USFS, or cooperating agency status as appropriate to the needs of the county, to achieve better communication between all involved agencies, and to improve outcomes for rural communities.

RCRC supports increased funding for public land management agencies to address deferred maintenance of infrastructure in forests, national parks and reserves that rural counties depend on for tourism and recreation based economies.

**Telemedicine.** RCRC strongly supports additional federal advancements, policy changes, and funding mechanisms regarding the expansion of telemedicine and other emerging medical technology, such as paramedicine as a means to improve access to healthcare, especially specialty care, in rural areas. Access to broadband is critical to support such expansion.

## HEALTH AND HUMAN SERVICES

### FISCAL PARTICIPATION

Rural counties have various levels of fiscal responsibility for health and human services programs. For example, counties are required to provide health services to the indigent population of the county not covered by any other healthcare provider. In most RCRC counties, indigent healthcare services are provided through the County Medical Services Program (CMSP) which is funded by the member counties' realignment revenue. The counties share fiscal responsibility with the State and/or federal government for a number of services and programs, such as California Children's Services. Often the county role is an administrative function that should be fully reimbursed by the State and/or federal government, and program costs should be cost neutral or negligible.

**County Medical Services Program.** RCRC supports the continuation of the County Medical Services Program (CMSP). Counties have a responsibility over a residual population of those currently served by county indigent care programs through CMSP even after the shift of those newly eligible for Medicaid and Medi-Cal. It is critical to preserve the integrity of the structure of the CMSP program, and to ensure adequate funding continues to be allocated to it to meet the needs of that residual population.

**Realignment.** RCRC supports local flexibility in the administration and implementation of programs funded by realignment. RCRC supports adequate funding and appropriate distribution of realignment funds to ensure that counties can continue to meet their legal obligations for providing Health and Human Services. RCRC acknowledges that some realigned programs may be better administered and funded at the State level, and supports an evaluation of such potential transfers.

RCRC also supports full and prompt reimbursement of the State and/or federal share of social services, mental health, public health and indigent medical care program costs. RCRC believes that the State should assume cost increases associated with State-imposed program changes and expansions, as well as federal maintenance of effort mandates.

**Funding Reductions.** RCRC opposes state and/or federal funding reductions that shift responsibility for services, administration or fiscal support to rural counties.

**Health and Human Services Reimbursement.** RCRC supports prompt and complete reimbursement of county costs associated with county administration of state, federal, or shared state/ federal social services and health programs.

**Food Access.** RCRC supports innovative programs and state and/or federal financial incentives that increase food access in underserved and rural communities. Additionally, RCRC supports policies that address food deserts and create strong regional food and farm systems.

**Poverty.** RCRC acknowledges that poverty is a statewide issue and continues to be on the forefront of policy development. Poverty rates vary widely by county and region. According to a 2013 report, *the California Poverty Measure (CPM)*, by the Public Policy Institute and the Stanford Center on Poverty and Inequality, more than half of RCRC's 35 counties had a poverty rate of 17 percent or higher. RCRC supports strategies and resources aimed at reducing California's poverty rate.

**Homelessness.** RCRC recognizes homelessness as a statewide issue and supports policy that provides state and/or federal funding and resources to local governments to more accurately collect data and address the needs of the homeless population in their communities.

**Human Trafficking.** Human Trafficking is defined as the trade of humans, most commonly for forced sex work or forced labor. A \$31 billion industry, human trafficking is the world's fastest growing criminal enterprise, and has grown profoundly in recent years, particularly in California's rural counties. RCRC supports coordination among law enforcement, victim service providers and non-governmental organizations to develop innovative strategies and response tools to help combat human trafficking. Additionally, RCRC supports resources that facilitate training and education for law enforcement, teachers and students, and other governmental entities on how to properly identify and manage occurrences of human trafficking in their communities. Specialized training of this kind is especially necessary in smaller or rural counties, which often have limited staff and access to resources.

## **HEALTHCARE**

It is important that the medical and public health services available in rural counties meet the needs of the residents and make appropriate care accessible. Due to geographic isolation and limited infrastructure availability, attracting and retaining healthcare providers in rural counties can be challenging. Rural areas are unable to utilize economies of scale to decrease costs and depressed economic conditions lead to large publicly-funded populations with low provider reimbursement rates, making recruitment and retention of healthcare providers a constant challenge. Between implementation of federal healthcare reform, realignment, and provider-rate cuts, the State and federal government must work with rural counties to develop strategies to ensure better, and prevent the loss of all, access to medical services for these critically underserved California residents.

RCRC urges the State to consider the unique challenges and needs of rural and low-population counties when negotiating with the federal government regarding any Health and Human Services program changes. RCRC encourages the State to create innovative ways to ensure small county readiness and eligibility for new opportunities similar to those enjoyed by their larger and more urban counterparts. RCRC supports program changes that ensure rural, remote, and low-population counties are not disadvantaged when attempting to meet any new requirements created by the State or federal governments.

**Access to Health Care.** RCRC acknowledges that health insurance coverage, whether public or private, does not guarantee access to care. RCRC supports incentives and programs which train, recruit, and retain health, dental and mental healthcare professionals to provide services in rural areas. To this end, RCRC encourages cooperation and communication between State agencies, offices, departments and boards, as well as the Legislature, federal agencies and county health advocacy organizations to affect this ultimate goal.

RCRC also supports policies that require private and public health plans to offer comprehensive, affordable care to rural county residents, and establish reimbursement parity between rural medical providers and those in other areas of the state. RCRC encourages cooperation between providers, insurers, appropriate State departments, the California public pension systems and other stakeholders in the rural health community to develop incentives and guidelines for health insurance coverage in rural areas.

**Health Professionals.** RCRC supports innovative programs and financial incentives to increase the number of medical professionals in rural areas. Scholarships and loan assistance programs are proven incentives that encourage health professionals to practice in rural areas and become active community members.

**Innovation.** RCRC supports and encourages the inclusion of rural counties in pilot projects and innovative approaches within new and existing health, mental health, public health, education and social services programs.

**Medi-Cal Reimbursement Rate Cuts.** The 2011 State Budget Act reduced reimbursement rates to several different types of Medi-Cal providers including Distinct Part/Skilled Nursing Facilities (DP/SNFs), pharmacies, and other fee-for-service Medi-Cal activities by 10 percent. Federal court rulings prevented the State from implementing many of these reductions until June 2013. The Medi-Cal Managed Care Organization (MCO) Tax reform package, signed by the Governor in March 2016, prohibited the State from implementing or retroactively recouping provider rate reductions for DP/SNFs.

RCRC continues to advocate that DP/SNFs are appropriately reimbursed for services and supports efforts that improve provider reimbursement rates throughout California.

**Medical Injury Compensation Reform Act.** RCRC strongly supports the current Medical Injury Compensation Reform Act (MICRA) law. RCRC recognizes that any threat to MICRA would be costly for all Californians, but particularly harmful to rural areas where access to healthcare is the most limited already. Any significant threat to existing MICRA protections will establish an increase in medical liability insurance rates, and thereby reduce access to healthcare for patients in rural and underserved areas.

**Public Health Services.** RCRC supports adequate and appropriate State and/or federal funding for public health services including those unique to rural areas. These include, but are not limited to: environmental health, public health nursing, bioterrorism/pandemic planning, county public health laboratories, and the prevention and control of infectious disease outbreaks. RCRC supports State assistance and resources as county Public Health Departments work towards accreditation. Rural counties have difficulties managing the day-to-day requirements in the current fiscal landscape, let alone expansion of existing workloads to accomplish this worthwhile endeavor.

**Rural Hospitals.** RCRC supports proposals that allow small and rural critical access hospitals to directly hire physicians. Additionally, RCRC supports State and federal efforts to fully staff and finance rural hospital operations including capital and seismic-retrofitting needs.

**Prison and Jail Health.** RCRC opposes proposals that allow the State prison system to establish release policies for inmates in need of medical, mental health, substance abuse, or social services without commensurate local funding, consistent and appropriate discharge planning, coordination/cooperation with county Health and Human Services staff, and the assurance of local treatment capacity. RCRC supports the concept of ensuring that the application processes of inmates eligible for State Medi-Cal and/or other Health and Human Services programs funded by the State or the federal government are completed before the time of release, such that the inmate does not become a drain on county-run health and human services programs upon release. We urge the State to allocate funding for this purpose within the prison system, and to collaborate with counties to ensure that applications are appropriately completed.

RCRC recognizes the increase of high-acuity physical health, mental health and dental patients since the enactment of 2011 realignment, which shifted State prison inmates to county jails. Longer local sentencing terms will require jails to enhance their ability to address complex healthcare issues within those county facilities. RCRC supports the expansion of the use of telehealth and other distance health mechanisms to reduce costs, and protect sheriff and local correctional officers and the

public by minimizing or avoiding the transportation of inmates to healthcare facilities.

**Involuntary Commitment.** RCRC supports a balanced approach when addressing the issue of involuntary commitment assessments in a hospital setting. These assessments are provided to individuals who are taken to a hospital or who are already in the hospital and need evaluation to determine whether they are a danger to themselves or others due to a mental health issue under the definition in Section 5150 of the California Welfare and Institutions Code. RCRC recognizes that the rights and needs of the patient, public safety and the needs of small rural hospitals all need to be in balance for an effective public policy approach in this arena.

RCRC acknowledges that each potential mental health patient is entitled to an adequate assessment by a trained professional. Additionally, RCRC believes that public safety and order need to be kept by ensuring those individuals likely to be a threat to themselves or others need to be held safely away from the population at large. RCRC also recognizes that a small rural hospital may be the only medical facility for hundreds of miles in any direction. If such a medical facility is at capacity due to individuals that may or may not be truly mentally ill, or are waiting an unnecessarily long time for an assessment, then others with medical conditions may be turned away with potentially tragic consequences. Moreover, mentally ill patients should not be kept in a setting inappropriate to their condition for long periods of time while waiting evaluation.

In rural and remote areas, appropriate resources, especially of trained personnel, are scarce and public policy needs to reflect a certain level of flexibility to account for these special circumstances. Additional training of existing personnel, best practice doctrines, assessment checklists or other mechanisms are a few of the possible ways to address the need for assessing Section 5150-potential individuals in a timely fashion for the benefit of the patient, public safety and to protect access to hospitals.

**Technology.** RCRC supports State and federal funding for programs that promote quality medical education and treatment in rural areas through the use of technology. Telemedicine, teledentistry, and technology-based medical education can provide residents of rural areas with opportunities for medical care that would not otherwise be available without extensive travel and additional cost.

**2-1-1.** RCRC supports the concept of the 2-1-1 system, which connects Californians to health and human services resources including, emergency and disaster response, food and housing assistance, mental health and crisis support, job training and education programs, and other resources. RCRC supports the expansion of 2-1-1 services into all rural counties.

## **HEALTH CARE REFORM**

In March 2010, President Obama signed into law the Patient Protection and Affordable Care Act (H.R. 3590) and the Health Care and Education Affordability Reconciliation Act of 2010 (H.R. 4872) – setting in motion the largest restructuring of our nation’s healthcare system in several decades. Since that time, we have moved from a discussion of federal health reform proposals to actual implementation at the federal, state and local levels. While several provisions of the law have scattered effective dates spanning the next several years, the main thrust of the law began January 1, 2014.

RCRC recognizes that the cost of healthcare and health insurance has more than doubled in the last ten years, while the ability of individuals and businesses to afford medical coverage is shrinking. RCRC also recognizes that the delivery of healthcare services in rural areas faces a particular set of challenges that must be addressed in any healthcare reform implementation.

**Access and Outreach.** RCRC supports efforts that increase the pool of medical professionals in rural and underserved areas. RCRC continues to encourage funding be spent on ensuring rural residents have equal access to the benefits provided under the Affordable Care Act.

**County Funds.** RCRC supports ongoing safeguards to realignment and other county funding streams. Counties continue to retain the obligation to fund healthcare services to the medically indigent; those individuals without access to healthcare other than county-provided care. These services continue to be managed in most RCRC counties by CMSP. RCRC supports adequate funding for CMSP, as many responsibilities will remain under Welfare and Institutions Code Section 17000. RCRC opposes any healthcare coverage expansion that would lead to an increase in the scope of Section 17000 obligations on counties.

**Health Plan Coverage Areas.** For any healthcare reform policy to be successful, health insurance plans must be required to include rural California in their coverage areas, and must be required to contract with local, accessible medical providers for timely care delivery, including necessary specialized care.

**Small Business.** RCRC opposes strategies that negatively impact small businesses in rural areas. Often small businesses are the cornerstone of rural economies. The imposition of excessive fees or health insurance requirements on small businesses has the potential to destroy local industry and commerce, and thus deprive rural areas of jobs, services and economic growth.

## INFANTS, CHILDREN AND YOUTH

RCRC recognizes the need to dedicate time, talent, and resources for services to infants, children and youth. This is a critical investment in the future of rural counties. Therefore, children's welfare programs must have appropriate levels of funding and staff. Moreover, to avoid a cost-shift to the rural counties, these programs also must provide a sufficient funding base for both administration and direct services at the local level.

**Program Simplification.** RCRC supports the simplification of program enrollment processes, the integration of children/youth services and the closure of the gaps between the stand-alone programs.

**Local First 5 Commissions.** RCRC supports efforts that sustain the local First 5 Commissions' focus on the prenatal-to-five age groups and protect the California Children and Families Act (Proposition 10) revenue sources for this distinct purpose. RCRC opposes any proposal that would restrict the authority of local First 5 Commissions to determine and approve all local Proposition 10 funding distributions. RCRC opposes any budget borrowing or taking of funds from local First 5 Commissions.

**Foster Youth.** RCRC supports programs that assist our foster youth with housing, employment, medical care, and education assistance as they transition to emancipation. The State has taken on the caretaker role and responsibility for these youth, and has an obligation to provide services and opportunities reasonably available to other youth in California. Additionally, RCRC supports funding to counties to recruit and retain foster and relative caregiver parents.

**Child Welfare Services.** RCRC opposes funding cuts to the array of local child welfare services available to at-risk infants, children, and youth. RCRC supports local flexibility in the administration of these programs to allow for situations unique to rural counties.

**Medical Workforce.** RCRC supports workforce training, recruitment, and retention programs for pediatricians, pediatric dentists, pediatric anesthesiologists, child psychologists and other specialty care for children in rural areas.

## INFRASTRUCTURE

Counties are responsible for planning for future growth and property development, the management of natural resources, and the provision of public services. Consequently, counties have and must retain the primary responsibility for land use and development decisions. With increased development, counties are responsible for increased needs including public services and infrastructure. Funding for infrastructure from State and federal sources must be retained and increased. RCRC

believes that State requirements for general plan adoption should be limited to major planning issues and should be used to ensure procedural uniformity.

Housing is an important element of economic development. However, the need for new housing units at the lower income levels exceeds the number of new units for which financing and subsidies are available. Therefore, additional funding is necessary to increase production of lower income housing units. Further, a greater emphasis at the State level should be placed on obtaining financing and enabling production, rather than undertaking and satisfying extensive planning requirements at the local level in housing element law.

In addition to housing, properly maintained roads are vital to the safety of the traveling public, the movement of goods, economic development, and quality of life in rural counties. The State must increase highway funding in rural areas because sufficient funding has not been available to preserve and maintain the existing secondary and local road network. California's infrastructure is deteriorating, in some places to the point where public safety, mobility, and viability are threatened. RCRC supports utilizing innovative and mutually beneficial financing options that provide adequate return on investment for the public and private investors, and that lead to economic growth and job creation in California's rural counties.

## **HOUSING FINANCE**

**Housing Finance.** RCRC supports programs to finance and ensure affordable rental housing projects are completed and made available to rural residents. These efforts should include increased financing, subsidy options and tax incentives. RCRC believes the State as a whole needs to address the concept of building affordable housing and making housing affordable.

**Home Ownership.** RCRC supports State and federal laws that broaden the opportunities for local housing finance authorities, non-profit housing entities and instrumentalities of government to increase homeownership. In addition, RCRC supports increased financing, subsidy options, and tax incentives to support development of new housing units at the lower income levels.

**Partnership Opportunities.** RCRC supports real estate lending laws that broaden partnership opportunities between the Golden State Finance Authority and mortgage lending entities in order to increase homeownership in California.

**Rural Emphasis.** RCRC supports State and federal housing finance programs that recognize the unique aspects of the rural housing market and earmark funds for distribution to rural areas.

## **LAND USE PLANNING**

Land use authority is the jurisdiction of local government. While California as a whole is approximately 50 percent publicly owned land and 50 percent privately owned land, many rural counties have a substantially higher percentage of publicly

owned land, with one county having less than 2 percent privately owned land within its boundaries. It is imperative that local government retain land use authority in order to provide the appropriate mix of development within each community. RCRC is opposed to any policy that would infringe on this authority.

**Eminent Domain.** RCRC supports the authority of local governments to plan for and oversee development in their jurisdictions. RCRC supports the authority of counties to utilize the tools available to manage growth, including eminent domain. The decision to condemn property is a public policy decision for elected officials, not a legal issue. Exercising eminent domain by taking private property and transferring it for purposes of private gain or use is not supported by RCRC.

**Regional Housing Needs Allocations.** The Regional Housing Needs Allocation process should take into consideration the lack of residential infrastructure and other special considerations of rural communities. RCRC supports the transfer of assigned housing needs allocations between a county and a consenting city or cities, requiring notice to the allocating entity upon agreement between the jurisdictions.

**Regional Planning.** RCRC supports coordinated regional planning between local agencies to address regional impacts of growth including transportation and other infrastructure, air quality, housing, resource production and protection, and public services. RCRC opposes land use authority being transferred to regional agencies without the consent of the local jurisdictions.

**Land Use Planning.** RCRC believes any changes to State land use planning policies and process should be done within the existing planning framework and not by creating an additional layer of law or regulation, which threatens local land use authority. RCRC opposes any State attempt to preempt local planning policies, processes and decisions, and the imposition of new programs and responsibilities without funding.

**Housing Elements.** RCRC supports the continued recognition that local jurisdictions are not responsible for housing production, but each must plan for its share of housing needs through appropriate land use designations, zoning and programs. Therefore, if a jurisdiction has a certified housing element, it should not be economically penalized for not meeting housing production goals.

**Housing Element Self-Certification.** RCRC supports simplifying the housing element process by allowing counties to self-certify housing elements.

**Incentives.** RCRC will be proactive in ensuring that incentive funds are available to rural counties and local jurisdictions. RCRC supports the priority for planning funds to go to local jurisdictions, which can assign the funding and planning functions to other regional agencies. RCRC recognizes that infrastructure funds for local improvements are a key component to sustainable growth and will be proactive to ensure rural county access to these monies.

RCRC supports reevaluating the existing requirement that small counties adopt a housing element before receiving federal Community Development Block Grant and Home Investment Partnerships Program grants. This requirement currently does not apply to larger entitlement counties, and small counties should be able to compete for these funds on an equitable playing field.

**Land Acquisitions.** RCRC supports working with agricultural interests, environmentalists, and federal and State officials to develop long-term solutions to mitigate the impacts of large land acquisitions in rural counties.

**Prevailing Wage for Public Works.** RCRC supports changes to the methodology for determining prevailing wage requirements to allow consideration for the differences between urban and rural areas. Prevailing wages appropriate for large urban areas can result in a significant increase in labor costs for public works projects in rural areas.

**Sustainable Growth.** The development of sustainable growth principles should incorporate the realities of rural communities and preserve local autonomy over land use. RCRC supports sustainable growth principles on a scale appropriate to the local communities.

**State Agency Coordination.** State agencies should notify counties of actions that may potentially affect their land use prior to initiation of any proposed action and provide an opportunity for local engagement. Further, State agencies should coordinate their actions with affected counties and with existing local, state, and federal land use plans.

**Surface Mining and Reclamation.** RCRC opposes efforts to mandate a limitation on or reduction of the authority of counties under the State Mining and Reclamation Act for permitting, inspection activities or the approval of a reclamation plan. RCRC supports a state training program for local government inspectors and recognition that an inspector with one department is not a conflict to inspect a mining operation of another department.

**Wildlife Corridors.** Consideration of identified wildlife corridors should be provided in the development approval process to reduce the impacts of wildlife displacement. The identification of wildlife corridors should not result in regulatory impacts on private landowners.

## **TRANSPORTATION**

**Aviation Funding.** RCRC supports the continuation of State subsidies for general aviation airports in rural counties. These funds help defray operational and capital costs at these small rural facilities. RCRC supports reauthorization and implementation of federal aviation policy at the state level to ensure that California continues to receive and dedicate investments to support commercial and general aviation airports. Additionally, RCRC supports increased funding for state and federal aviation programs that support the viability of airports

and commercial air service in rural communities, particularly the Federal Airport Improvement Program, Small Community Air Service Development Program, and the Essential Air Service Program. Absent these subsidies, many areas of California would not be connected to the national air travel system.

**Development Planning.** RCRC opposes the use of State transportation funds as an incentive or reward for adoption of prescribed land use principles and development plans by local governments. RCRC also opposes the diversion of dedicated transportation funds for housing and development purposes.

**Federal Surface Transportation Act.** RCRC supports the timely reauthorization of the federal transportation authorizing legislation, Fixing America's Surface Transportation Act (FAST Act), which authorizes \$305 billion over fiscal years 2016 through 2020 to support various surface transportation programs with a focus on state highways and safety programs. RCRC strongly supports a surface transportation policy focused on preservation and maintenance of the existing highway system including the secondary or rural highway network, and connectivity between local, regional, and statewide transportation systems. In California, the secondary highway network serves as a connector to urban centers, a farm to market route, and a path to natural tourism and recreational areas. RCRC supports increased funding levels for the reauthorization of the FAST Act to better meet the growing infrastructure needs of the nation, as well as dedicated revenues for locally-owned bridges and high-risk rural roads. RCRC supports funding for public transportation and transit. RCRC advocates for sustainable revenues source to ensure the Highway Trust Fund is adequately funded and remains solvent.

RCRC supports an equitable distribution of federal transportation funds to California to better align with the amount of taxes California's citizens contribute to the national program. RCRC encourages federal and state transportation policymakers to recognize, prioritize, and fund the infrastructure and safety needs of rural areas. RCRC supports increased flexibility for Regional Transportation Planning Agencies and supports streamlining efforts to deliver projects more efficiently and effectively.

RCRC supports the establishment of a National Freight Program to target funding toward projects that help direct the movement of products throughout California and the nation. However, any such program must recognize the rural areas of the state and require funding be spent on the farm to market connectors and the roads that serve as alternatives to the Interstate system for large volume freight traffic.

**Transportation Funding.** RCRC recognizes the current primary source of funding for transportation – an excise tax on motor vehicle fuels - at both the State and federal level is unsustainable. Consumption of motor vehicle fuels, at best, has remained stagnant while transportation construction costs have increased. Further, existing federal and State excise tax rates have not been increased in decades. As such, transportation policy makers should begin to examine other funding structures to either replace or supplement the existing excise tax on motor vehicle fuels. The study of alternative funding structures should include levies on the number of vehicle miles

traveled, commonly referred to as a Mileage-Based User Fee, progressive levies at the time of vehicle registration on specific vehicles which do not use or are not primarily dependent on motor vehicle fuels, and revising the cost and timing of delivering transportation projects. Each option should be fully examined with sound data as it relates to the concerns and behavior of rural motorists.

Regardless of the source of transportation revenues, RCRC supports the retention of a dedicated funding source at the local, State, and federal level for transportation programs. Annual revenues must be predictable to enable rational long-term planning and decision making at the local, regional and State level. To that end, and in the effort to implement both the federal reauthorization of transportation programs and new revenue schemes, RCRC supports distribution formulas that recognize a statewide transportation network which includes rural highways, roads and bridges, and the disproportionate cost associated with rural roadway maintenance.

RCRC supports local, State and federal policies that maximize the benefits of transportation investments, and policies and procedures that reduce or eliminate barriers to project delivery. These efforts include opportunities to review the National Environmental Policy Act and the California Environmental Quality Act to streamline and improve the application and approval process for transportation-related infrastructure projects, and reduce or eliminate duplicative State and federal requirements. Additionally, RCRC supports efforts to address prevailing wage requirements and contracting rules that have an increased cost on rural agencies.

**State Highway Relinquishment.** The California Streets & Highways Code allows the State – via an act of the Legislature and final approval of the California Transportation Commission – to relinquish segments of state highways to local entities (cities and counties) provided those local agencies can absorb the ongoing costs of the segment. The California Department of Transportation’s policy is that relinquishments of a segment should not occur when those segments contribute to an inter-regional connection. RCRC supports relinquishment only when the segment does not negatively impact a vital or primary inter-regional connection or when relinquishment would not disrupt the ability to transport people and goods efficiently from one region to another (i.e. from rural areas into urban areas).

## **LOCAL GOVERNMENT FINANCING**

With voter approval of Proposition 1A in 2003, local government property tax revenue is no longer to be taken by the State. Proposition 1A was a major step in protecting local government revenues. However, counties need additional funding if they are to fulfill their State-mandated and traditional roles.

Financial actions taken by the Legislature and the Governor have direct impacts on California’s rural counties. Many rural counties rely on special State assistance including but not limited to, law enforcement, emergency medical services,

environmental health, and small airfields. RCRC is committed to working with all members of the Legislature and the Governor to ensure that the budget process maintains these vital services when these services are difficult to maintain solely on local revenues.

**Agricultural Commissioners.** RCRC supports a level of funding sufficient to implement the mandated pesticide use enforcement programs conducted by County Agricultural Commissioners. RCRC opposes the continuation of the program without sufficient funding.

**Bond Funds.** RCRC supports the efficient and effective use of State bond funds and the maximization of federal funds. RCRC supports geographically equitable distribution of bond funds, accountability for bond fund expenditures, and the incorporation of input from local officials when spending priorities are determined. RCRC supports funding formulas that establish a reasonable minimum amount rather than an amount based on population.

**USDA/California County Cooperative Wildlife Services.** Increased urbanization and suburbanization has led to a regulatory-mandated reduction and fragmentation of wildlife habitat. At the same time, wildlife populations continue to expand because of reduced hunting, changes in animal protection status, and the loss of various control mechanisms. Conflicts between people and wildlife are all too frequent and increasing. Funding for USDA's Wildlife Services program has traditionally been secured through cooperative agreements between federal, state and county governmental agencies. These Wildlife Services contracts with California counties have been challenged based on their lack of compliance with the California Environmental Quality Act (CEQA) without regard to public safety.

RCRC supports legislation and regulatory actions that allow wildlife management tools and/or methods that have proven effective; collaborative efforts to fund and complete CEQA documentation for all Wildlife Services in California; and restoration of State matching funds for county participation in federal Cooperative Wildlife Services programs, which bring greater scientific knowledge and efficiency to local wildlife management programs.

**Disaster Funding.** The State General Fund has been the traditional source to fund the California Department of Forestry and Fire Protection (CAL FIRE), the Governor's Office of Emergency Services, and other disaster-related agencies. In recent years, there have been proposals to provide additional revenues and/or lower the obligations of the State General Fund including, most recently the State Responsibility Area (SRA) fee to fund CAL FIRE's fire prevention and education programs.

RCRC supports a new revenue stream that is broad-based geographically, reflecting the fact that the activities of statewide disaster agencies benefit all Californians: CAL

FIRE and other state emergency response agencies respond to all types of disasters including fire, floods, earthquakes, hazard materials spills, and terrorism, as well as vehicular and medical responses in Local Responsibility Areas, SRAs, and federal lands. However, any new disaster management fee/tax must be in lieu of the existing SRA fee, not in addition to, and must include the unequivocal repeal of the SRA fee when this new revenue stream is created.

Counties should not be in the role of administering and/or collecting new revenues; however, in the event counties are required to perform an administrative/collection function, counties must receive full cost-recovery. With the addition of any new revenue sources, portions should be permanently dedicated for disaster prevention activities at the local level.

RCRC supports full funding of disaster relief for all eligible counties. Policymakers often consider limiting access to disaster funding to incentivize certain actions by local governments. RCRC opposes any changes to, or limitations upon, the eligibility for receipt of disaster costs. RCRC especially opposes tying county land use processes and decision-making to disaster relief funding.

Disasters in rural areas of California are often caused or exacerbated by the presence of State or federally managed lands and resources, thereby creating a risk that counties have little, if any, authority to manage. It is unreasonable to tie disaster funding to the actions of a county in that situation. Additionally, RCRC supports a return to State assistance for the local portion of the costs of state or federally declared disasters. State policy has shifted away from reimbursing these costs, which are critically important to the overall recovery in small, rural areas with limited revenue.

Any changes to the current system of enhanced reimbursement for disaster funding that require changes to a county general plan should be tied to the timing of each county's regular update of its general plan, rather than to a specific date. If eligibility for enhanced reimbursement is to be an incentive for good planning and prevention, a program of self-certification must determine proof of such, rather than through costly on-site visits. As to fire disaster specifically, RCRC opposes any requirement for enhanced reimbursement for fire disaster that mandates a central countywide fire authority or classifies volunteer or tribal firefighters differently than professional firefighters.

RCRC supports the continuation of federal disaster assistance to states and counties, and encourages federal lawmakers to consider the impacts of any changes to the existing funding mechanism on small, rural counties with low population, minimal staff, fiscal resource limitations and aging or non-existent infrastructure.

There are several limiting factors in states and ultimately counties receiving disaster relief assistance from federal resources. First, a disaster declaration is only made if the amount of damage reaches a certain level of financial impact, based upon certain findings of how much of the population of a county was affected, and the amount of

financial impact to a single county. Due to the small number of California counties, and the way that population and financial resources are spread throughout the state, the current system of disaster declarations is disadvantageous to California counties, requiring far more widespread and extensive damage than the amount of damage that is necessary to reach the threshold for declaration in counties in other states. RCRC supports changes to the current system of disaster declaration qualification, such that California counties are more likely to be eligible for formal declaration of disaster.

RCRC supports State tax relief for those individuals and businesses who have losses due to disaster. Special carry-forward provisions of losses are an effective way to help ease the transition between disaster and recovery. However, RCRC does not support any waiver or shifting of local tax revenues due to disasters. Often local governments are coping with their own increased costs due to disaster recovery, so it makes little sense to reduce revenue sources at such a time.

**Homicide Trial/Costly State-Initiated Court Case Funding.** RCRC supports continued State funding of the extraordinary costs of major homicide trials in rural counties. Also, State funding should be provided for costly court cases that have been initiated by the State of California in rural counties. Without State funding, California's rural counties may face the risk of bankruptcy due to the high costs incurred by these types of trials.

**2011 Realignment.** In 2011, the Legislature and the Brown Administration enacted a comprehensive realignment of criminal justice programs and services to counties, and realigned the funding of a variety of Health and Human Services programs. Funding for the realignment scheme is currently set in statute through a dedication of 1.065 percent of the State portion of the sales tax rate and a limited amount of vehicle license fee revenues. The realigning of the Health and Human Services programs started in the beginning of the 2011-12 fiscal year, while the criminal justice realignment – via Assembly Bill 109 – took effect on October 1, 2011. While RCRC did not endorse the 2011 realignment, RCRC supports the full constitutional protections which were enacted to dedicate funding for the costs of meeting these demands. Such protections dedicated protections outlined in Proposition 30 of 2012 are:

- Continuous appropriation of funds to counties;
- Counties must receive funds for new or increased costs of realigned programs;
- Reimbursement for the State assumption of the new or increased costs of realigned programs imposed by the federal government or the courts; and,
- If the revenues that currently fund realignment are reduced/cease to be operative, the State is required to provide replacement revenues that are equal to or greater than otherwise would have been provided.

RCRC also supports the continuation of dedicated State revenue streams for local law enforcement programs which are now incorporated into the 2011 Realignment scheme, such as the Rural and Small County Law Enforcement Program.

**Municipal Bankruptcy.** In 1949, California finalized the procedures for allowing municipalities to access federal bankruptcy laws (Chapter 9). California is one of eight states that have enacted authorizing statutes with unrestricted access to the Chapter 9 process. Only one county in California (the County of Orange in 1994) has filed under Chapter 9 since the creation of this option. RCRC believes that there is no need to deviate from the current, long-established policy of unrestricted access to the Chapter 9 process. RCRC opposes efforts that interfere, inhibit or delay a county's ability to seek bankruptcy protection in order to best manage their fiscal affairs. RCRC believes that any State interference jeopardizes a county's ability to avoid bankruptcy and/or impedes the ability of a county to continue providing the services required under State and federal law.

**Property Tax Allocations.** Some counties are experiencing "insufficient Educational Revenue Augmentation Fund (ERAF)" which results in less property taxes flowing into the county treasury. This is a result of complex State funding formulas which determine the allocation of local property taxes to jurisdictions within a county. RCRC supports efforts – through a State budget augmentation and/or a new statute – which guarantee that counties (and cities located within those counties) are made whole when there is insufficient allocation of property taxes due to State-determined formulas. In addition, RCRC supports legislative efforts to allocate property taxes known as "excess ERAF" to cities, counties, and special districts within the county where "excess" property taxes are generated.

**State Crime Laboratories.** Most rural counties rely on forensic crime laboratories operated by the California Department of Justice to assist in investigations and prosecutions. In order to provide uniform quality and consistent forensic services, the Legislature established these laboratories for use by municipalities. RCRC opposes efforts to impose and implement a fee schedule for counties when using these laboratories.

**Off-Highway Vehicles.** RCRC supports the collaborative efforts of the Off-Highway Vehicles (OHV) stakeholders' roundtable to resolve contentious issues. RCRC opposes the requirement for a local match in the OHV grant program.

**Payment in Lieu of Taxes.** RCRC strongly supports the reauthorization and continuance of full funding of the Federal Payment in Lieu of Taxes (PILT) program to help counties offset the loss of property taxes from public land ownership. RCRC strongly supports full funding and payment to counties each budget year for the State PILT program administered by the California Department of Fish and Wildlife (DFW). RCRC also supports payment in full of the arrearages due to counties by the DFW for the State PILT program.

**Federal Payments to Schools and County Roads.** In 2000, Congress enacted the Secure Rural Schools and Community Self-Determination Act (SRS). SRS was created to provide a guaranteed payment option to counties and schools located in forested areas in light of dramatic reductions in monies derived from timber

harvesting on national forest lands. Proceeds provide rural counties and school districts with funding for a number of services including road maintenance and day-to-day school operations. SRS has been reauthorized several times, and various SRS reauthorizations have included a “ramp down” of payments to local jurisdictions.

RCRC supports the timely reauthorization of SRS. RCRC recognizes that the 2000 law was not a permanent federal funding source for counties and school districts, but rather a temporary funding scheme to assist in an economic transition due to declining federal timber harvesting receipts. However, stakeholders, in coordination with the Administration and Congress, have yet to agree on an alternative, permanent funding source – consistent with historic payment levels – to support counties and schools with national forest lands. Therefore, RCRC supports reauthorization of SRS, and aims to preserve funding levels which are adequate and reflect the federal government’s commitment to rural communities. RCRC continues to support the development of creative permanent funding solutions into the future.

**Proposition 36.** RCRC supports adequate State funding for Proposition 36, the Substance Abuse and Crime Prevention Act which was approved by the voters in 2000. Programs established under Proposition 36, at the county level should be funded, in part, with state resources, and flexibility must be provided in using these funds to provide drug treatment services for non-violent drug offenders.

**Proposition 47.** Proposition 47, approved by the voters in 2014, reduces criminal penalties for a variety of specified offenses, and dedicates the ‘savings’ from housing these offenders into programs that support K-12 schools, victim services, mental health and drug treatment. RCRC staff will work to ensure that counties’ costs are mitigated, and State monies that are realized from the “savings” associated with incarceration are directed to county programs associated with for mental illness and substance use disorders associated with this offender population.

**Resource-Based Fees.** RCRC opposes the use of resource-based fees to balance the State budget. With such a large percentage of the state’s natural resources located in our member counties, the citizens of rural counties can be unduly impacted by fees based upon those resources. As these resources benefit the state and the public at-large, it is appropriate that the General Fund provide some level of support for resource related programs. The current practice of eliminating or reducing General Fund support for these programs, and the resulting increased reliance on user fees, places an unfair and inequitable burden on rural communities.

**Transient Occupancy Taxes.** For many rural counties, Transient Occupancy Taxes (TOT) are an important local government revenue stream for many tourism-dependent rural counties. TOTs provide a critical source of flexible local funds that are often utilized to offset the costs of providing services to tourists. RCRC strongly supports efforts – via changes in statutes or agreements at the local level – to collect the appropriate amount of TOT from technology platforms such as “Airbnb.” RCRC also opposes any efforts to exempt any taxable lodging sites or travel booking services/agents from the collection and payment of local TOTs. Furthermore, RCRC

opposes efforts which would shift the responsibility for imposition and collection of TOTs from local jurisdictions to the State.

**User-Based Fees and Assessments.** RCRC opposes the expenditure of user-based fees and assessments to finance general or special benefit programs that are not directly related to the service for which the fee or assessment was initially established.

**Unfunded Mandates.** RCRC supports reforming the mandate reimbursement process to make it more reliable and timely for counties. RCRC supports the full and immediate repayment of all pre-2004 mandate claims.

**Williamson Act.** The Open Space Subvention Act of 1971 was established to provide local governments an annual State subvention to fund the partial replacement of foregone property tax revenues resulting from county participation in the California Land Conservation Act of 1965 (commonly referred to as the Williamson Act). The State stopped funding the subvention program in 2009.

Williamson Act subventions were a significant contributor to the General Fund of many rural counties. This revenue represented as much as 15 percent of some rural county budgets and provided counties with one of their few sources of discretionary dollars for essential public services many of which are delivered on behalf of the State.

State funding of the Williamson Act was one of California's most effective on-the-ground programs for encouraging the preservation of existing farmland, open space, and habitat as well as protecting watersheds and reducing greenhouse gases. The Williamson Act also aided in the preservation of contiguous areas of agricultural land in California.

RCRC supports the reinstatement of State subvention funding to counties to provide compensation for reduced property taxes on lands that have Williamson Act contracts. However, given the ongoing reluctance of the Legislature and the Administration to fund Williamson Act subventions since 2009, discussions relating to changes to the Williamson Act in light of the lack of subventions are appropriate.

RCRC will continue to work with agricultural, environmental and local governmental organizations to explore sustainable funding from the State for the program. Additionally, RCRC may consider potential changes to the program itself including modification of the State's oversight and administrative role in the program in light of no foreseeable funding from the State for the program.

Further given the changes in California since the inception of the Williamson Act, RCRC supports the ability of individual counties to make the determination of appropriate compatible use on agricultural land within the Williamson Act program.

## **MILITARY BASE CLOSURES**

The defense industry remains a critical economic industry in California behind tourism and agriculture. California is home to nearly 30 major military installations. In 2014, the Department of Defense spending in California was approximately \$52.5 billion, representing 12.5 percent of the total U.S. Defense spending budget and a workforce of 272,864 including active, reserve, and civilian personnel.

During the four previous rounds of base closures, California lost 24 bases, representing 25 percent of the bases closed nationwide. Additionally, California lost nearly 100,000 jobs while the other 49 states combined lost approximately 80,000 jobs. These base closures resulted in an estimated loss of \$9.6 billion in annual revenues for California.

Five RCRC member counties house military facilities: Imperial County – El Centro Naval Air Facility; Inyo County – China Lake Naval Air Weapons Station; Lassen County – Sierra Army Depot; Mono County – Marine Corps Mountain Warfare Training Center; and, Yuba County – Beale Air Force Base. Although the majority of military facilities are not located in RCRC member counties, the effects of their closure would potentially impact nearby RCRC counties. Some of the possible impacts of base closures on surrounding local communities include the loss of property taxes and sales taxes.

**Base Reuse.** RCRC supports incentives for economic reuses that are developed in coordination with the impacted local government(s) should any facilities close.

**Disproportionate Economic Impact.** RCRC believes consideration should be given to the disproportionate contribution local communities in California have already made to the streamlining of the military's base infrastructure. California shouldered a disproportionate burden of closures during previous Base Realignment and Closure (BRAC) rounds, suffering a 60 percent cut in net personnel despite housing only 15 percent of the nation's military personnel.

RCRC believes strong consideration should be given to the economic impact of closures on existing communities in the vicinity of military installations and supports legislative efforts to provide state and federal economic assistance to areas that suffer because of such base closures or realignments.

**Geographic Capacity.** RCRC supports consideration of the importance of geographic capacity to accept future missions and their operating, research, design, testing, and evaluation requirements. Rural areas of the state provide access to large areas of operational airspace and land that will be a key to future military operational and training requirements.

**Inactive Status.** RCRC opposes the retention of facilities in an inactive status; this has a significant negative impact on the local community due to its inability to realize job creation through economic reuse of the site. Additionally, it delays the necessary cleanup of potential contamination prior to transition to any future use. Temporary

deactivation does not generate any State or local revenues and is a blight on the surrounding communities.

**Placement.** RCRC supports the placement of out-of-state realignments at existing California military facilities.

**Retention.** RCRC supports retention of military bases in California to be operated in the most cost-effective and beneficial manner to the State and the people of the United States.

**Toxic Cleanup.** RCRC supports the swift cleanup of any toxic materials from bases that have already been closed in previous BRAC rounds to enable their economic reuse prior to any further base closures in California. Delayed base cleanup can delay property transfers and reuse, hurt the economic revitalization of nearby communities, harm the environment or public health, and increase environmental risks.

## NATIVE AMERICAN AFFAIRS

Relationships between tribes and counties are as varied as the makeup of those entities. It is important that the State and federal laws and regulations that govern those relationships be fair and equitable; both between tribes and local governments, and consistent from jurisdiction to jurisdiction. Compacts that enrich the State but do not mitigate the local impacts of tribal gaming are untenable. Federal acknowledgement processes that do not allow for a local government voice and do not adequately mitigate resolutions to known conflicts are unacceptable. Regulations that insist a small business owned by a non-tribal entity meet a certain environmental standard, or acquire a certain type of permit to operate, should be applied to tribally-operated businesses as well. RCRC's policies in the realm of Native American Affairs reflect this important balance: the need to respect the sovereignty of tribal governments with the importance of protecting local government and the constituencies it represents, both tribal and non-tribal.

**Agreements.** RCRC supports the requirement for judicially enforceable agreements between tribes and local jurisdictions.

**Construction and Expansion.** RCRC supports requiring tribal governments that seek to construct or expand a casino or other business that would impact off-reservation land to involve the county government in the planning process and, ideally, to obtain the approval of the local jurisdiction.

**Federal Acknowledgement.** RCRC urges the Bureau of Indian Affairs to include language regarding involvement of local government input, specifically, and in addition to, extensive public input from stakeholders when working towards the restructuring of the way the federal government formally acknowledges an Indian tribe. Additionally, RCRC believes that any new federal acknowledgement process

should be closely connected to any new Fee-to-Trust process such that the two both share a high level of local government involvement. Ensuring that the acknowledgement system and the Fee-to-Trust system work in tandem and that both allow for the maximum amount of local government input is the best way to ensure smooth relations between tribes and local governments.

**Fee-to-Trust.** Many tribes are attempting to acquire land outside of their current trust lands and are seeking that additional land be placed into federal trust in order to secure the ability to develop businesses for economic growth and to avoid federal, State and local taxation of those businesses. Case law (*Carcieri v. Salazar*, 555 U.S. 379 (2009)) invalidated many Fee-to-Trust transactions because the tribes seeking trust land were not recognized before 1934. RCRC continues to oppose any legislation that would re-validate the pre-Carcieri Fee-to-Trust system without reforming the current process to better accommodate the concerns of local governments in the regions affected by Fee-to-Trust applications. RCRC is actively engaged on improving the legislation seeking to establish a post-Carcieri Fee-to-Trust system. RCRC opposes the shift of land from Fee-to-Trust without community input. Moreover, RCRC opposes a change-in-use from the use listed on an approved Fee-to-Trust application to a different use without additional review. RCRC supports maintaining the existing right of the county, state and any interested or harmed party to gain standing to comment or sue over a trust application.

**Local Business Equality.** Recognizing the current revenue generation and potential expansion of tribal lands and businesses, RCRC encourages equal enforcement of all appropriate tax laws and requirements on tribal businesses in order to ensure a level playing field for local businesses and to ensure fairness in revenue generation within counties.

**Mandatory Mitigation.** RCRC supports a requirement that future Indian Gaming compacts and Fee-to-Trust applications provide for full mitigation of local impacts including infrastructure load and local law enforcement issues from gaming and other infrastructure impacts from tribal activities. Mitigation should be provided through either the Indian Gaming Special Distribution Fund (SDF) or through judicially enforceable agreement between local jurisdictions and tribes. RCRC supports full funding of the SDF or alternative funding source for full funding of local mitigation to provide badly-needed revenues to the counties and local governments affected by tribal activities on non-taxable land.

**Tribal Firefighting.** RCRC strongly supports the right of counties to utilize contracts or other agreements with tribal firefighters and tribal fire departments as the official structural fire protection for any areas within a county. RCRC recognizes the importance of tribal firefighters and tribal fire departments and opposes any legislation or changes to regulations that would disadvantage any county that utilizes agreements with tribal firefighting entities, rather than other types of firefighting units. Additionally, RCRC supports the usage of tribal fire departments as part of a mutual aid system, where appropriate, and encourages all other entities responsible for firefighting to recognize tribal firefighters as partners.

**Environmental Regulations.** Recognizing the potential expansion of tribal gaming and other types of large facilities on new tribal lands, and anticipating the renewal of current State-tribal compacts, RCRC encourages the inclusion of greenhouse gas mitigation strategies, as well as compliance with all other environmental regulations in all new and renegotiated tribal gaming compacts.

**Medical Marijuana Grows on Tribal Lands.** The United States Department of Justice has outlined the circumstances in which marijuana cultivation will be treated as a low priority offense (commonly referred to as the Ogden Memo and the Cole Memo). One of those circumstances is cultivation activity that is governed by a robust regulatory scheme. As such, RCRC believes that tribal grows should only occur in accordance with the State's medical marijuana licensing system, which requires compliance with local government rules and regulations.

## NATURAL RESOURCES

RCRC member counties cover more than half of California's total land mass. RCRC represents local governments that have regulatory and public trust responsibilities over the lands, surface waters, groundwater resources, fish and wildlife, mining, and overall environmental quality within their respective jurisdictions.

RCRC member counties stretch from the northern border with Oregon to the southeast border with Mexico, from the Central Valley to the Sierra, and from the coast to California's wine country. Although these rural areas are abundant in natural resources and agriculture, most of the state's population lives in the urban coastal areas and below the Tehachapi Mountains.

RCRC supports conservation of natural resources. Abundant natural resources are a key component of the history, economic base, and culture of California's rural counties. A strong working relationship between counties and public land managers is crucial for rural counties that rely heavily on a resource-based economy. RCRC will continue its ongoing efforts to create a better working relationship between member counties and the federal agencies that manage lands within member counties.

## ENDANGERED SPECIES

**Endangered Species Protection.** RCRC supports efforts to streamline and modernize the State and federal Endangered Species Acts (ESAs), and the State's Fully Protected Species Act, as well as efforts to clarify and simplify the process to de-list species from a protected status. RCRC supports a more comprehensive and integrated approach, as opposed to a single-species approach, in order to help balance species protection with the economic and social consequences that may result from such protection, including compliance costs. RCRC supports increased public collaboration throughout the development of "reasonable and prudent" measures

during the ESA consultation, the National Environmental Policy Act and the California Environmental Quality Act processes.

RCRC opposes efforts to broaden critical habitat designations through amendments to the ESA. RCRC also opposes a baseline approach to the economic analysis for critical habitat, and instead supports an approach that considers all fiscal impacts related to the listing and subsequent critical habitat designations for a species.

Federal and State regulatory agencies should adhere to the highest professional scientific standards to justify their biological conclusions and recommendations. The resulting scientific conclusions and recommendations should be subject to independent scientific peer review.

At the State level, RCRC does not support changes to the existing responsibilities of the Department of Fish and Wildlife (DFW) and the Fish and Game Commission.

## **FOREST MANAGEMENT**

**Fire Prevention.** RCRC supports community-focused fire prevention policies that balance environmental protection with the preservation of life and property. RCRC supports finding solutions that will better protect our communities and the environment from the catastrophic effects of wildfire including detriments to air and water quality, loss of habitat, forced evacuations, and other devastating environmental and societal losses.

RCRC supports realistic policy and regulatory reforms that could lead to better mitigation of wildfires on federal, State, and private lands. RCRC encourages an increase in State and federal financial resources being put toward prevention either in grants to aid local agencies in the management of forestlands including preparation of fire management plans for Wildland Urban Interface areas and implementation of fuel reduction programs; or in direct dollars spent towards “on-the-ground” projects.

RCRC supports expansions including diameter limit increases, to existing exemptions from timber harvest plans for wildfire prevention vegetation management. Additionally, RCRC supports other tactics to improve forest management and reduce wildfire risk within California’s forests including: incentives for increased forest biomass utilization; continuation of and expansions to the federal stewardship contracting program; utilization of Cap-and-Trade funds for fuels management work; and other traditional and non-traditional avenues to increasing the amount of vegetation management that can be completed in and around our rural communities. RCRC supports the use of grazing in appropriate circumstances as another tool to reduce the risk of wildfire. These fuels reduction efforts are necessary in order to prevent fires, improve the health of the forest and the watersheds and maintain these resources for wildlife habitat, tourism and recreation.

RCRC will continue to work with our non-traditional partners to collaborate on solutions to the ever-increasing threat of wildfires to our forests, and to California as a whole.

**Fire Protection and Prevention Decision-Making.** RCRC supports active outreach on the part of State and federal land managers to engage counties and local government officials in decisions regarding fire prevention and protection activities on federal lands that may affect the health and/or safety of residents or visitors of the surrounding communities.

**Community Wildfire Protection Plans.** RCRC supports local collaboration between fire services, civic leaders, community citizens, and other stakeholders to develop Community Wildfire Protection Plans (CWPPs). CWPPs should include broad-based approaches to fire prevention on federal, State, and private neighboring lands. CWPPs, when fully implemented, should provide a step in the right direction towards mitigating the destructive effects of wildfires. RCRC believes that CWPPs should be realistic and reflect actual on-the-ground conditions so that State and federal land management agencies will more heavily rely on them when determining project placement and expenditures.

**Oak Woodlands.** RCRC supports the conservation of oak woodlands but strongly believes that local planning authorities should control the protection of oak woodlands in areas of oak woodland scarcity, not through a State legislative mandate.

**Federal Firefighting.** RCRC urges the United States Forest Service (USFS) to work with local governments, local fire agencies, and the California Department of Forestry and Fire Protection (CAL FIRE) to adopt a strategy that is similar to, and as equally comprehensive as, CAL FIRE's stated mission of protecting resources, lives, and property on any California lands subject to a balance of acres swap between CAL FIRE and USFS. While RCRC recognizes that the USFS and CAL FIRE have distinct missions, RCRC strongly believes that the USFS must be responsible stewards of California's forested lands, which includes working to preserve the safety of the lives, homes, businesses, and property of those who live in and around federal lands.

**Sierra Nevada Framework.** RCRC supports the administrative review process of the Sierra Nevada Framework. RCRC supports managing the Sierra Nevada national forests to increase the presence of native tree species, reduce fire-prone vegetation, and decrease forest density. RCRC supports prioritization of fuel reduction projects in wildland-urban interface areas, municipal watersheds, and areas prone to insect and disease infestation.

**Timber Harvesting on Private Lands.** RCRC opposes additional requirements that would further increase the cost of Timber Harvesting Plans (THPs) or make the approval process more onerous. Additional THP costs and/or a more onerous process would result in a potential increase in fire risk, as well as the threats of insect and disease infestation, thereby further jeopardizing rural communities that are located

near private forestlands. RCRC supports efforts to reduce or streamline the regulations on private forest owners for vegetation management work for fire prevention. RCRC supports an increase to the diameter limit of existing THP exemptions for such purposes.

**Wildfire Disaster Funding.** The current federal system for funding the costs of fighting wildfires results in “fire-borrowing,” where operational revenue for prevention, forest health and watershed restoration projects is “borrowed” and spent for firefighting costs. This system exacerbates wildfire risk conditions for subsequent fire seasons, thereby endangering the health of California’s forested lands and the valuable resources they provide. RCRC supports the adoption of a new mechanism by Congress that prevents fire-borrowing to enable federal land managers to complete vital forest health projects to prevent future severe wildfire events.

RCRC supports legislative efforts to make suppression of catastrophic wildland fires eligible for disaster relief funding, thereby preserving Forest Service budget allocations for other necessary programs.

**Tree Mortality.** RCRC supports State and federal funding, as necessary and appropriate, for the continued removal and utilization of dead and dying trees due to invasive pest infestation consistent with Governor Brown’s October 2015 Emergency Proclamation. The removal of diseased trees is vital for the prevention of severe fire risk conditions, which ultimately protects public health and safety while reducing greenhouse gas emissions from wildfire and preserving the carbon sequestration capabilities of California’s forest lands.

## **LAND CONSERVATION**

**Conservation Easements.** RCRC supports a broader use of state-funded limited term conservation easements as opposed to permanent easements. Although federal government programs provide funding for term easements, the State’s current policy prevents full utilization of this funding option.

**Invasive Species.** RCRC supports State and federal funding to increase public awareness of invasive species as well as to facilitate their removal and reduce harmful economic and environmental impacts that result from the spread of these species, such as the degradation of agriculture, water quality and water supply issues, outdoor recreation and increased wildfire danger.

**Land Acquisition.** RCRC believes the following key factors must be considered in any conservation acquisition: protection of property rights; willing buyer/willing seller; local land use authority; and the maintenance of productive working landscapes consistent with local land use plans. Any local government that may be impacted should be notified when a conservation acquisition, in either fee title or an easement, is being considered.

**Pacific Forest and Watershed Lands Stewardship Council.** RCRC supports the implementation of the Land Conservation Plan in accordance with the terms of

the settlement agreement and the associated stipulation. Protections for counties should include a requirement that the totality of dispositions in each affected county be tax neutral for that county.

**Special Land Use Designation.** RCRC supports multiple-use land designations for national forests and other federal lands. Where special land-use consideration is desirable, RCRC supports a five criteria evaluation: 1) Designations must be supported by local governments; 2) The permissive tools of land management must be capable of preserving and protecting the landscape's natural features in perpetuity including protection from wildfire and disease and insect infestation; 3) Designations must be generally consistent with historical and current use; 4) Designations must contribute to the future anticipated demand for national forest and federal land uses; and, 5) A balance of diverse uses must be maintained within a reasonable geographic vicinity.

**State Owned Land.** The current State land acquisition system needs reform. A key element of that reform must include a thorough analysis of existing holdings based upon criteria that is developed in accordance with each agency's mission, goals and available resources. Current State holdings should be analyzed and measured against those criteria to determine whether it is appropriate that those properties remain in state ownership.

## **WILDLIFE MANAGEMENT**

Rural counties have regulatory and stewardship responsibilities for the natural resources within their jurisdictions, as well as public health and safety responsibilities including the protection of life and property. Rural counties require effective predator management tools within wildlife management regulations and policy decision making.

Loss of natural habitat through natural processes, such as drought and wildfires, as well as human made alterations, has caused wildlife to migrate to populated areas in search of food and water. Human-wildlife conflicts include the potential for physical injury or loss of life, property damage, and the spread of contagious wildlife diseases that pose threats to humans, other wildlife, domestic pets and livestock.

**Cooperation.** RCRC encourages federal and State decision-makers to work cooperatively with counties to ensure that effective wildlife management tools are available at the local level that strike a balance in wildlife management decisions, legislation and protection of this public resource.

**Funding.** RCRC supports federal and State funding for wildlife management programs.

**Research.** RCRC supports continued research on wildlife and predator management.

**Wildlife Management.** RCRC supports local, State and federal wildlife management programs including the United States Department of Agriculture Animal and Plant Health Inspection Services wildlife damage management activities, and the California DFW trapping license program, as well as efforts by the County Agricultural Commissioners to disseminate wildlife management educational information to the public.

## **STATE CORRECTIONS SYSTEM**

California continues to remain under a federal court order regarding its state prison population. This order places a cap on the State's prison population at 137.5 percent of design capacity, which translates into an inmate population of approximately 115,900 in the state's 34 institutions. The Legislature and Brown Administration have enacted various population management measures to bring the State into compliance with the prison population reduction mandates. In addition, the voters have recently approved ballot measures which have resulted in the ability to lower the prison population. The State has complied with the federal court order since February 2016; however, if the recent trend of growth continues, the inmate population could exceed the mandated cap in the very near future.

In 2013, the Legislature enacted Senate Bill 105 (Steinberg) to provide counties with state funds due to the increased numbers of state inmates being diverted to the local county jails. This is modeled after Senate Bill 678 (Leno) (2009), which allows counties to share in the cost-savings when certain convicted felons do not re-offend and avoid subsequent re-commitment to the State prison system. RCRC supports continued funding for SB 105/SB 678 programs to ensure that counties and the State minimize recidivism.

RCRC opposes efforts – either via the Legislature or the initiative process – which place additional pressure on the county criminal justice system, particularly any increases to utilization of local jail space. Given that the State and counties are continuing to implement programs and policies associated with criminal justice realignment (Assembly Bill 109 of 2011 and Proposition 47 of 2014), additional time and review must occur before moving forward with any further changes to the local criminal justice system.

**Mitigation for the Expansion of Existing Prisons.** RCRC supports requiring that the State and the California Department of Corrections and Rehabilitation (CDCR) mitigate the local impacts of a new prison facility, or the expansion of an existing one. In addressing these mitigation needs, the State and the CDCR must work with the affected counties and their Boards of Supervisors. The scope of issues for mitigation should include impacts to water services, wastewater treatment/storage/disposal, transportation, healthcare services, education, fire protection, and law enforcement.

**Early Release.** RCRC remains concerned about any effort to reduce the current prison population (which, due to realignment and the approval of recent ballot measures, now contains the most violent and serious offenders) by granting ‘early release’ to offenders. RCRC believes that before any release from state custody can occur, careful assessment of the risk of re-offending is thoroughly carried out. In addition, each inmate shall be fully evaluated regarding rehabilitation and training programs that have occurred while in state custody. Results from risk and needs assessment should be shared with the counties prior to any release. Accompanying proposals to reduce the prison population should include additional state resources provided to local governments in anticipation of increased law enforcement costs and a variety of new and complex social services demands.

**Legal Costs.** RCRC supports state funding for counties’ district attorneys and public defenders for the cost of prosecuting/defending serious/violent felonies that have allegedly been committed at state prison facilities. RCRC also encourages the Legislature to provide counties additional resources, where there is a significant state prison population, to address the costs of detaining persons awaiting trial for crimes allegedly committed while in state prison.

**Social Services.** RCRC believes social services, mental health, and other health programs for state prison inmate parolees that remain under state supervision should be provided and funded by the State. The State should also provide full funding for social services provided to inmate families, rather than allowing those services to fall to counties.

## **TELECOMMUNICATIONS**

RCRC supports the deployment of new technology in California and the equitable regulatory treatment of all forms of telecommunications services. RCRC strongly encourages both the federal and state governments to focus telecommunications policies to prioritize 100 percent deployment to rural areas. In addition, the expansion of service including the development of redundant systems, in unserved areas and underserved locations should be a secondary priority. High-speed internet access is the link for rural citizens to receive health care, educational opportunities, and promote economic development and business connectivity to the rest of the world. The state and federal government must ensure that legislative and regulatory schemes to promote deployment and competition protect both consumers and local government authority.

**California Advanced Services Fund (CASF).** The California Advanced Services Fund was established to provide financial resources to ensure broadband deployment in unserved areas as well as underserved locations. The Fund is capitalized by an end-user surcharge on all intrastate phone subscriptions; however, the total amount is capped and the authorization to impose the surcharge is set to expire in the next several years. Funds from the CASF are awarded, by the California Public Utilities Commission, on a grant basis to qualified applicants. RCRC supports the

continuation of the CASF; however, we recognize that reforms need to be made to the CASF to ensure timely approval of grants as well as providing flexibility to better address underserved populations.

**High-Cost A/High-Cost B Funds.** The High-Cost A Fund was established to provide support to small, private independent telephone corporations to ensure affordable, reliable, high-quality communications services in rural areas of the state. The High-Cost B Fund was established to provide support to telecommunications carriers of last resort (primarily large legacy phone carriers) for providing basic local telephone service to residential customers in high-cost areas. Both the High-Cost A and High-Cost B Funds are capitalized by an [end-user surcharge](#) collected by carriers. RCRC supports the continuation of both Funds to ensure that rural communities continue to have access to basic phone services. RCRC also supports efforts to allow High-Cost A funds to be utilized for the deployment of broadband in territories served by small carriers.

**Landline Relinquishment.** RCRC recognizes that traditional landline-based telephone service subscriptions have decreased. Additionally, landline-based telephone service can be an expensive service to offer in some areas of the state, which may deter carriers from making investments in upgrading their non-landline services. However, RCRC remains concerned with efforts to enact state policies that would allow legacy phone carriers to relinquish their decades-old obligations to provide landline telephone service without a carefully crafted regulatory scheme that guarantees basic consumer protections over the replacement technology. Landline-based service remains the best and most-reliable communication mode in rural areas. RCRC believes that if relinquishment of landline-based services are to occur, a variety of protections should be afforded to rural areas. These include:

- Equivalent, affordable, and reliable service must be retained
- The burden-of-proof towards viable relinquishment must fall upon the carrier with extensive regulatory review and local input
- Emergency-related services, including 9-1-1, must be secured in a 24 hours-per-day manner
- Assurances that monies saved from providing landline-based services are dedicated to upgrade services, including broadband deployment

RCRC encourages that urbanized areas, where alternative telecommunication modes are prevalent, be the first portions of California to have landline relinquishment in order for a thorough review of replacement services.

**“Dig Once.”** RCRC supports a requirement that the State Department of Transportation (Caltrans) notifies entities and organizations that a right-of-way enhancement is to occur whereby broadband conduit could be installed in conjunction with the improvement of the right-of-way. Many rights-of-way – either state - or locally-owned – allow for conduit underneath or alongside. However, a number of state right-of-ways, particularly in rural areas, contain no broadband conduit. In order to minimize the overall cost of broadband deployment in areas lacking coverage,

Caltrans should either install the conduit or allow qualified entities to install that conduit during the construction (commonly known as “Dig Once”). RCRC encourages member counties to review their local policies for ensuring that the placement of conduit can be made when major work occurs on a county-owned right-of-way.

**Emergency Systems.** RCRC recognizes the importance of communication between public safety personnel during emergency situations, and supports the establishment of a dedicated, nationwide, interoperable public safety broadband network. Additionally, all telecommunication providers should be required to observe long standing emergency notification protocols for both the national Emergency Alert System and local emergency announcements.

**Public, Educational, and Governmental Programming and Institutional Networks.** All communications service providers should provide, carry, and support (for both capital and operations expenses), Public, Educational, and Governmental channels. Additionally, providers should continue the commitment to provide Institutional Networks services to public facilities, such as government buildings and libraries, to help connect local governmental services.

## **VETERANS’ AFFAIRS**

RCRC believes that all veterans should be recognized for their service to our country. RCRC supports ensuring that the full panoply of services for veterans is available to those who are residents of rural counties.

**Access to Services.** RCRC supports ensuring veterans have access to the services and benefits to which they are entitled including housing, healthcare, employment, education and training, and community reintegration assistance.

**County Veterans Service Officer Funding.** RCRC supports full funding of the County Veterans Service Officer offices that provide assistance and outreach to California’s veterans. Many small and rural counties have staff who are already fulfilling multiple roles and whose time is stretched thin. These offices often fill the need to provide certain niche services utilized by veterans that are unavailable through the county.

**Specialized Training.** Several forms of specialized military training including healthcare, firefighting, and law enforcement have high value in civilian life, but current state law often does not fully recognize that training as equivalent to civilian training in the same fields. These special skills are valuable to rural areas where it is difficult to recruit and retain quality fire, public safety, and medical professionals.

RCRC supports changes to the law that would allow specialized training completed during military service to qualify as training for non-military employment, where appropriate. Many service members are required to repeat education and training in order to receive industry certifications or licenses, even though much of their military

training and experience overlaps with credentialed program requirements. Recognizing this specialized training will speed up the re-integration of veterans into the civilian life while strengthening the workforce and economy in rural communities.

**Funding.** RCRC supports full funding for state veterans' programs, especially those that draw down a federal match. Additionally, RCRC supports county efforts to have full flexibility in creating opportunities and giving assistance to veterans in their communities, such as low or no-cost permitting for construction or business licensing.

## **WATER**

Nearly 75 percent of California's available water originates in the northern one-third of the State (north of Sacramento), while over 75 percent of the demand occurs in the southern two-thirds of the State. Much of the available runoff eventually flows into the Sacramento and San Joaquin rivers. Both of these rivers flow through the Central Valley and meet in the Delta. RCRC has been actively involved in a wide variety of water-related issues since its inception and continues to place an emphasis on this issue which is so important to member counties.

**Drought.** RCRC supports state and federal efforts to address the urgent needs of communities and businesses impacted by the ongoing drought. Particularly, in times of drought, RCRC supports modification of requirements that hinder conservation of currently stored water and that add flexibility to the operation of the State's and federal water system while maintaining California's water right priority system.

**State Water Plan.** The State Water Plan (SWP) has become a strategic planning document that describes the role of state government and the growing role of California's regions in managing the State's water resources. RCRC has been an active participant in the ongoing development of the SWP Update as a member of the Public Advisory Committee, and continues to participate in updates. It is important to ensure that the rural county/local government perspective is taken into consideration during the development of the SWP policy recommendations.

**Water Infrastructure.** RCRC supports all cost effective means of increasing California's water supply that are consistent with these Policy Principles. RCRC supports significant new state and federal investment in our statewide infrastructure to help increase regional self-sufficiency for all regions of the State. Water storage gives water managers the flexibility needed to meet multiple needs and provide vital reserves in drier years and will be a key to addressing sustainable groundwater management. Reliance solely on the reallocation of existing supplies to address water supply shortages would potentially be short-sighted, in that serious legal conflicts could ensue. Primary reliance on demand reduction would also be short-sighted as doing so could cause serious economic impacts without increasing the statewide water supply. RCRC supports the development of additional proposed surface storage projects if they are determined to be both feasible and economical.

**Water Infrastructure Financing.** RCRC supports the “beneficiary pays” principle, meaning that beneficiaries who directly benefit from a specific project or program should pay for their proportional share of the costs of the project or program. Costs should not be shifted to those that do not benefit. “Public benefits” should be funded by state and federal sources. “Affordability” should be factored into the determination of the proportional share of the costs. State and federal sources of funding should, for example, fund all or a significant share of the proportional costs for disadvantaged communities and economically distressed areas.

**Federal Jurisdiction.** RCRC strongly opposes any attempt via legislation, rulemaking, or policy issuance to change the Clean Water Act (CWA) to expand federal jurisdiction over wetlands and other water bodies with no physical nexus to federal navigable waters.

## **BAY-DELTA**

The Sacramento-San Joaquin Bay-Delta Estuary (Bay-Delta) is the heart of the State’s surface water delivery system, and supplies drinking water to 25 million people. This water is vital to the State’s multi-trillion dollar economy. The Bay-Delta is also home to 750 plant and animal species, and supports 80 percent of the State’s commercial salmon fisheries.

Various activities are ongoing with respect to the Bay-Delta including the development of California WaterFix/California EcoRestore, the implementation of the Delta Stewardship Council’s Delta Plan, and the State Water Resources Control Board’s (State Water Board) Bay-Delta Plan.

**California WaterFix.** The original proposed Bay-Delta Conservation Plan has been recast as two separate efforts – water conveyance under the California WaterFix Project and habitat restoration under California EcoRestore – and the effort to secure federal Habitat Conservation Plan and State Natural Community Conservation Plan designations has been abandoned.

**Assurances/Water Rights/Area of Origin.** Programs or facilities implemented or constructed, and intended to improve Delta conditions, such as the Delta Plan or California WaterFix, must not result in redirection of unmitigated, adverse impacts to the counties and watershed of origin. Operations at upstream reservoirs impact non-SWP and non- CVP water rights holders. Acceptable assurances must be provided to upstream water right and water entitlement holders that the operation of the SWP and CVP will ensure a stable supply of water to meet the needs of those areas upstream while also serving export interests and meeting requirements in the Delta. State and federal agencies must adhere to state water rights law including state law relating to water rights priorities and area of origin and watershed of origin protections.

**Delta Flows.** The Department of Water Resources (DWR) should continue to be responsible for meeting its obligations for flow-related water quality objectives as required by Decision 1641. California WaterFix proponents have the full

responsibility to satisfy any flow obligations required by the State Water Board to mitigate for impacts caused by California WaterFix implementation.

**Fees/Taxes.** Exporters located south of the Delta have agreed to pay for California WaterFix, which is appropriate, as they will directly benefit. The California EcoRestore program should include the details of how it will be financed and any benefits that the public is expected to receive and fund. Costs should be apportioned on the basis of benefits received. Public trust and other public benefits should be paid for by General Obligation (GO) bond proceeds and/or state and federal general tax revenues. RCRC opposes general fee authority for any administrative entity including the Delta Stewardship Council (Council).

**Mitigation.** Areas upstream from the Bay-Delta shall not be required to mitigate impacts to the Bay-Delta that have been caused by the construction and operation of the SWP and CVP.

**Term 91.** Term 91 limits diversions when the SWP and the CVP are contributing water from their stored water to meet water quality standards and other environmental objectives in the Delta. State and/or federal agencies should not apply regulatory authority, such as Term 91, to senior water-right holders or water users relying on area of origin water rights.

**Water Rights.** Water rights and water supplies of upstream communities should not be adversely impacted by the construction, operation, or management of new water conveyance facilities.

**Water Supply Reliability.** New projects will be needed to meet current and future water supply needs in the areas of origin as well as throughout the rest of the State. State policy should support the development of local and regional surface and groundwater storage projects and other local programs to assure local and regional water supply reliability statewide.

**California Water Commission.** The California Water Commission (CWC) will be responsible for allocating the funding for statewide water system operational improvements contained in the 2014 water bond - Proposition 1 – which authorized \$7.545 billion for a variety of water related projects.

Of the \$7.545 billion, Proposition 1 includes \$2.7 billion in funding for the public benefits of water storage projects and authorized the CWC as the responsible agency. The CWC through the Water Storage Investment Program will fund the public benefit of eligible projects. Eligible projects include CALFED surface storage, groundwater storage and groundwater clean-up, conjunctive use and reservoir reoperation, and local and regional surface storage.

The CWC is also required by statute to quantify the public benefits of storage. RCRC will continue to closely monitor the activities of the CWC, and engage as needed on issues of importance to member counties.

**Delta Stewardship Council.** The Council is charged with overseeing the implementation of a comprehensive management plan for the Bay-Delta. RCRC will continue to closely monitor the activities of the Council, and engage in the implementation of the Delta Plan as needed on issues of importance to member counties.

## **FLOOD CONTROL AND MANAGEMENT**

The DWR is the lead agency for FloodSAFE California – a program to improve integrated flood management statewide with a significant emphasis on the Central Valley and the Bay-Delta. Integrated flood management addresses both aspects of flood risk: taking actions to reduce the frequency and severity of floods, and taking steps to reduce or mitigate the damages caused when floods happen.

Agencies at every level of government have some responsibility for flood control and management, and construction costs are shared among federal, state, and local agencies. Eliminating unacceptable risks of flood damage statewide will take decades and require significant resources.

One of the key issues facing local government is the issue of new development requirements in newly mapped flood prone areas.

**Central Valley Flood Protection Plan.** Implementation of the Central Valley Flood Protection Plan will be conducted through the DWR's regional flood management planning efforts. RCRC supports the development of regional plans that will present the local agencies' and public's perspectives of flood management, and contain a prioritized list of feasible projects that need to be implemented to reduce flood risks in each region.

**Development in Flood Prone Areas/Floodplain Mapping.** RCRC supports federal funding for the continued updating of Federal Emergency Management Agency maps, supplemented by state maps, to assist local governments in better understanding the flood risks from reasonably foreseeable flooding.

**National Flood Insurance Program.** The current National Flood Insurance Program (NFIP) establishes extremely burdensome flood insurance rates and places an economic burden on agricultural communities by imposing highly-restrictive flood protection building regulations. Many agricultural buildings and structures cannot be effectively flood proofed to meet current NFIP standards, but could be built to withstand a flood, making their repair less expensive than existing flood-proofing options. RCRC supports the creation of a new agricultural flood hazard area under the NFIP that allows for replacement and reinvestment in agricultural production, storage, and processing buildings and commercial and community structures in established agricultural areas and rural communities. Flood insurance must be accessible at a meaningful and affordable rate for the property owner.

**Flood Control Subvention Program.** RCRC opposes the reduction and/or elimination of the State share of local flood control subventions. RCRC supports full funding of subvention payments and the reimbursement of past unpaid subventions to local government and local agencies.

**Funding.** RCRC supports significant new state and/or federal investments in California's flood control infrastructure including funding from the State General Fund and the issuance of GO or Revenue Bonds, before the State attempts to impose cost sharing fees/taxes on those who live and work behind levees.

**Land Use Authority.** RCRC opposes state preemption of local land use authority. Land use decisions must remain at the local level.

## **WATER QUALITY**

**Enforcement.** Regulatory water quality enforcement actions should be focused on achieving compliance as opposed to the imposition of punitive financial penalties that serve only to make it more difficult for local agencies to achieve compliance. RCRC supports mandatory minimum penalty relief for small and disadvantaged communities.

**Non-Point Source Discharges.** RCRC supports flexible, cost-effective approaches to monitoring water quality, and scientific evaluation of water quality impacts from agricultural discharge and storm water runoff. Management measures to address non-point sources of pollution should be based on technically and economically feasible control measures.

**Onsite Wastewater Systems.** RCRC opposes new regulatory requirements that restrict the use of onsite wastewater systems unless there is scientific evidence that such restrictions are needed to provide meaningful benefits to water quality.

**Safe Drinking Water Act/Clean Water Act.** RCRC supports efforts to streamline and modernize the federal Safe Drinking Water Act and the federal (CWA).

**Total Maximum Daily Loads.** RCRC supports the integration of the Total Maximum Daily Load (TMDL) process with a local watershed approach to water quality improvement, combined with sustainable levels of state and federal funding and/or technical assistance. RCRC opposes multiple layering of TMDLs within watershed regions. RCRC opposes an exemption from the California Environmental Quality Act (CEQA) for TMDLs. The CEQA process is very important as part of the decision-making process to ensure potentially adverse impacts resulting from TMDL implementation are disclosed and considered.

**Wastewater Discharges.** RCRC supports the review of existing water quality objectives and beneficial use designations in an effort to reduce costly discharge monitoring and permit compliance requirements that do not provide significant improvement in water quality. Where feasible, RCRC encourages the use of

wastewater to preserve potable water for beneficial uses, but does not support state or federal mandates on businesses or local governments to reuse wastewater.

**Water Board Governance.** RCRC supports the loosening of federal restrictions that limit the ability of locally elected governmental officials to serve on Regional Water Quality Control Boards because of income restrictions associated with the fact that local jurisdictions are required to have Water Board-approved discharge permits (the “10 Percent Rule”). The 10 Percent Rule has been a major stumbling block for city and county representatives that wish to serve on the regional water boards.

At the State level, RCRC supports elimination of procedural barriers that limit the ability of local government (and other stakeholders) to meaningfully access decision-makers and create challenges in obtaining full and fair hearings on all matters before Regional Water Quality Control Boards.

**Water Treatment Systems.** RCRC supports continued funding assistance for small and economically disadvantaged communities, especially in rural areas, to upgrade water and wastewater treatment systems. Water quality and wastewater discharge regulations are becoming more stringent and will continue to require substantial new investment in water treatment facilities.

**Watershed Management.** RCRC supports local voluntary community-based collaborative watershed management planning and implementation as a means to enhance and protect water quality and other natural resources. RCRC strongly supports policies that make a strong connection between good forest management and watershed health. RCRC encourages the State and federal governments to consider forest projects to improve watershed health.

**Wetlands.** The State Water Resources Control Board (SWRCB) has previously addressed the “gaps” in wetlands protection resulting from the 2001 United States Supreme Court decision in *Solid Waste Agency of Northern Cook County v. United States Army Corps of Engineers (Corps)* with the adoption of general waste discharge requirements for minor discharges to non-federal waters in 2004.

The State Water Board staff had expressed a focus toward the adoption of a phased policy to protect wetlands and riparian areas which would expand the definition of “wetlands” beyond that of the federal definition and established Corps standards.

Along those lines, the SWRCB is developing “policy procedures” for discharges of dredged or fill material to “Waters of the State.” The most recent iteration of this policy by the State Water Board modifies the approach but still does not address RCRC’s core policy concerns; namely that the approach continues to be inconsistent around permitting and the definition of wetlands. Absent the clarity, county lead agencies are in no better position and may be in worse position if it leads to delay and litigation.

For example, the Water Boards regulate discharges to ‘waters of the state’ and under the new proposed scheme the wetland definition is not jurisdictional and waters of the state is not defined which raises a host of issues and each of the nine Water Boards will continue to consider whether a wetland is a water of the state on a case by case basis leading to continuing inconsistencies in its application.

RCRC is concerned with the proposed expansion of wetlands regulation and will continue to participate in the policy development discussions.

## **WATER SUPPLY**

RCRC believes that the State should take the lead role in planning and implementing those features of the State’s water infrastructure that can only be met through statewide efforts. RCRC supports pursuing water supply and reclamation funding at the federal level as part of a broader Western Water measure that also contains a watershed component.

**Groundwater.** RCRC supports the management of groundwater at the local level. The effective and efficient management of water quality and supply for beneficial uses is best managed by local jurisdictions. RCRC supports adequate state and federal technical and financial assistance for local agencies in order to either remediate groundwater overdraft or maintain groundwater levels at a safe yield. California’s groundwater resources are diverse and one size fits all state mandates should be avoided. RCRC supports the adoption of county ordinances to protect groundwater against overdraft from out-of-county exports.

**Sustainable Groundwater Management Act.** In 2014, landmark water legislation was chaptered establishing the Sustainable Groundwater Management Act (SGMA) thus providing a framework for local agencies to develop plans and implement strategies to sustainably manage groundwater resources within a defined period.

RCRC has and will continue to engage with state agencies and all stakeholders throughout the development of the regulations and implementation of SGMA to ensure the policy concerns are addressed.

**Integrated Regional Water Management.** RCRC supports state and federal funding assistance to regions so they can leverage local dollars to develop and implement Integrated Regional Water Management Plans (IRWMPs). Integrated regional water management will play an important role in meeting the State’s water needs and aid regional self-sufficiency. RCRC supports the development of IRWMPs through a public, grassroots planning process that includes all interested stakeholders, especially when developing the IRWMPs goals, objectives and evaluation criteria. IRWMPs should provide access to state funding for water and wastewater projects that benefit disadvantaged communities and small rural communities. IRWMPs governance structure should not override local jurisdiction authority. Elected jurisdiction representatives voting capacity should not be minimized to a nonrelevant factor through increased IRWMP membership of non-

government entities. Acceptance of grant awards should not require applicant's acceptance of policy, goals, objectives not established or in draft form.

**Seawater and Brackish Water Desalination.** RCRC supports seawater and brackish groundwater desalination where it is a viable option. Additionally, RCRC supports the streamlining of the approval process for these projects, and state and federal funding for needed research. Seawater and brackish water desalination projects have the potential to play an important role in the State's water supply portfolio, and to help realize the overall goal of water self-sufficiency for all regions of the State. This benefits the State as a whole and helps protect water areas of origin.

**Urban Water Conservation/Agricultural Water Use Efficiency.** State and local urban water conservation and agricultural water use efficiency programs should be flexible and incentive-based. The term "water conservation" is used to mean any reduction in applied water use and "water use efficiency" is used to mean using water more efficiently to reduce demand for a given set of beneficial uses. To be successful, urban water conservation and agricultural water use efficiency programs should be designed and implemented by locally-elected or appointed officials. Local officials are in the best position to determine what activities and/or actions are locally cost-effective. Implementation of urban water conservation and agricultural water use efficiency programs must be consistent with existing state law that protects against loss of water rights for conserved water (Water Code Section 1011.)

**Water Recycling.** RCRC supports increased utilization of recycled water and continued state and federal support through appropriate technical and financial assistance. Recycled water increases the available water supply, reduces the demand for freshwater supplies, reduces wastewater discharges into rivers, creeks, bays, and estuaries, and increases regional self-sufficiency. Water that is developed through recycling should be credited toward local water use reduction goals.

## **WATER TRANSFERS**

RCRC generally supports locally-approved short-term water transfers between willing buyers and willing sellers as one way to meet short-term needs and maximize existing resources. Long-term transfers that involve permanent fallowing/retirement of non-drainage impacted agricultural lands or provide for the substitution of groundwater for transferred surface water should be designed with consideration of how the transfer might affect third parties and the social and economic conditions in the county. Support by the local community should be a key consideration in whether or not to pursue a transfer. Water transfer revenues should be used to provide local benefits, such as: flood protection; water supply; water conservation; water quality; maintenance of low water costs for local water users; and environmental enhancement.

Transfers involving the permanent fallowing/retirement of agricultural lands should include a monitoring program to track changes within the region and a third-party action plan. Groundwater substitution transfers should include a groundwater monitoring and reporting program and a third-party action plan.

**Water Rights.** RCRC supports the State's existing water right and water right priority system. The vested water rights of water users must be inviolate. Water rights established by state law and state laws relating to use of water should be respected by federal agencies.