



# 2016 DRAFT FEDERAL LEGISLATIVE PLATFORM

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Contra Costa County

## 2016 FEDERAL LEGISLATIVE PLATFORM CONTRA COSTA COUNTY



Each year, the Board of Supervisors adopts a Federal Legislative Platform that establishes priorities and policy positions with regard to potential federal legislation and regulation. The Draft 2016 Federal Legislative Platform identifies 10 funding needs for FFY 20167 and 45 requests for the reauthorization of the federal transportation act.

### FEDERAL FUNDING NEEDS

*The following list is a preliminary ranking in priority order. Adjustments to the priority order may be appropriate once the President releases his budget. The current priority ranking gives preference to those projects that we know will not be included in the President's budget, with lower priority to Army Corps of Engineers projects which may be in the budget. Also, Army Corps project requests will be adjusted to be consistent with Corps capability.*

**1. Delta LTMS-Pinole Shoal Management, CA – \$4,500,000** for the Army Corps of Engineers to continue a Long Term Management Strategy (LTMS) for levee rehabilitation, dredging and sediment reuse in the Delta, similar to the effort completed in the Bay area. Levee work, reuse of dredged sediments, dredging and other activities have been difficult to accomplish due to permitting problems and a divergence of priorities related to water quality. Significant levee rehabilitation is critical to the long term stability of these levees and to water quality and supply for the 23 million Californians who depend upon this water. Stakeholders from the Department of Water Resources, Ports, Army Corps, levee reclamation districts, local governments and other interested parties are participating in the LTMS. A Sediment or Dredged Material Management Office will be established, and in the longer term, preparation of a Sediment Management Plan will consider beneficial reuse of dredged materials as one potential source of sediment for levees. (Note: \$500,000 appropriated for FFY 2005; \$225,000 for FFY 2006; \$500,000 for FFY 2007; \$462,000 for FFY 2008; \$235,000 for FFY 2009; \$100,000 for FFY 2010; \$0 FFY 2011-2013; \$930,000 FFY 2014.)

**2. Safe and Bright Futures for Children Exposed to Domestic Violence – \$400,000** to implement the federally funded plan to diminish the damaging effects of domestic violence on children and adolescents and to stop the cycle of intentional injury and abuse. A three year assessment and planning process resulted in a program plan that is working to align and create a system responsive to the needs of children exposed to domestic violence through identification, early intervention; raising awareness; training professionals; utilizing and disseminating data; establishing consultation teams to support providers in intervening and using best practices; and developing targeted services. Exposure to domestic violence reshapes the human brain and is the primary cause of trauma in children's lives. It influences personality, shapes personal skills and behaviors, impacts academic performance, and substantially contributes to the high cost of law enforcement, civil/criminal justice and social services. Exposure to domestic violence is associated with greater rates of substance abuse, mental illness, and adverse health outcomes in adulthood, and substantially contributes to the high cost of law enforcement, civil/criminal justice and social services. (Note: \$428,000 appropriated for FFY 2009; \$550,000 for FFY 2010.)

**3. Mt. Diablo Mercury Mine Clean-up – \$483,000** for the Army Corps of Engineers to complete the Technical Planning Process for the clean-up project at the source and downstream area of the Mt. Diablo Mercury Mine. The project will clean up the mine in a cost effective, environmentally-sound manner with minimal liability exposure for the County and involving all stakeholders through an open community-based process. The Corps initiated a Technical Planning Process in June 2008 to develop a preliminary remediation plan, identify applicable permit and environmental data requirements and complete a data collection and documentation program for the clean-up of the area impacted by the Mt. Diablo Mercury Mine. Several phases of the planning process have been completed, and this appropriation will allow the Corps to continue the planning process, which will include looking at watershed issues downstream of the mercury mine. The mine site is located on private property on the northeast slope of Mt. Diablo at the upper end of the Marsh Creek watershed. (Note: \$517,000 appropriated in FFY 2008.)

**4. Bay-Delta Area Studies, Surveys and Technical Analysis – \$2,500,000** for the Delta Counties Coalition to carry out technical analysis and planning associated with participation in the Bay-Delta Conservation Plan (BDCP) or implementation of any projects resulting from the Plan. The technical analysis and planning will focus on issues related to the planning of water delivery projects and conservation plans that are included in the BDCP.

**5. CALFED Bay Delta Reauthorization Act Levee Stability Improvement Program (LSIP) – \$8,000,000** for the Army Corps of Engineers for levee rehabilitation planning and project implementation. The CALFED Reauthorization Act, passed in January 2004, authorized \$90 million, which may be appropriated for levee rehabilitation work. The Corps has prepared a “180-Day Report” which identifies projects and determines how these funds would be spent. Since that time, the breakdown of CALFED, coupled with the Army Corps’ attempts to define an appropriate and streamlined process, has delayed funding and resultant levee work. (Note: \$500,000 appropriated for FFY 2006; \$400,000 for FFY 2007; \$4.92M for FFY 2008; \$4.844M for FFY 2010.)

**6. Suisun Bay Channel/New York Slough Maintenance Dredging – \$8,700,000** for the Army Corps of Engineers for maintenance dredging of this channel to the authorized depth of minus 35 feet. Continued maintenance is essential for safe transport of crude oil and other bulk materials through the San Francisco Bay, along the Carquinez Straits and into the Sacramento/San Joaquin Delta. Dredging for this channel section is particularly costly due to requirements on placement of dredged materials in upland environments. An oil tanker ran aground in early 2001 due to severe shoaling in a section of this channel, which creates a greater potential for oil spills (Note: \$4.559 M appropriated for FFY 2005; \$4.619M for FFY 2006; \$2.82M for FFY 2007; \$2.856M for FFY 2008; \$2.768M for FFY 2009; \$3.819M for FFY 2010; \$2.715M for FFY 2012; \$2.495M for FFY 2013; \$2.026M for FFY 2014.)

**7. San Pablo/Mare Island Strait/Pinole Shoal Channel Maintenance Dredging – \$8,400,000** for the Army Corps of Engineers for maintenance dredging of the channel to the authorized depth of minus 35 feet. The Pinole Shoal channel is a major arterial for vessel transport through the San Francisco Bay region, serving oil refineries and bulk cargo which is transported as far east as Sacramento and Stockton. (Note: \$1M appropriated for FFY 2005; \$2.988M for FFY 2006; \$896,000 for FFY 2007; \$1.696M for FFY 2008; \$1.058M for FFY 2009; \$2.518M for FFY 2010; \$3.402M for FFY 2012; \$499,000 for FFY 2013; \$780,000 for FFY 2014.)

**8. San Francisco to Stockton (J. F. Baldwin and Stockton Channels) Ship Channel Deepening** – \$2,700,000 for the Army Corps of Engineers to continue the Deepening Project. Deepening and minor realignment of this channel will allow for operational efficiencies for many different industries, an increase in waterborne goods movement, reduced congestion on roadways, and air quality benefits. This work focused on establishing economic benefit to the nation and initial salinity modeling in the channel sections. The following steps include detailed channel design, environmental documentation, cost analysis, additional modeling, and dredged material disposal options. This project continues to have enormous implications for oil refineries, ports, and other industries that depend on safe ship transport through the channel. (Note: \$500,000 appropriated for FFY 2005; \$200,000 for FFY 2006; \$200,000 for FFY 2007; \$403,000 for FFY 2008; \$1.34M for FFY 2009; \$0 for FFY 2010; \$0 for FFY 2011; \$800,000 for FFY 2012; \$1,546,900 for FFY 2013; \$800,000 for FFY 2014.)

**9. State Route 4 / Old River Bridge Study** – \$1,000,000 to work with San Joaquin County and the State of California on a study of improving or replacing the Old River Bridge along State Route 4 on the Contra Costa / San Joaquin County line. The study would determine a preferred alternative for expanding or replacing the existing bridge, which is part of State Route 4. The existing bridge is narrow, barely allowing two vehicles to pass each other, and is aligned on a difficult angle relative to the highway on either side, requiring motorists to make sharp turns onto and off of the bridge. The project would improve safety and traffic flow over the bridge. (Note: no appropriations for this project as yet.)

**10. Knightsen/Byron Area Transportation Study** - \$300,000 to re-evaluate the Circulation Element of the County General Plan (GP) to improve its consistency with the Urban Limit Line (ULL) and related policies that ensure preservation of non-urban, agricultural, open space and other areas identified outside the ULL. Policies will be evaluated to provide a more efficient and affordable circulation system for the study area, serve all transportation user-groups, support the local agricultural economy and accommodate the commuter traffic destined for employment centers outside the study area. Zoning and development regulations would be updated to implement the study recommendations.

#### **REAUTHORIZATION OF FEDERAL TRANSPORTATION ACT**

~~The Safe, Accountable, Flexible and Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU), expired in 2009. SAFETEA-LU was renewed on ten occasions until the new program, Moving Ahead for Progress in the 21st Century (MAP-21), – a two-year bill – was signed into law on July 6, 2012. MAP 21 is a 27-month bill that expired September 30, 2014 and was reauthorized until May 2015. Two short-term extensions were subsequently passed, providing authorization until November 20, 2015. The following are priority projects for which funding will need to be secured in the next multi-year transportation bill.~~

Comment [VT1]: Per John Cunningham, DCD

**I. Vasco Road Safety Improvement Project** -- \$18 million for improvements to a 2.5-mile accident-prone section of Vasco Road. Project components include widening the roadway to accommodate a concrete median barrier and shoulders on either side of the barrier, construction of the barrier, and extension of an existing passing lane. The project will eliminate cross-median accidents which have caused numerous fatalities in recent years, and will provide increased opportunities for vehicles to safely pass (unsafe passing is a major cause of accidents and fatalities on this segment of the increasingly busy two-lane undivided road). The project will

include provisions for wildlife undercrossings to preserve migration patterns. The proposed improvements will complement a \$10 million completed project that was funded with American Recovery and Reinvestment Act funds.

**1.b Vasco Road Safety Improvement Project Continuation** -- \$30 million for improvements to the remaining 9 miles of accident-prone sections of Vasco Road. Alameda County has been working on constructing improvements in their jurisdiction and it would be desirable for the two counties to work together to complete the gap left in the concrete median barrier near the County line. In addition to completing this gap, Contra Costa desires to extend the concrete median barrier further north of the recently completed median barrier project to the Camino Diablo Road intersection.

**2. North Richmond Truck Route** -- \$25 million to construct a new road or other alternate access improvements that will provide truck access between businesses and the Richmond Parkway, moving the truck traffic away from a residential neighborhood and elementary school. This project will increase safety, improve public health around the school and residential area by reducing diesel particulate emissions from those areas, increase livability of the neighborhood, improve local access to the Wildcat Creek Regional Trail, stimulate economic development in the industrial area of the community and provide a better route for trucks traveling to and from the Richmond Parkway. Several potential alignments have been identified, one of which was developed through a community planning process funded through an Environmental Justice planning grant from Caltrans.

**3. Eastern Contra Costa Trail Network** -- \$11 million for joint planning, environmental review, right-of-way acquisition and construction of a coordinated network of trails for walking, bicycling and equestrian uses in eastern Contra Costa County including facilities and projects improving access to existing or planned transit stations. Eligible trails include, but are not limited to: (1) the Mokelumne Trail overcrossing of the State Route 4 Bypass (\$6 million); (2) Contra Costa segments of the Great California Delta Trail (\$3 million); (3) a transit supportive network of East Contra Costa trails in unincorporated County areas and the cities of Antioch, Brentwood, Oakley and Pittsburg (\$1 million); and Marsh Creek Corridor Multi-Use Path (\$1 million).

**4. eBART Extension Next Phase Study/Environmental and Engineering** -- \$10 million for environmental review and engineering work on the project identified in the Bay Area Rapid Transit District's (BART) eBART Next Segment Study in eastern Contra Costa County. With regard to additional stations and eBART rail corridor alignment tasks may include, but not necessarily be limited to, completion of environmental review, and partial completion of engineering. Additional work may include, but not necessarily be limited to, evaluation and refinement of alignment and stations, development of capital and operating costs, land use analysis, completion of environmental review including appropriate mitigations, development of preliminary engineering, and public outreach. (Potential Program: FTA – New Starts, FHWA/FTA Congestion Mitigation and Air Quality)

**5. Iron Horse Corridor Enhancement Program, -- ### million for joint planning, environmental review, and the construction of improvements in the Iron Horse Trail Corridor, a 28 mile non-motorized facility used for commute and recreation purposes providing access to schools.**

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recreational facilities, commercial areas, residences, and mass transit hubs. Eligible projects include corridor planning, trail access improvements, trail expansion/enhancements, overcrossings (7 overcrossings in 5 cities), intersection improvements, Class I trail inter-connectivity projects, and wayfinding/signage projects.

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- **Rural Road Funding Program** – The County supports the creation of a new funding program that will provide funds for converting or upgrading rural roads into more modern and safer roads that can better handle increasing commuter traffic in growing areas, such as East County. These roads do not often compete well in current grant programs because they do not carry as many vehicles as roads in more congested urban or suburban areas. As a result, improvements such as widenings (turn lanes, clear zone/recovery areas, etc.), realignments, drainage improvements and intersection modifications often go unfunded, leaving such roads with operational and safety problems as well as insufficient capacity.
- **Transportation Funding for Disabled, Low-income, and Elderly Persons** – Transit services for elderly, disabled, and low-income persons are provided by the County, by some cities, by all of the bus transit operators, and by many community organizations and non-profits that provide social services. Increased funding is needed to provide and maintain more service vehicles, operate them longer throughout the day, upgrade the vehicle fleet and dispatching systems, improve coordination between public providers and community groups that also provide such services to their clients, and expand outreach programs to inform potential riders of the available services, among other needs. The County supports continuation and increased funding levels for federal funding programs dedicated to transit services for these population groups. All of the demographic trends point to a growing need for such services in the future. For example, the 65-and-older population in the Bay Area is projected to more than double by the year 2030.
- **Surface Transportation Program/Highway Bridge Funding** – The County supports the continuation of funding levels consistent with the Highway Bridge funding program in previous transportation funding bills that will provide funds for rehabilitating and replacing our aging bridges. The County has several aging bridges with deficient sufficiency ratings. Without federal transportation funding, these expensive projects would be deferred because they often exceed the County's funding capacity. Many of the bridges are on critical commute corridors, goods movement corridors, inter-regional routes, and farm to market routes. Failure of these important transportation assets can cause major disruptions to the transportation network. The County would also support federal funding for the rehabilitation and replacement of rail bridges.

#### **APPROPRIATIONS AND GRANTS – SUPPORT POSITIONS**

*The following support positions are listed in alphabetic order and do not reflect priority order. Please note that new and revised positions are highlighted.*

***Buchanan Field Airport*** – The County approved a Master Plan for the Buchanan Field Airport in October 2008, which includes a Federal Aviation Regulation Part 150 Noise Study and a Business Plan for project implementation. The comprehensive planning effort has ideally

positioned Buchanan Field Airport for future aviation (general aviation, corporate aviation and commercial airline service) and aviation-related opportunities. To facilitate the economic development potential, the Business Plan prioritizes necessary infrastructure improvements for Buchanan Field Airport (including potential replacement of the 60 year old control tower). Further, as the Airport is surrounded by urban residential uses, enhancing the noise program infrastructure is deemed essential for balancing the aviation needs with those of the surrounding communities. The Federal government, primarily through the Federal Aviation Administration (FAA), provides funding for planning, analysis, and infrastructure improvements. The County will support funding in all these areas for protection and enhancement of our aviation facility and network.

**Byron Airport** – The Byron Airport is poised for future general and corporate aviation and aviation-related development, but that future growth and full build out of the airport as shown in the Master Plan is dependent upon utility and infrastructure improvements both on and around the Airport. The Byron Airport Business Plan prioritizes infrastructure and possible additional land acquisition to assist the Byron Airport in fulfilling its aviation and economic development potential. The Federal government, primarily through the Federal Aviation Administration (FAA), provides funding for planning, analysis, infrastructure improvements and aviation land acquisition. The County will support funding in all these areas for protection and enhancement of our aviation facility and network.

~~**East Bay Regional Communication System (EBRCS)** – A project to build the East Bay Regional Communication System (EBRCS), a P25 Radio System infrastructure for Contra Costa and Alameda County. This system will provide interoperable voice communication in both the 800 MHz and 700 MHz frequencies to all public safety and public services agencies within Contra Costa County and Alameda County.~~

~~EBRCS will allow for interoperable voice communication within the region that can be integrated with other P25 radio systems outside the geographical area of the EBRCS, for example, with San Francisco. This project will provide Level 5 communications which is the highest level of interoperable communications. This project will allow for everyday interoperable communications, not just various levels of interoperability during big events or disasters in which radio caches are deployed or gateway devices used.~~

**Energy Efficiency & Conservation Block Grant (EECBG) Program** – Advocate/support funding up to or above the authorized amount of \$2 billion for the EECBG Program established and authorized under the Energy Independence and Security Act (EISA) of 2007. The County's ability to continue offering programs/services improving energy efficiency and conservation while also creating jobs is contingent upon additional federal funding being appropriated to the EECBG Program in 2012 and beyond. Contra Costa and other local governments have identified and designed many successful programs and financial incentives targeting both the private and public sector which are now being implemented using EECBG funding authorized through the ARRA of 2009. Funding for the EECBG program is necessary to ensure the nation's local governments can continue their leadership in creating clean energy jobs, reducing energy consumption and curbing greenhouse gas emissions.



**Kirker Pass Road Truck Climbing Lanes** – \$4.5 million for constructing northbound and \$20 million for constructing southbound truck climbing lanes on Kirker Pass Road, a heavily used arterial linking residential areas in eastern Contra Costa with job centers and the freeway system in central Contra Costa. The truck climbing lanes are needed to improve traffic flow and will also have safety benefits. The \$4.5 million will close a funding gap and augment secured funding: \$6 million in Measure J (local sales tax measure) funds and \$2.6 million in State Transportation Improvement Program funds. The \$20 million is the total cost of the southbound truck climbing lane segment.

**Multimodal National Freight Network** – In 2015 the primary freight network was established pursuant to MAP-21. The County supports increases in dedicated freight funding as proposed in the National Freight Strategic Plan. The County will pursue grants and appropriations for 1) the Northern Waterfront Initiative – specifically, funding for a short-line railroad feasibility study for the Northern Waterfront Corridor and a Land-Use Cost-Benefit/Fiscalization study for the Northern Waterfront; and 2) consistent with the Draft National Freight Strategic Plan congestion reduction strategy, projects along the I-680 corridor including the High Occupancy Vehicle Lane - Direct Access Ramp project.

**Northern Waterfront Initiative** – support funding for a short line railroad feasibility study for the Northern Waterfront Corridor and a Land-Use Cost-Benefit/Fiscalization study for the Northern Waterfront.

**Regional Habitat Planning and Conservation** – \$85 million to the U.S. Fish and Wildlife Service’s “Cooperative Endangered Species Conservation Fund” to keep pace with land costs and the increasing number of Habitat Conservation Plans (HCPs) throughout the country. The County will support funding for the Fund to be restored to \$85 million, the 2010 funding level. This will provide much needed support to regional HCPs in California and nationally, including the East Contra Costa County HCP. Given the prolific growth in the number of regional HCPs, the Fund needs to be increased even more substantially in subsequent years. The East Contra Costa County HCP has received \$3537.5 million from the Cooperative Endangered Species Conservation Fund in the past eight years and continuing this grant support is of vital importance to the successful implementation of that Plan. The County will pursue increasing appropriations to the Fund in partnership with numerous counties in northern and southern California and will support requests of the California Habitat Conservation Planning Coalition to increase the Fund up to \$85 million. The County will also request that the California State Association of Counties (CSAC) include this Fund increase as a priority on CSAC’s federal platform.

**San Francisco Bay Improvement Act** – \$1 billion restoration bill authored by Congresswoman Jackie Speier in 2010 but not passed. The bill, if passed, will help finance restoration of more than 100,000 acres of the Bay’s tidal wetlands. Funds from the bill would implement a restoration plan that was adopted in 1993. In addition to benefits for fish and wildlife, wetlands restoration will create new jobs and provide regional economic infusions, as well as protect against the effects of sea level rise on the Bay’s shores.

**Sacramento-San Joaquin Delta National Heritage Area** – a bill authored by Senator Dianne Feinstein in 2010 but not passed. The bill, if passed, will authorize and fund a National Heritage

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Comment [VT2]: Per Abigail Fateman, DCD



Area (NHA) for the Sacramento-San Joaquin Delta. The NHA designation would be a first step in providing federal resources to agencies in the Delta for economic development and environmental protection. *Contra Costa County supports the legislation and participated in a feasibility study for the NHA through our seat on the Delta Protection Commission, which completed the study in 2012.*

**Vasco Road-Byron Highway Connector** – \$30 million for design, engineering and construction of an east-west connector road between two major arterials that link Contra Costa County with Alameda and San Joaquin Counties. The Vasco Road-Byron Highway Connector will improve traffic circulation and linkages in the southeastern portion of the County and will provide a new route for truck traffic that will remove a significant portion of truck trips which currently pass through the rural community of Byron. Vasco Road is designated as State Route 84, and Byron Highway is under study as the potential alignment for future State Route 239.

## **20156 FEDERAL LEGISLATIVE PLATFORM POLICY POSITIONS**

*The following support positions are listed in alphabetic order and do not reflect priority order. Please note that new and revised policy positions are highlighted.*

**Affordable Housing and Homeless Programs** –For Housing and Urban Development (HUD)’s Homeless Assistance Grants, the County will support funding that does not include set-asides or other requirements that limit local communities’ ability to respond to the particular needs in their areas. For the Housing Assistance for People with AIDS (HOPWA) program, the County will support legislation to update the formula used to allocate HOPWA grants to reflect local housing costs as well as the number of AIDS cases.

The County supports full funding for HUD homeless assistance programs and funding for full implementation of the Homeless Emergency and Rapid Transition to Housing (HEARTH) Act of 2009.

The County supports funding the National Affordable Housing Trust Fund. Resources made available through the Trust Fund should be accessible to local housing and community development agencies, including public housing authorities. ~~As the recent home mortgage crisis demonstrates, homeownership is not for everyone. While we value and support the role that homeownership plays in meeting affordable housing needs, any new production program should prioritize efforts to address our nation’s acute shortage of affordable rental housing. The Housing Trust Fund should be used to compliment and not supplant either the HOME or CDBG programs.~~

**Comment [VT3]:** Per Kara Douglas, DCD

**Agricultural Pest and Disease Control** – Agriculture and native environments in Contra Costa County continue to be threatened by a variety of invasive/exotic pests, diseases and non-native weeds. The Federal government provides funding for research, regulation, pest exclusion

activities, survey and detection, pest management, weed control, public education and outreach. The County will support funding in all these areas for protection of our agricultural industry and open space. Consistent with the policy position, the County will also support legislation which would authorize and direct the USDA to provide state and local funding for High Risk Prevention programs (also called Pest Detection Funding).

***Beneficial Use of Dredged Materials*** – As the beneficial reuse of dredged materials has a clear public benefit, particularly in the Delta, the County will continue to support beneficial reuse in general and also continue to advocate for funding for a federal study to determine the feasibility of beneficial reuse, considering the benefits and impacts to water quality and water supply in the Delta, navigation, flood control damage, ecosystem restoration, and recreation. The study would include the feasibility of using Sherman Island as a rehandling site for the dredged material, for levee maintenance and/or ecosystem restoration. Language to authorize the study was included in the Water Resources and Development Act (WRDA) which was passed into law on November 8, 2007.

***Child Care*** – Research continues to show that quality, affordable childcare is a necessity to ensuring a family's stability and economic success. Currently in Contra Costa County, there are over 10,000 low-income children eligible for affordable childcare services, yet only 29% of that need is met. Research also shows that in addition to a child's long-term success with school and employment, investing in high-quality early care and education results in a higher than average return on investments in the areas of crime reduction and positive health, education and economic outcomes.

With regards to childcare, the County will support the President's "Preschool for All" Initiative meant to close America's school readiness gap and ensure all children have access to quality care by expanding high quality learning opportunities for children 0-5. This proposal includes:

- An increase of over 100,000 new childcare slots and \$12 billion over the next 10 years;
- A focus on children and their families who are at or below 200% of poverty;
- Financing through a new cost-sharing partnership with states, already a proven successful model with Head Start in Contra Costa County.

The County will also advocate for the following federal actions:

- Increase funding to support employment of low-income families through greater access to child care subsidies, and increase the access of children from eligible families to high-quality care that supports positive child development outcomes.
- Provide flexibility at the state and local levels so that quality care can be balanced with access and parental choice.

***Child Support*** –The County will advocate for the following federal actions:

- Eliminate the \$25 fee for non-IV-A families.

- Restore the incentive match payments that were prohibited in the Deficit Reduction Act.
- Allow the automatic use of cash medical support to reimburse Medicaid expenditures.
- Allow IV-D agencies to access Health Insurance records for the purposes of Medical Support.

***Child Welfare and Well-being*** –The County will advocate for the following federal actions:

- Provide states with financial incentives, as opposed to monetary penalties, under the Child and Family Services Reviews and minimize the significant administrative burden associated with the review process.
- End Title IV-E disallowances from federal audits that take away funds from an already resource-strapped child welfare system. Allow states to reinvest these funds in preventing child abuse and neglect.
- Increase prevention dollars to help maintain children safely in their own homes. Federal funding currently gives disproportional support to out-of-home care rather than to preventing children from coming into care.
- Any increase in Federal Medical Assistance Percentage should include an associated increase in the Title IV-E matching rate to help support children in foster care.

***Community Development Block Grant and HOME Programs*** – The County’s ability to continue funding to a variety of nonprofit agencies that provide critical safety net services to lower income residents, including financing the development of affordable housing is threatened by further cuts as part of the Budget Control Act (Act) passed by Congress in July 2011. The Act established mandatory spending caps on most federal programs through 2021, and arranged additional across-the-board annual spending cuts to federal defense and non-defense discretionary (NDD) programs over this same period.

Included in non-defense discretionary programs are critical local government oriented programs including the CDBG and HOME programs. These programs are successful and productive, leveraging significant funding from non-federal sources to help spur economic development. The County agrees that reducing the federal deficit is an important component of achieving long-term national economic stability, but targeting solely NDD programs like the CDBG and HOME programs will not achieve significant reductions and will hinder the County’s ability to provide critical services to its most vulnerable populations. The County will continue to oppose any further reductions in the CDBG and HOME programs as part of the Budget Control Act or any other means.

***Cost Shifts to Local and State Government*** – Contra Costa County performs many of its services and programs pursuant to federal direction and funding. Other services and programs are performed at the behest of the state, which receives funding through the federal government.

In the past, the Administration's budget has contained significant cuts to entitlement programs and/or caps on entitlements. Such actions could shift cost of services from the federal government to the state and/or local governments (and to the extent that costs would shift to the state, it is highly likely that these would be passed on to the County). The County will oppose any actions that would result in cost shifts on federal entitlement programs or which would result in greater dependency on county funded programs. In addition, the County will support federal and state financial assistance to aid county and local government efforts to meet unfunded federal mandates, such as those contained in the National Response Plan (NRP), the National Infrastructure Protection Plan (NIPP), and the National Incident Management System.

***Criminal Debt Collection*** – Nonpayment of court-ordered victim restitution, fines and fees is a problem of epidemic proportions for all jurisdictions. Literally billions of dollars go uncollected each year across the country, resulting not only in financial suffering of victims, but also the loss of public revenue. Many states already allow for the offset of State Tax Refunds, and these programs are successful in achieving revenue recovery. Federal Tax Refunds are already being successfully offset to pay for delinquent child support. The County will support amendments to the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for court-ordered debts that are past-due.

#### ***Delta Water Platform***

To protect the Sacramento-San Joaquin Delta from various detrimental forces that are affecting its health and resources, it is the policy of Contra Costa County to support implementation of projects and actions that will help improve the Delta ecosystem and the economic conditions of the Delta. Contra Costa County has developed a Delta Water Platform to identify and promote activities and policy positions that support the creation of a healthy Sacramento-San Joaquin Delta. Contra Costa County will use this Platform to guide its own actions and advocacy in other public venues regarding the future of the Delta.

*The Delta Water Platform is comprised of twenty subject areas. Each of these subject categories contains relevant policies and background explanatory language. The policies and background information can be found in the Delta Water Platform, which is included in this document by reference.*

***Designation of Indian Tribal Lands and Indian Gaming*** – The Board of Supervisors has endorsed the California State Association of Counties' (CSAC) policy documents regarding development on tribal land and prerequisites to Indian gaming. These policy statements address local government concerns for such issues as the federal government's ability to take lands into trust and thus remove them from local land use jurisdiction, absent the consent of the state and the affected county; the need for tribes to be responsible for all off-reservation impacts of their actions; and assurance that local government will be able to continue to meet its governmental responsibilities for the health, safety, environment, infrastructure and general welfare of all members of its communities. The County will continue to advocate for federal legislation and regulation that supports the CSAC policy documents.

The County will also advocate for limitations on reservation shopping; tightening the definition of Class II gaming machines; assuring protection of the environment and public health and safety; and full mitigation of the off-reservation impacts of the trust land and its operations, including the increased cost of services and lost revenues to the County.

The County will also advocate for greater transparency, accountability and appeal opportunities for local government in the decision-making processes that permit the establishment of Indian gaming facilities. This includes sequencing the processes so that the Indian Lands Determination comes first, prior to initiation of a trust land request and associated environmental review.

The County will also consider support for federal action and/or legislation that allows Class III gaming at the existing gaming facility only if it can be shown that any change would result in a facility that would be unique in nature and the facility can demonstrate significant community benefits above and beyond the costs associated with mitigating community impacts.

**Economic Development Programs** – Congress should fund all the complementary programs within HUD’s community and economic development toolkit, ensuring that HUD does not lose sight of the development component of its mission. To that end, the County will support continued funding for the Section 108 loan guarantee program, the Brownfields Economic Development Initiative and the Rural Housing and Economic Development program. Each of these programs plays a unique role in building stronger, more economically viable communities, while enabling communities to leverage external financing in a way the CDBG program alone cannot do.

**Federal “Statewideness” Requirements** – For many federally funded programs, there is a “statewideness” requirement; i.e., all counties must operate the specific program under the same rules and regulations. This can hamper the County’s ability to meet local needs, to be cost effective and to leverage the funding of one program to reduce costs in another program. Contra Costa County cannot negotiate for federal waivers or do things differently because it is not a state, yet its population is greater than seven states. Recognizing this is a very long-term effort, the County will advocate for relaxation of the “statewideness” rule to allow individual counties or a consortium of counties to receive direct waivers from the federal government and/or adopt the rules and regulations currently in use in another state for specific programs.

**Habitat Conservation Planning** – The County will advocate for elevating the profile of Habitat Conservation Plans (HCPs) such as the East Contra Costa County HCP within Congress and Administration so that these critical federal/state/local partnerships can receive necessary attention and support. HCPs are flagship programs for the federal government and supporting effective implementation of approved HCPs should be a top priority for the U.S. Department of the Interior and U.S. Fish and Wildlife Service and HCPs should be a key tool in any federal climate change or economic stimulus legislation.

**Health** – The County will advocate for the following actions by the federal government: a) provide enhanced Medicaid FMAP (“FMAP” is the “Federal Medical Assistance Percentage” for Medicaid. It is the federal matching rate for state Medicaid expenditures. Increasing the federal

matching rate for states would free up state general fund money for other purposes and would help counties as well.); b) suspend the Medicare “clawback” rule; c) suspend the “60-day rule” that requires states to repay the federal government overpayments identified by the state prior to collection, and even in instances where the state can never collect; d) ease the ability to cover those eligible for Medicaid by making documentation requirements less stringent; and e) prevent the implementation of the following seven federal regulations:

- Outpatient hospital
- Case Management
- School Based Administration & Transportation
- Public Provider Cost Limit
- Graduate Medical Education
- Rehabilitation Services Option
- Provider Tax

SUPPORT full funding of the Federal Medicaid program by the federal government. Medicaid provides access to health care for people whose income and resources are insufficient to pay for health care. It is jointly funded by Federal and State governments. The Patient Protection and Affordable Care Act (also known as the ACA) significantly expanded both eligibility for and federal funding of Medicaid. OPPOSE amendments to the ACA that would reduce support for Medicaid/Medi-Cal payments to providers.

***Levee Restoration and Repair*** – The County will support legislation such as H.R. 6484, the SAFE Levee Act (Garamendi) in 2012, which will authorize the U.S. Department of the Interior to invest in Delta levee repairs, for all levees that are publicly owned or publicly maintained. The bill also requires a cost-benefit analysis for the tunnel project being planned as part of the Bay-Delta Conservation Plan.

***Pension*** – The County will support legislation that would modify the Internal Revenue Code and corresponding regulations to permit public employees to make an irrevocable election between their current pension formula and a less rich pension formula.

In 2006, Contra Costa County and the Deputy Sheriff’s Association jointly obtained state legislation that would allow members of the Association to make a one-time irrevocable election between their current pension formula and a less rich pension formula, called Tier C. Orange County and its labor organizations obtained similar legislation in 2009. However, neither County has been able to implement this state legislation because such elections currently have negative tax consequences for employees and for retirement plans under federal tax law as interpreted by the Internal Revenue Service.

Like many local government entities nationwide, the County’s fiscal position would benefit greatly from reduced pension costs. Allowing local government entities to implement collective bargaining agreements and state legislation that permits employees to elect less rich pension formulas would be a significant step in reducing pension costs.

**Public Housing Programs** – The County will support legislation that results in the transformation of existing programs to improve their effectiveness and efficiency, in tandem with the design of new and innovative responses, both to build upon recent progress and address outstanding issues.

The County will support legislation to protect the nation’s investment in Public Housing:

- Enact affordable housing industry proposal to allow public housing agencies (PHAs) to voluntarily convert public housing units to Section 8 project-based rental assistance in order to preserve this vital component of the national infrastructure
- Oppose the Administration’s proposal to impose a \$1 billion offset against the operating reserves of responsible, entrepreneurial PHAs
- Support the revitalization of severely distressed public housing units
- Address safety and security concerns connected to drug-related crime

The County will support legislation to preserve vital community and economic development programs:

- Fully fund the Community Development Block Grant Program in order to create and save jobs, revitalize local economies, and support critical services for vulnerable populations
- Maintain funding for HUD’s cost-effective economic development tools

The County will support legislation to strengthen and simplify the Section 8 Rental Assistance programs:

- Provide adequate funding for Housing Assistance Payment contract renewals and ongoing administrative fees
- Enact the Section Eight Voucher Reform Act (SEVRA)
- Implement overdue regulatory and administrative revisions that ensure the efficient use of program funds

The County will support legislation to expand Affordable Housing Opportunities and combat homelessness:

- Fully fund the Home Investment Partnerships Program and HUD’s homeless assistance programs
- Capitalize the Housing Trust Fund through a revenue-neutral approach



- Preserve and strengthen the Low Income Housing Tax Credit Program

The County will support legislation to foster innovation, increase efficiency, and streamline the regulatory environment:

- Promote reasonable and flexible federal oversight
- Incentivize green building and increased Energy Efficiency
- Support HUD's ongoing transformation efforts
- Ensure that HUD releases and distributes federal funding in a timely manner
- Eliminate statutory and regulatory barriers that prevent PHAs and redevelopment authorities from accessing federal programs they are qualified to administer.

***Rail Safety*** – Contra Costa County is home to a substantial oil refinery industry with four refineries located in the County. The County supports Senator Heitkamp's *Railroad Emergency Services Preparedness, Operational Needs, and Safety Evaluation (RESPONSE) Act, S. 2547*, which would establish a Federal Emergency Management Agency (FEMA) panel focused on railroad incident first responders. By bringing together under FEMA's National Advisory Council all relevant agencies, emergency responders, technical experts, and the private sector for a review of training, resources, best practices, and unmet needs related to emergency responders to railroad hazmat incidents, the RESPONSE Act will begin the process of addressing shortcomings in existing emergency response practices and procedures. It will also address the effectiveness of funding levels related to training local emergency responders for rail hazardous materials incidents.

The County also supports FEMA funding for the training of first responders, regulations that increase tank car safety standards for cars transporting crude oil and other hazardous materials, and regulations that require railroads to share data with state emergency managers and local responders.

***Retiree and Retiree Health Care Costs*** – The County operates many programs on behalf of the federal government. While federal funding is available for on-going program operations, including employee salaries, the allocation is usually capped, regardless of actual costs. For retiree and retiree health care, the County's ability to contain costs is extremely limited. The County will advocate for full federal financial participation in funding the County's retiree and retiree health obligations.

***State Criminal Alien Assistance Program (SCAAP)*** – On May 23, 2012, the Department of Justice (DOJ) announced a change in the State Criminal Alien Assistance Program (SCAAP) that will prohibit SCAAP funds from being used to reimburse localities for foreign-born criminal aliens housed in jails that have been classified as "unknown inmates" by the Department of Homeland Security's Immigration and Customs Enforcement (ICE) agency. This is a significant change to the SCAAP reimbursement formula and will heavily impact counties across the nation.

The County will support the rescinding of this decision and a reinstatement of the previous reimbursement practice, which would more equitably reimburse jurisdictions for the costs of

housing undocumented individuals, including those inmates whose status may be unknown to the Department of Homeland Security.

**Second Chance Act** – The County will support funding for the Second Chance Act, which helps counties address the growing population of individuals returning from prisons and jails. Despite massive increases in corrections spending in states and jails nationwide, recidivism rates remain high: half of all individuals released from state prison are re-incarcerated within three years. Here in California, unfortunately, the recidivism rate is even higher. Yet there is reason for hope: research shows that when individuals returning from prison or jail have access to key treatments, education, and housing services, recidivism rates go down and the families and communities they return to are stronger and safer.

The Second Chance Act ensures that the tax dollars on corrections are better spent, and provides a much-needed response to the "revolving door" of people entering and leaving prison and jail.

**SparkPoint, Service Integration** – The County will support federal funding for the establishment and operation of SparkPoint and Service Integration models. SparkPoint Centers are one-stop, financial-education centers that help individuals and families who are struggling to make ends meet. SparkPoint helps clients address immediate financial crises, get them back on their feet, and build financial security. Each center brings together a full range of services at one convenient location, including job training, career development and financial coaching, as well as access to higher education and savings accounts. The Contra Costa County Service Integration Program co-locates county and non-profit agency service providers and community residents in neighborhood-based family service centers to provide accessible, coordinated public services tailored to meet the specific needs and goals of low-income families, while also engaging families in resident-driven efforts to revitalize their communities.

**Supplemental Nutrition Assistance Program (SNAP)** – The County will advocate for the following federal actions:

- Increase SNAP benefits as a major and immediately available element of economic stimulus.
- Suspend the restrictions applying to ABAWDs. ("ABAWDs" stands for "Able-Bodied Adults without Dependents" and pertains to adults receiving food stamps who are considered employable.) They are subject to strict time limits on how long they can receive food stamps. It is difficult administratively to track this, and when unemployment is high, it can result in more adults going hungry.
- Remove the current federal barriers that prevent some nutrition programs from employing EBT technology.

**Streamlining Permitting for Critical Infrastructure, Economic Stimulus, and Alternative Energy Projects –“Green” Job Creation** – Request that Congress and the Administration recognize the value of Habitat Conservation Plans (HCPs) as a reliable way of streamlining critical infrastructure, economic stimulus, and alternative energy project permitting in a manner

that is consistent with federal environmental regulations. HCPs not only facilitate such projects through permit streamlining, but the planning, implementation, management, and monitoring needs associated with regional HCPs plans also create many quality “green” jobs.

***Telecommunications Act of 1996 Revisions*** – The Telecommunications Act of 1996 governs local government’s role in telecommunications, primarily broadband cable that uses the County’s right-of-way as well as consumer protections. As Congress works to update the Act, the County will continue to advocate for strengthening consumer protections and local government oversight of critical communications technologies; local access to affordable and reliable high speed broadband infrastructures to support the local economy; the right of local municipalities and communities to offer high-speed broadband access; coordination and integration of private communication resources for governmental emergency communication systems; preservation of local government’s franchise fees; preservation of the local community benefits, including but not limited to public, education and governmental (PEG) access channels; authority for provision of municipal telecommunication services; preservation of local police powers essential for health, safety and welfare of the citizenry; preservation of local government ownership and control of the local public rights-of-way; and support for ensuring that communication policy promotes affordable services for all Americans.

The Community Broadband Act of 2007, S.1853, encourages the deployment of high speed networks by preserving the authority of local governments to offer community broadband infrastructure and services. The County will oppose all bills that do not address the County’s concerns unless appropriately amended. In addition, the Federal Communications Commission (FCC) has proposed rule-making (FCC Second Report and Order Docket 05-311 “Franchising Rules for Incumbents”) that, in the opinion of local government, goes beyond the scope of their authority in this area. The County will oppose all such rule making efforts.

***Telecommunications Issues*** – Support the Community Access Preservation (CAP) Act introduced in 2009 by Wisconsin Congresswoman Tammy Baldwin. The CAP Act addresses the challenges faced by public, educational and government (PEG) TV channels and community access television stations. The CAP Act addresses four immediate issues facing PEG channels. The CAP Act would: Allow PEG fees to be used for any PEG-related purpose; require PEG channels to be carried in the same manner as local broadcast channels; require the FCC to study the effect state video franchise laws have had on PEG; require operators in states that adopted statewide franchising to provide support equal to the greater of the support required under the state law or the support historically provided for PEG; and make cable television-related laws and regulations applicable to all landline video providers.

In addition, the County should support the widespread deployment and adoption of broadband, especially as it serves to connect the educational community and libraries.

***Temporary Assistance for Needy Families*** – The County will advocate for the following federal actions:

- Relieve states of work participation rate and work verification plan penalties for fiscal years 2007, 2008, 2009 and 2010 in recognition of the serious downturn in the national

economy and the succession of more “process-based” regulations issued in the last few years.

- Permanently withdraw the August 8, 2008, proposal that would have repealed the regulation that enables states to claim caseload reduction credit for excess MOE expenditures.
- Rescind the May 22, 2008, HHS guidance that effectively eliminated the ability of states to offer pre-assistance programs to new TANF applicants for up to four months.
- Rescind the final Deficit Reduction Act regulation restricting allowable state maintenance-of-effort expenditures under TANF purposes 3 and 4.
- End federal efforts to impose a national TANF error rate.

**Veterans Benefits** – The County will support legislation to increase availability, accessibility, and utilization of Veterans Benefits.

Within Contra Costa County, Veterans’ health care is provided by the VA Martinez Clinic, a division of the VA Northern California Healthcare System. Currently, access to enrollment in the VA healthcare system is limited to Veterans with a Service Connected disability of greater than 10%, special eligibility criteria (Purple Heart, former POW, Iraq & Afghanistan Vets within 5 years of discharge, etc.), and to Veterans with an annual gross income less than a geographically based threshold. Currently, VA emergency services are not available after hours or during weekends. The nearest VA emergency room is nearly 34 miles away from the VA Martinez Clinic.

The County will support legislation that would expand enrollment eligibility (such as removing the income limit criteria) to all Veterans with an honorable discharge. Furthermore, the County will support legislation that would establish 24 hour VA emergency services at the VA Martinez clinic.

In addition, the County will support legislation that will improve the timeliness and quality of both VA benefits claim decisions and VA healthcare services. Specifically, legislation that works toward improving on the expedited processing of claims and administering of benefits to populations with unique needs, such as homeless Veterans, Women Veterans, and Veterans experiencing service related Posttraumatic Stress Disorder.

**Veterans Halls** – The County will support legislation to provide America’s veterans organizations with resources to make necessary repairs to or replacement of their meeting halls and facilities.

Across America, the meeting halls and posts of Veterans Service Organizations such as the American Legion and Veterans of Foreign Wars serve as unofficial community centers. Unfortunately, many of these facilities are not compliant with Americans with Disabilities Act

accessibility standards, are not earthquake retrofitted, or have deteriorated in recent years due to declining membership and reduced rental revenues as a result of the economic downturn.

The County will support legislation that would create a competitive grant program for veterans' organizations, classified by the IRS as 501c19 non-profit organizations and comprised primarily of past or present members of the United States Armed Forces and their family members, to use for repairs and improvements to their existing facilities.

**Volume Pricing** – The National Association of Counties supports greater access for local governments to General Services Administration (GSA) contract schedules. These schedules provide volume pricing for state and local governments and make public sector procurement more cost effective. However, current law does not provide full access to state and local governments for GSA schedules. The County will support legislation that gives local governments access to these schedules and provides the option of purchasing law enforcement, security, and other related items at favorable GSA reduced pricing.

**Water Quality, Quantity and Delta Outflow** – Congress may consider legislation that could adversely affect water quality, quantity and flows in the Sacramento-San Joaquin Delta to the detriment of the County residents, economy and resources. The Board of Supervisors will rely on its adopted Delta Water Platform and its adopted resolution on Water, Ecosystem Health and other Issues Related to the San Francisco Bay and the Sacramento –San Joaquin River Delta (No. 2012-46) to determine the appropriate response to federal legislative issues brought to the Board's attention.

**Workforce Development** – *Contra Costa County supports policies that meet the needs of serving businesses, workers, job seekers, and youth. The County further supports policies under the Workforce Innovation & Opportunity Act (WIOA) that preserve local decision-making relative to spending, direction of work, and other functions of local workforce boards. The County also supports policies that increase employment and the creation of jobs in both the public and private sector and that enhance business' access to a qualified talent pool, and promote business growth through the development of a skilled workforce. The County also favors policies that provide increased funding to support job seeker services, as well as policies that make strategic investments to leverage existing funding in the workforce development arena.*

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