

San Joaquin County



Adopted

2011 and 2012

State Legislative/Regulatory

Platform

and

Policy Guidelines

February 8, 2011

County of San Joaquin Board of Supervisors



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District 1*



*Frank L. Ruhstaller.....Chairman,
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San Joaquin County

Adopted 2011 and 2012 State Legislative/Regulatory Platform and Policy Guidelines

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San Joaquin County

Adopted 2011 and 2012 State Legislative/Regulatory Platform and Policy Guidelines

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BOARD OF SUPERVISORS

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LOIS M. SAHYOUN
Clerk of the Board

February 8, 2011

The Honorable Governor Jerry Brown
The Honorable Senator Lois Wolk
The Honorable Senator Tom Berryhill
The Honorable Assembly Member Cathleen Galgiani
The Honorable Assembly Member Bill Berryhill
The Honorable Assembly Member Joan Buchanan
The Honorable Assembly Member Alyson Huber

Dear Governor, Senators, and Assembly Members:

The San Joaquin County Board of Supervisors is pleased to provide you with the County's Legislative Platform for the 2011 and 2012 legislative sessions. The San Joaquin County Board of Supervisors is aware of the dire financial conditions facing the State of California and has tailored this platform to fit those circumstances. We have retained legislative and State funding requests that the County deems absolutely critical to the health and well-being of our residents and shared constituents. We have detailed the County's major legislative policy goals and priorities as they pertain to our relationship with the State of California, even in these difficult times. San Joaquin County remains dedicated to efficiently providing needed public services even though demands for services continue to increase at a much more rapid pace than the revenue needed to provide them.

The County's top legislative priority continues to be the Sacramento-San Joaquin Delta, including flood protection, emergency response, and preservation of agriculture. Delta-related legislation passed by the State in November 2009 will impact the County in many ways. During the 2011 and 2012 legislative sessions, we anticipate legislation to refine the provisions of the 2009 Delta Legislative package. As San Joaquin County is home to approximately two-thirds of the Delta and constitutes the largest portion of the Delta's total agricultural land base at 55% - contributing \$1.36 billion to the regional and state economy - we expect to participate extensively in legislation, regulations, and policies regarding local water rights, water quality and quantity, governance, land use, flood management, agriculture, economy, and environment relating to the Sacramento-San Joaquin Delta. The County's involvement in the implementation of Delta legislation and administrative agency activities is critical to the future of San Joaquin County, and the health of the Delta. Hence, the County will continue to seek meaningful involvement with the Legislature and the Administration in the implementation of 2009 and future Delta legislation. Furthermore, the County continues to seek State funding for the Lower San Joaquin River Feasibility Study, which would provide improved flood protection for existing urban areas in the County, as well as funding for emergency communications and stockpiling. The Platform also includes a funding request for the MORE Water Project, which would provide water storage capacity for flood waters off the Mokelumne River.

As the operator of a general acute care hospital, as well as the provider of clinical care for many residents, San Joaquin County urgently needs assurances of a stable and adequate funding source to meet the health care needs of its residents. The implementation of the new Section 1115 Waiver will

February 8, 2011

provide some funding; however, the costs to administer a public hospital far exceed the revenues. Furthermore, existing funding streams continue to be threatened during budget discussions, while mandated services remain.

The San Joaquin County Board of Supervisors will continue to advocate for maximum local control and flexibility in the allocation of resources and the administration of County programs, and will continue to oppose any reductions in the current level of State funding for our County programs. Concurrently, as all levels of government continue to reduce expenditures, more local flexibility is necessary to maintain a maximum level of service to our shared constituents.

During the 2011 and 2012 legislative sessions, we anticipate realignments to be proposed that would affect counties in the areas of health and human services as well as public safety, in order to reduce State budget costs, and to return many functions of government to the local level. We cannot express strongly enough that any such proposal(s) must be joined to a stable and adequate funding source that will not be threatened or raided if the State should still find itself in financial difficulties in the future. Furthermore, any realignment proposal must be developed by and for county departments which will take on such enormous new responsibilities. For far too long, the State has approved laws and regulations for County-run programs that do not provide for any flexibility or account for any geographical or social differences across the State. Secure funding and maximum flexibility for local agencies are the cornerstone of any new realignment proposal. Lastly, any realignment proposal must meet the constitutional requirements instituted by Proposition 1A (2004).

We respectfully request your reference to this document, which has been thoughtfully and carefully crafted, while deliberating and developing legislation in 2011 and 2012.

We appreciate your continuing support for the vital services provided by San Joaquin County, and look forward to working with you. Please contact me, or County Administrator Manuel Lopez, at (209) 468-3203, should you have any questions or need additional information.

Sincerely,



Frank L. Ruhstaller, Chairman
San Joaquin County Board of Supervisors

Enclosure

c: Brent H. Ives, Mayor, City of Tracy
Ann Johnston, Mayor, City of Stockton
Phil Katzakian, Mayor, City of Lodi
Walt Murken, Mayor, City of Escalon
Chaka Santos, Mayor, City of Lathrop
Willie W. Weatherford, Mayor, City of Manteca
Chuck Winn, Mayor, City of Ripon
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County Department Heads
BOS02-02



LEGISLATIVE PRIORITIES ~ Water

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

1. Title: Delta Water Solutions

Issue: San Joaquin County supports legislative and regulatory efforts toward a more sustainable water supply approach as developed in the Water Plan for the 21st Century (Central Delta Water Agency) while opposing the development of a Peripheral Canal or any isolated water conveyance facility as the solution to the State's water supply needs, and remains seriously concerned regarding the impractical deadlines for public comment on the various plans and activities required by the 2009 Delta Legislative Package.

Legislative Platform:

1. Strongly seek and advocate in support of legislation, regulations, policies, budgetary appropriations, and related efforts and activities which would:

a. Advance San Joaquin County's Delta Legislative Objectives (Pages 13-15), San Joaquin County's Better Way (Appendix A – Pages 109-112), the Delta Counties Coalition Statement of Principles (Page 16), The California Partnership for San Joaquin Valley Resolution in Support of the Partnership-Sponsored Integrated Regional Water Management Plan Framework (Appendix C – Pages 115-116), and Resolution with Respect to Delta Actions and Activities Concerning the Delta Vision and Delta Conservation Plan (Appendix D – Pages 117-119).

b. Pursue regional water solutions, and limit exports of water from the Delta to only surplus water;

c. Support the statewide water rights priority system, Delta water rights and quality protection, riparian use, and local control and management of groundwater resources;

d. Provide that new water supplies be developed through greater conservation, recycling, conjunctive use of ground and surface water, desalinization of brackish and ocean waters, local water storage, water reclamation, and improved management of flood waters for the recharge of over-drafted groundwater basins;

e. Provide for the development of local and regional water resource management activities, and utilize local water projects for improved conjunctive use, recharge capability, and groundwater storage; and,

f. Support strengthening Delta levees, including maintenance dredging and the installation of gates and other facilities, at strategic locations, to improve sustainability of the Delta.

2. Aggressively oppose legislative, regulatory, and administrative efforts, including water plans and infrastructure proposals, which would include project alternatives that would lead to negative impacts to the County's urban communities, vital agricultural economy, and the Delta, including the development of a Peripheral Canal or isolated water conveyance facility in the Sacramento-San Joaquin Delta.



LEGISLATIVE PRIORITIES ~ Water

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

Delta Water Solutions (*Continued*)

Background: With nearly two-thirds of the Sacramento-San Joaquin River Delta (Delta) located in San Joaquin County (SJC), one of the County's priorities is the protection of the quantity and quality of water available within the Delta, and the significant negative impacts, including water reliability and water quality that a Peripheral Canal or similar facility would have on the County's infrastructure, economy, wildlife, recreation, and the fragile Delta environment. This issue has been further exacerbated by the Delta Vision Blue Ribbon Task Force's Delta Vision Strategic Plan (published October 2008), the Bay Delta Conservation Planning activities, and the new Delta Stewardship Council's Interim Plan (August 2010). At the center of these efforts are the co-equal goals of the health of the San Francisco Bay/Sacramento-San Joaquin Delta ecosystem, and a reliable water supply. While this effort has outlined possible approaches that may help the Delta to meet future beneficial use demands, it also revives and calls for studies, modeling, and investigations into the benefits of an isolated water conveyance facility or Peripheral Canal/Tunnel.

SJC has long been concerned about the possible impacts of the construction of a Peripheral Canal, or any isolated water transfer facility to carry the Sacramento River water around the Delta to State and federal pumps. Since 1982, the SJC Board of Supervisors (Board) has opposed the authorization, funding, and construction of what was then the proposed Peripheral Canal (SB 200-1982), and has urged a "No" vote on Proposition 9 on the June 1982 ballot. The Board reaffirmed its opposition to the development of a Peripheral Canal, or other isolated water conveyance facility, on September 18, 2007 (Resolution 07-534) (Appendix F– Pages 124-125).

The State should pursue water resource strategies of a regional nature, such as increased conjunctive use of surface and groundwater and better management of flood waters, rather than the inopportune resurrection and perpetuation of historically divisive project alternatives such as the Peripheral Canal/Tunnel. A principle that should guide actions with respect to the Delta is that, in undertaking actions and activities associated with protection of the Delta, County and area-of-origin assurances and protections, as well as water rights priorities, must be honored.

Regional Efforts

SJC continues to actively participate in local and regional efforts in seeking a comprehensive and sustainable solution to the Delta. SJC's regional efforts include participation in the Delta Counties Coalition (DCC). The DCC is a consortium of five California counties (Contra Costa, Sacramento, San Joaquin, Solano, and Yolo) working to give one voice to the Delta, advocating on behalf of the affected local governments and the four million residents of the Sacramento-San Joaquin Delta. The DCC's central tenet is that a comprehensive plan must provide for a secure, sustainable water supply, and ensure the quality and reliability of that supply, not just for Southern California, but for the four million Californians who reside in the five Delta counties as well. A comprehensive solution must also include support for flood control and the maintenance of levees in the Delta, provide for the restoration of the Delta's ecosystem and the health of the species native to the Delta and sustain the communities and economy of the Delta, most notably agriculture and recreation.



LEGISLATIVE PRIORITIES ~ Water

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

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Delta Water Solutions (*Continued*)

Finally, a comprehensive plan must be based on validated and peer-reviewed science and represent and include an equal voice from local government in any new governance structures, if established, for the Delta and must protect and affirm water rights priorities and area-of-origin protections established under State law. These objectives, which are part of twelve adopted principles that form the basis of the DCC position, will provide for a more sustainable water system and a healthier Delta in the future.

SJC is also a member of the California Partnership for the San Joaquin Valley (Partnership). Established in 2005, the Partnership includes eight San Joaquin Valley Counties - Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare. The Partnership's focus is on improving the region's economic vitality and quality of life in the region. The Partnership has 10 workgroups, one of which is Water Quality, Supply, and Reliability. On October 22, 2009, the eight San Joaquin Valley counties, realizing that they have much more in common with regards to a sustainable water supply of adequate quality and commitment to sustained flood protection, adopted a resolution in support of Partnership-Sponsored Integrated Regional Water Management Plan Framework (Appendix C - Pages 115-116).

SJC has successfully participated in a regional planning process with the recent adoption of the Eastern San Joaquin Integrated Regional Water Management Plan. This Plan highlights the potential benefits of the County working with neighboring Amador, Calaveras, and Alpine counties, and the East Bay to improve future water supply.

SJC also seeks to build coalitions with other counties and local agencies beyond the Delta, including the Sacramento-San Joaquin Valley, the Foothills, Sierra, and the Bay Area.

2009 Delta/Water Legislative Package

On November 4, 2009, the Legislature passed a comprehensive water package, which significantly reformed State policies, programs, and governance for the Sacramento-San Joaquin Delta. Also included in the water package was an \$11.4 billion Water Bond (SBX7_2) for placement on the November 2010 Statewide ballot. However, on August 9, 2010, the Legislature voted to postpone the vote on the Bond to November 2012. Much of the focus is on the implementation of the Delta Package: SBx7_1 – Delta Governance; SBx7_6 Groundwater; SBx7_7 Water Conservation; and SBx7_8 Water Diversion/Rights. The County continues to participate and comment on the various documents stemming from the Delta Package, including the Delta Interim Plan as well as the Plan itself, the Bay Delta Conservation Plan, the Delta Conservancy Plan, the Delta Protection Commission Economic Sustainability, and Primary Zone Expansion Studies. However, the County continues to have grave concerns regarding the unrealistic deadlines for public comment on the various Plans, processes, and activities required by the 2009 Delta Package.



LEGISLATIVE PRIORITIES ~ Water

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

Delta Legislative Objectives

1. The specific areas of legislative interests for San Joaquin County are:

A. Water:

1. Water Rights: including, but not limited to, maintenance of common pool of water in the Delta, water rights priorities, area of origin protection;
2. Supply: including, but not limited to, defining Delta quantities and use, diversions; establishing minimum flows into and out of the Delta sufficient for all in-Delta needs; meeting needs for agriculture, species maintenance and enhancement, municipal and industrial operation; increased storage;
3. Quality: including, but not limited to, temperature, salinity, turbidity; and
4. Conveyance: through Delta; no isolated facility.

B. Flood Control: including, but not limited to, urban flood control, channel maintenance, levee maintenance and improvement, flood plain management.

C. Agricultural Economy: including, but not limited to, protection of property rights and tax base.

D. Infrastructure: including, but not limited to, levee maintenance and improvement.

E. Governance: including local governmental involvement/control of Delta land use, activities and operations.

F. Funding: including, but not limited to, Delta planning and maintenance of efforts, habitat protection, restoration, and maintenance efforts, emergency services, levees, flood control, and water projects.

G. Mitigation: of all negative effects of action taken pursuant to any Federal, State, local or other public agency plan, project, operation or activity in or related to the Delta or the County.

2. Potential near term actions to be pursued:

A. San Joaquin County's "Better Way" approach.

B. Completion of studies and related plans, projects and activities, including, but not limited to, flood control, Delta flows, salinity, temperature, water quantity and usage, flood plain management.



LEGISLATIVE PRIORITIES ~ Water

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

Delta Legislative Objectives (*continued*)

3. Points for Legislation

- A. Minimum flow quantities and usage in and from the Delta are determined by scientifically validated, peer reviewed studies approved by an appropriate governance body(s) such as the Delta Protection Commission (DPC) and/or the Delta Conservancy and/or the Delta Stewardship Council (DSC), and incorporated into the DSC's Delta Plan.
- B. Flood management, including the Central Valley Flood Protection Plan, are determined by scientifically validated, peer reviewed, studies approved by an appropriate governance body(s) such as the DPC and/or the Delta Conservancy and/or the DSC, and incorporated into the DSC's Delta Plan.
- C. Delta water inflow and out-flow, temperature, and salinity studies necessary for aquatic and terrestrial species, agriculture, municipal, and industrial use in the Delta and Suisun Marsh are determined by scientifically validated, peer reviewed studies approved by an appropriate governance body(s) such as the DPC and/or the Delta Conservancy and/or the DSC, and incorporated into the DSC's Delta Plan.
- D. Physical integrity and long-term viability of Delta levees with the goal of long-term protection of all interests in the Delta, including those which do not pertain to conveyance, is to be determined by scientifically validated, peer reviewed, studies approved by an appropriate governance body(s) such as the DPC and/or the Delta Conservancy and/or the DSC, and incorporated into the DSC's Delta Plan.
- E. Near term actions to improve the quality and quantity of the Delta waters, including, but not limited to, such projects as the proposed Delta Corridors or other improved through-Delta conveyance, completed and put into operation and results evaluated and incorporated into the DSC's Delta Plan.
- F. Construction, permitting and operation of storage capacity to create an additional five million acre feet per year of firm water, surplus to the needs of the Delta, for use in the State Water Project, using a series of off-stream multi-purpose (flood control, ground water recharge, surface storage) reservoirs in the Sacramento and San Joaquin Valley.
- G. Revise State system of water operations, including:
 1. appropriate separation of State agencies' adjudicatory and regulatory authorities so that State agencies have transparent and independent authority;
 2. creation of a State entity with utility-like authority and process, for governance of the operation of the State Water Project and the Central Valley Project, as appropriate to and consistent with established water rights and area of origin protections; and,



LEGISLATIVE PRIORITIES ~ Water

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

Delta Legislative Objectives (*continued*)

3. ensuring that the recently created State Water Master is sufficiently legislatively authorized to independently inspect State and Federal water facility operations, and to independently ensure that those operations are in conformity with existing water rights and priorities, area and watershed of origin law, common pool theory; diversion water from the Delta only in amounts surplus to the needs of the Delta flow, salinity and temperature control necessary for aquatic and terrestrial species. The Water Master would be sufficiently and continuously funded by the State or State water facility users. The Water Master should have authority to hire staff, including legal counsel independent of the State Attorney General. The Water Master should have authority to institute legal action in a special five member judicial forum having original jurisdiction with de novo hearing process. The special forum would consist of five Justices, one each from the five California Courts of Appeal, appointed by the Supreme Court.
- H. Any Delta Plan shall be based, at a minimum, on recognition of, adherence to, and enforcement of existing water rights and priorities, area and watershed of origin law, common pool theory; diversion water from the Delta only in amounts surplus to the needs of the Delta; flow, salinity and temperature control necessary for aquatic and terrestrial species; protection of public and private property and infrastructure; continued State participation in maintenance and improvement of Delta levees; maintenance of economic viability of Delta agricultural land and agricultural land use, protection of local governance and County prerogatives, including land use, public revenues, public health and safety, economic development and agricultural stability; Delta as a Place concepts and goals.
- I. Funding in the full amount necessary for water storage and conveyance projects, groundwater recharge projects, flood plain management projects, and flood control projects in the Mokelumne, Calaveras, and Stanislaus Rivers watersheds.
- J. Funding in the full amount necessary for emergency response and levee maintenance efforts to deal with threats to the integrity of Delta levees.



Delta Counties Coalition

Contra Costa County · Sacramento County · San Joaquin County · Solano County · Yolo County
"Working together on water and Delta issues"

Statement of Principles Sacramento-San Joaquin River Delta (2009)

The five counties of the Delta Counties Coalition (DCC) have each adopted the following principles that describe their joint interests on the Sacramento-San Joaquin River Delta and Greater Bay-Delta Estuary. The DCC believes that the management of the Sacramento-San Joaquin River Delta and Greater Bay-Delta Estuary must:

1. Protect and improve water quality and water quantity in the Delta region and maintain appropriate Delta outflow for a healthy estuary;
2. Protect the existing water right priority system and legislative protections established for the Delta;
3. Respect and safeguard Delta Counties' responsibilities related to land use, water resources, flood management, tax revenues, public health and safety, economic development, agricultural stability, recreation, and environmental protection in any new Delta governance structures;
4. Represent and include local government in any new governance structures for the Delta;
5. Protect the economic viability of agriculture and the ongoing vitality of communities in the Delta;
6. Support rehabilitation, improvement, and maintenance of levees throughout the Delta;
7. Support the Delta pool concept in which the common resource provides quality freshwater supply to all delta users, requiring mutual responsibility to maintain, restore, and protect the common resource;
8. Support immediate improvements to through-Delta conveyance;
9. Require that any water conveyance plan for the Delta be aligned with the principles established by this resolution and supported by clearly demonstrated improvement to the entire state's water management;
10. Protect and restore the Delta ecosystem, including adequate water supply and quality to support it in perpetuity;
11. Include the study of storage options and implementation of conservation, recycling, re-use, and regional self sufficiency as part of a statewide improved flood management and water supply system; and,
12. Support those conservation actions that are aligned with the principles established by this Resolution, and that are in accordance with habitat plans and programs of the Delta Counties. (Board Adopted 7/13/10)



LEGISLATIVE PRIORITIES – Flood Protection

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

2. **Title: Lower San Joaquin River Feasibility Study**

Issue: The California – San Joaquin Central Valley levee system that protects invaluable infrastructure has been neglected for decades.

Legislative Platform:

1. **Urge the Legislature to adopt a State Joint Resolution supporting:**
 - a. **A Federal appropriation totaling \$1.2 million in the Energy and Water Appropriations bill for the Lower San Joaquin River Feasibility Study; and,**
 - b. **Inclusion of the following language into the new Federal Water Resources Development Act:**
 - i. **Permit the U.S. Army Corps of Engineers to credit, toward future non-federal project implementation costs, the cost of any in-kind contribution by the non-federal sponsors to the Feasibility Study that exceeds its required cost-share;**
 - ii. **Permit the U.S. Army Corps of Engineers to credit, toward future non-federal project implementation costs, the cost of any locally funded flood protection project that is subsequently found to be consistent with a federally approved project;**
 - iii. **Streamline the Section 408 permitting process to allow permit approval by the respective U.S. Army Corps of Engineers District Engineers;**
 - iv. **Allow local agencies to obtain Section 104 credit without first being required to acquire a Section 408 permit;**
 - v. **Direct the U.S. Army Corps of Engineers to restore PL 84-99 status for levees to allow for disaster assistance in the event of a flood;**
 - vi. **Prevent U.S. Army Corps of Engineers from revoking Federal Emergency Management Agency levee certifications previously issued; and**
 - vii. **Require the U.S. Army Corps of Engineers to revisit its levee vegetation removal policy to more fully evaluate the potential impacts and implementation challenges.**
2. **Seek, advocate, and support legislative and administrative efforts, budgetary proposals, and regulations which would:**
 - a. **Provide State funding to analyze, plan, design, construct, and maintain facilities to improve Delta levees and waterways in San Joaquin County for the protection of urban communities, critical water supplies, and statewide levee system infrastructure, including non-project levees; and**



LEGISLATIVE PRIORITIES – Flood Protection

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

Lower San Joaquin River (CA) Feasibility Study (*continued*)

b. Appropriate \$619,000 in State matching funds for the Lower San Joaquin River Feasibility Study.

Appropriation Request: \$ 619,000

Total Project Cost: Approximately \$14.9 million

Background: Levee systems in San Joaquin County (SJC) protect over 400,000 residents and invaluable infrastructure that is critical to the State's well-being. Major flooding in the County could result in overwhelming negative economic impacts statewide. Such potentially long-lived impacts to homes, businesses, transportation, farms and agriculture, municipal sewer and water systems, energy infrastructure, and environment can be avoided with the identification of levee deficiencies, and proper planning and construction of flood protection improvements.

The current urban flood protection system generally provides a 100-year level of flood protection. SB 5 (2007-Machado) mandates, among other things, a 200-year level of urban flood protection by 2025. Many levees in SJC are U.S. Army Corp of Engineers (USACE) project levees; therefore, any improvements to those levees must be coordinated through the USACE. The USACE administers the Lower San Joaquin River Feasibility Study (project map included) currently underway, in partnership with local, State, and federal flood management agencies, to identify options for improved flood protection for existing urban areas. A completed feasibility study is a USACE prerequisite to building improvements needed in order to implement SB 5 flood protection mandates. The Feasibility Study includes an analysis of alternatives to provide improved flood protection and associated ecosystem restoration.

Cost-Share Agreement for Feasibility Study

In 2006, SJC and the San Joaquin Area Flood Control Agency initiated preliminary Feasibility Study project coordination with the USACE, Department of Water Resources, and the California Reclamation Board (now known as the Central Valley Flood Protection Board). In 2008, the USACE completed a project management plan and developed a Feasibility Cost-Share Agreement for continuation of the Feasibility Study. The Federal Cost- Share Agreement with the USACE was signed by the State Department of Water Resources and the San Joaquin Area Flood Control Agency in July 2010.



LEGISLATIVE PRIORITIES – Flood Protection

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

Lower San Joaquin River (CA) Feasibility Study (*continued*)

“Non-Project” Levees

Many levees in SJC are non-project levees. Therefore, the USACE and the State are not involved in the operation and maintenance of these levees. And, the non-project levees are subject to the State’s 200-year protection requirement, consequently an unfunded State mandate. In light of the large number of non-project levees in the County protecting urban areas, the development, re-development, and infrastructure improvements could come to a standstill if funding for both project and non-project levee infrastructure improvements is not appropriated. Given the importance of non-project levees to this area, the Central Valley Flood Protection Plan, currently under development by the State, should consider and include all non-project levees.

Federal Water Resources Development Act

SJC is also seeking that the new Federal Water Resources Development Act include language which would permit the USACE to credit the cost of any local contributions by non-Federal sponsors to the Feasibility Study that exceed the County’s required cost-share. In relation to advanced work conducted by a non-Federal sponsor, the Section 408 permitting process should be streamlined to ensure that the USACE can issue permits in a timely manner for local agencies to accomplish work demonstrated to enhance flood protection within the existing Federal projects.

Restoration of PL 84-99 Disaster Assistance

Another concern regarding flood protection in SJC is that in 2010 the USACE rescinded Disaster Assistance (PL84-99) for some of the levees in the County. Consequently, in the event of a flood in those areas, there would be no disaster assistance funding from the USACE after a flood.

Revocation of Levee Certification by the USACE

A new USACE policy (EC 1110-2-6067) was recently put in place that limits levee certifications to a 10-year life. A number of levees within SJC were certified by the USACE ten years ago. Withdraw of said certifications would set in motion a process that could lead to new Federal Emergency Management Agency (FEMA) floodplain maps. Remapping large urban areas of the County into the FEMA flood zone could impact over 400,000 county residents. SJC strongly urges the USACE to reconsider this new policy, and in the short-term, postpone its implementation to allow further discussion with local agencies on the potential impacts.

USACE Levee Vegetation Removal Policy

After Hurricane Katrina, the USACE made major levee policy changes, which included new standards banning vegetation on or within 15 feet of levees (2009). Levee owners and operators are concerned that the new policy does not adequately consider that levee vegetation is viewed by many resource agencies as providing important habitat to listed, threatened and endangered species. Pursuant to the Endangered Species Act, it may be impossible for many levee owners



LEGISLATIVE PRIORITIES – Flood Protection

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

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Lower San Joaquin River (CA) Feasibility Study (*continued*)

USACE Levee Vegetation Removal Policy (continued)

and operators to comply with the new policy within the required timeline. In addition, there is unresolved debate as to whether vegetation actually impairs levees, or whether some vegetation can actually help stabilize levees. SJC is urging that implementation of the levee removal policy be postponed until the impacts can be fully evaluated, and the policy is scientifically validated and properly vetted.

(Project Map Below and Literature Available)



LEGISLATIVE PRIORITIES ~ Water

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

3. Title: Mokelumne River Regional Water Storage and Conjunctive Use Project (MORE Water Project)

Legislative Project Appropriations Request:

1. Urge the Legislature to adopt a Joint Resolution supporting:
 - a. A federal appropriation totaling \$1 million in the Energy and Water Appropriations bill for the MORE Water Project; and
 - b. Inclusion of report language in the federal Energy and Water Appropriations bill which would broaden the MORE Water study to include the entire Mokelumne River watershed, and to consider recommendations included in the Eastern San Joaquin Integrated Regional Water Management Plan in examining the feasibility of providing additional water supplies and improving water management reliability through the development of new water storage and conjunctive use programs.
2. Seek State funding, including bond funding, for the MORE Water Project.

Background: The reliability of the region's water supply is being threatened by the lack of sufficient surface water for diversion from local tributaries and an over reliance on groundwater pumping that exceeds natural recharge amounts in Eastern San Joaquin Groundwater Basin. The greatest depression in groundwater levels appears centered below the North San Joaquin Water Conservation District and Stockton East Water District's service areas and could be up to 90 feet below sea level. Water agencies in San Joaquin County (SJC) are working to develop projects and financing to address the groundwater overdraft and saline intrusion issues, of which the MORE Water Project is a significant effort sponsored by the Mokelumne River Water and Power Authority and the U.S. Department of Interior, Bureau of Reclamation under a Memorandum of Agreement signed in 2008. Damage to the aquifer system due to saline water intrusion, withdrawal of groundwater from storage, and potentially subsidence and aquifer consolidation could be irreversible. The loss of the Basin as a viable water source could further damage the region's economy, including a multi-billion-dollar agricultural industry and rapidly impacted commercial and residential development.

In summary, the purpose of the MORE Water Project is the development of a new surface facility to capture unappropriated flows from the Mokelumne River, and regulate supply for an integrated system of conjunctive use projects. Such projects will provide additional storage capacity, water supply reliability, sustainable hydropower and anticipated flood control benefits for the County and potentially throughout a greater inter-regional area.

Federal Action Taken:

In 2010, the U.S. Department of Interior, Bureau of Reclamation, and the Mokelumne River Water and Power Authority signed with contract consultants to complete an update to the Mokelumne-Calaveras Rivers Simulation Model hydrological model for the Mokelumne River to include upper watershed operations in order to further evaluate the potential of inter-regional



LEGISLATIVE PRIORITIES ~ Water

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

MORE Water Project (*continued*)

conjunctive use program alternatives as outlined under the 2009 Energy and Water (E&W) Appropriations Bill Report Language.

- ✓ In 2009, the U.S. Department of Interior, Bureau of Reclamation, and the Mokelumne River Water and Power Authority signed with contract consultants to complete a Federal Feasibility Gaps Analysis and Updated Plan to Study for the MORE Water Project to align local water resources planning efforts with Federal Procedures and Guidelines.
- ✓ The 2009 E& W Appropriations Bill included report language to broaden the MORE Water Project study to include the entire Mokelumne River watershed. The report language reads: *MORE Water Feasibility Study.—The Committee has provided an additional \$1,500,000 for the MORE Water feasibility study authorized in Title V of Public Law 109-338. In carrying out this study, the Secretary of the Interior shall include the entire Mokelumne River drainage area and shall consider the recommendations included in the Eastern San Joaquin Integrated Regional Water Management Plan. As authorized, this study is intended to be regional in scope and shall examine the feasibility of providing additional water supply and improved water management reliability through development of new storage and conjunctive use programs, including, but not limited to, the Eastern San Joaquin Ground Water Basin, Pardee Reservoir, Lower Bear Reservoir, and Duck Creek.*
- ✓ In 2008, the U.S. Department of Interior, Bureau of Reclamation, and the Mokelumne River Water and Power Authority signed a Memorandum of Agreement on cost-sharing for the MORE Water Project according to the approved Plan of Study.
- ✓ On October 12, 2006, the President signed Public Law 109-338 (S 203-109th Congress) authorizing the Secretary through the Bureau of Reclamation to complete “...a study to determine the feasibility of constructing a project to provide additional water supply and improve water management reliability through the development of new water storage and conjunctive use programs.”
- ✓ S. 203 includes a \$3.3 million federal cost-share to conduct studies to determine the feasibility of constructing the MORE Water Project.
- ✓ In August 2007, the U.S. Department of Interior, Bureau of Reclamation, released the MORE Water Project Appraisal Report. In summary, the findings of the Appraisal study determined that:
 - “The MORE Water Project meets the requirements for advancing to a Feasibility Study.”
 - “The MORE Water Project is one of few surface water resource projects that can be developed within San Joaquin County to provide new supply.”



LEGISLATIVE PRIORITIES ~ Water

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

MORE Water Project (*continued*)

- A range of economic benefits is possible with the MORE Water Project: 1) reduced groundwater over-drafting, 2) improved water quality, and 3) additional benefits including reduced flood damages and improved ecosystems conditions.
- The benefit-to-cost ratios suggest that benefits exceed costs and that the alternatives with the highest benefit-to-cost ratios are also among the more cost-effective.
- There is a “Federal Interest” in the MORE Water Project.

Inter-Regional Efforts:

The Mokelumne River Water and Power Authority (Authority) continues to actively participate in local and regional efforts in seeking support for the MORE Water Project. In 2005, the Mokelumne River Forum was formed as a Joint Powers Authority with member agencies including: Alpine and Amador counties, Amador Water Agency, Calaveras County Water District, Calaveras Public Utilities District, California Department of Water Resources, cities of Lodi and Stockton, East Bay Municipal Utility District, Foothill Conservancy, Jackson Valley Irrigation District, Mokelumne River Water and Power Authority, North San Joaquin Water Conservation District, San Joaquin Farm Bureau Federation, Stockton East Water District and/or Central San Joaquin Water Conservation District, and Woodbridge Irrigation District. These agencies are interested in working together to identify additional water supply benefits from the Mokelumne River, and have developed a project concept proposal that includes inter-regional conjunctive use.

The Mokelumne River Forum continues to advance regional efforts. In August 2010, the Authority entered into a Memorandum of Understanding (MOU) with the Upper Mokelumne River Watershed Authority (UMRWA) for stakeholder participation in U.S. Bureau of Reclamation MORE Water Project feasibility study. UMRWA is a Joint Powers Agency established in 2000 for the purpose of preserving and enhancing Mokelumne River water supply, water quality, and the environment. The member agencies comprising UMRWA are Alpine County Water Agency, Amador Water Agency, Calaveras County Water District, Calaveras Public Utility District, East Bay Municipal Utility District, Jackson Valley Irrigation District, and the counties of Alpine, Amador, and Calaveras. Many of these agencies are also members of the Mokelumne River Forum.

The MOU allows the UMRWA to participate with the U.S. Bureau of Reclamation and the Authority in the preparation of various studies and plans, which includes ongoing regional studies of a Federal Feasibility Gap Analysis, and updates to the Bureau’s Plan of Study for the MORE Water Project to guide future feasibility-related work efforts by regional stakeholders.

(Project Map Below and Literature Available)

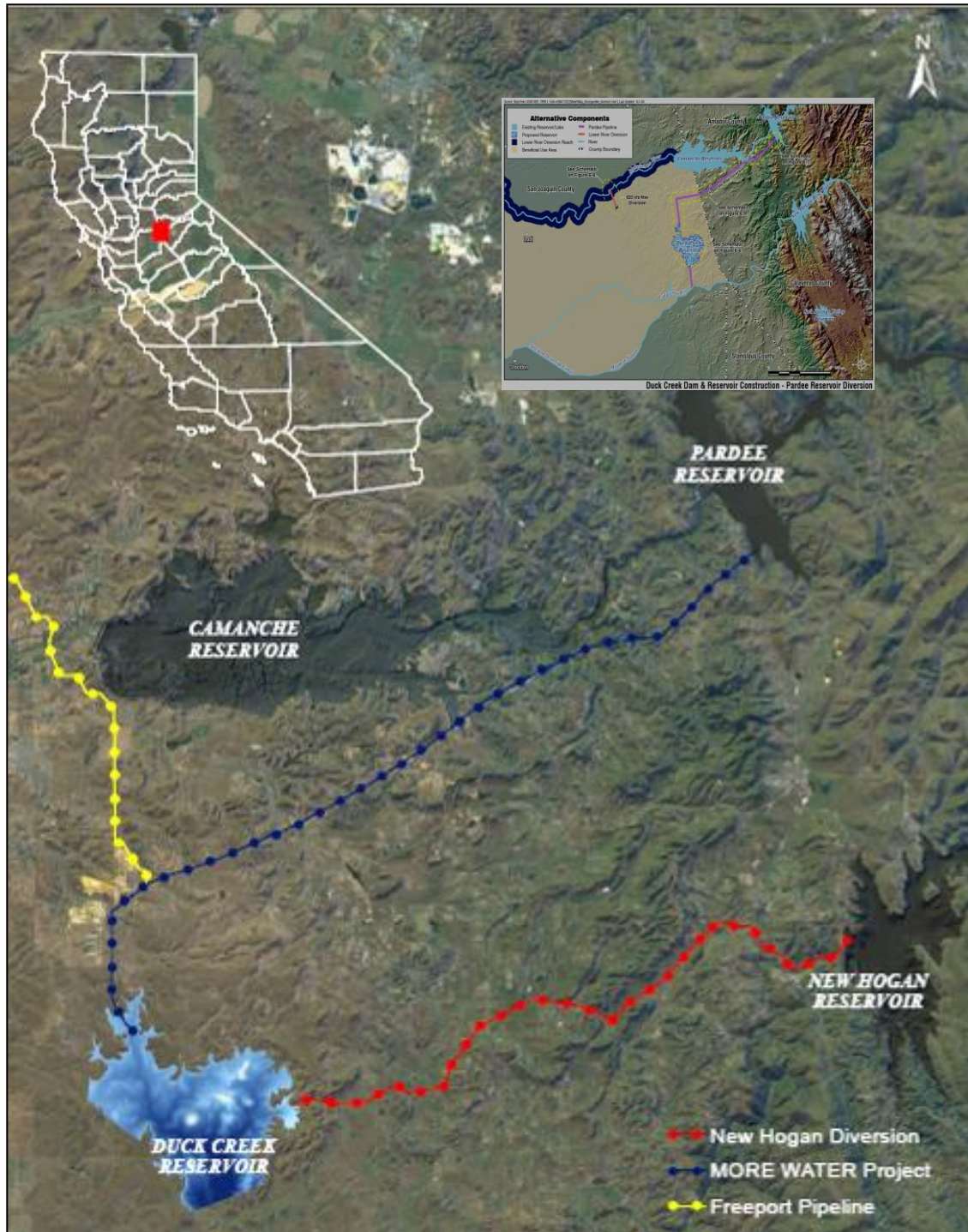


LEGISLATIVE PRIORITIES ~ Water

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

MORE Water Project (Mokelumne River Regional Water Storage and Conjunctive Use Project (continued)





Legislative/Regulatory Policy Guidelines ~ Administration

COUNTY OF SAN JOAQUIN ~ COUNTY ADMINISTRATOR'S OFFICE

Contact: Manuel Lopez, County Administrator; E-Mail: mlopez@sigov.org; Ph. (209) 468-3203

The top legislative priority for all San Joaquin County departments is to make every effort to maintain or increase funding for the continued provision of critical local services to the residents of the County. In addition, the San Joaquin County Board of Supervisors shall:

- 1) Continue to monitor legislation, budgetary proposals, administrative and regulatory action which impacts county government, while advocating for maximum local control and flexibility in the allocation of resources, and the administration of County programs.
- 2) Closely monitor legislative and administrative proposals including a "shift in the state-local relationship"/state-local realignment as proposed by Governor Brown in January 2011, which would result in new responsibilities to the County, while advocating for adequate levels of on-going funding to meet existing state mandates, as well as new responsibilities.
- 3) Support maximum State and federal funding participation directly to local agencies for various infrastructure projects critical to the economic vitality of San Joaquin County.
- 4) Oppose any reductions to the current level of State funding for county programs.
- 5) Aggressively oppose attempts by the Legislature to shift costs from the State to the County for mandated and/or non-mandated programs.
- 6) Oppose attempts by the Legislature and/or Executive Branch to take away, restrict revenue sources, or impose costly program changes without adequate funding.
- 7) Strongly oppose the transfer of county property tax dollars to any other entity.
- 8) Continue to oppose federal and State fiscal sanctions against counties for failure to comply with State and/or federal laws when the errors are beyond the counties' control.
- 9) Support legislative and local efforts to protect our communities from the impacts of greenhouse gases which have the potential to dramatically impact multiple aspects of human life, including our environment, public health, and economy, and support a collaborative State, regional, and local approach to the development of greenhouse gas reduction strategies.
- 10) Strongly oppose legislation that would reduce management rights as defined in the 1977 San Joaquin County Employer-Employee Relations Policy.
- 11) Oppose legislation which would result in rollbacks to Workers' Compensation Reform enacted by SB 899 (2004), and/or would expand current leave entitlements for employees beyond existing benefits.
- 12) Support renewal/extension of the existing vehicle license fee increment or identify a replacement revenue stream to fund vital local public safety and law enforcement programs.



Legislative/Regulatory Policy Guidelines ~ Administration

COUNTY OF SAN JOAQUIN ~ COUNTY ADMINISTRATOR'S OFFICE

Contact: Manuel Lopez, County Administrator; E-Mail: mlopez@sjgov.org; Ph. (209) 468-3203

Administrative Legislative/Regulatory Policy Guidelines (*continued*)

- 13) Support legislation which would allow counties to recover fees, set by the State, that reflect the actual cost of providing service, similar to SB 676 (2009), which authorized the adjustment of statutory limits that counties, cities, or court services' charges for specified services.
- 14) Support departmental pursuit of additional funding opportunities associated with the State Budget process, and respond as timely and effectively as possible to legislative issues both by Board action and, if time constraints exist, by the affected Department Heads with the concurrence of the County Administrator. If consideration by the Board of Supervisors is not feasible, the County Administrator will notify the Board.
- 15) Maintain close relationships with San Joaquin County's legislative delegation to foster greater advocacy and understanding of San Joaquin County's issues.
- 16) Advocate for State organizational structures to maximize leadership and support for County services and programs.
- 17) Oppose any efforts to diminish Proposition 10 and Proposition 63 funds, or to impose restrictions on local expenditure of the funds. Oppose efforts to lower, or eliminate the State's fiscal support for county programs, with the expectation that the State will backfill the loss of Proposition 10 and Proposition 63 revenues.
- 18) Monitor legislation or initiatives which would have a fiscal impact on county government, including pension reform.
- 19) Continue to monitor collaborative proposals for multi-agency participation to protect the fiscal and programmatic interests of the County.
- 20) Support cost-effective, State-funded efforts to provide for the health and safety of public employees in the administration of their duties.
- 21) Monitor legislation which would impact land use, building standards, and housing requirements.
- 22) Seek and advocate in support of budget proposals to reimburse counties for any and all special elections called by the Governor.
- 23) Support legislation, regulatory changes, and/or administrative efforts which would authorize San Joaquin County to conduct an all-mailed ballot election for any special election(s) called by the Governor.
- 24) Support legislation or budgetary actions that would require the pass-through of federal Older Americans Act funding to local Area Agencies on Aging even though the State budget is delayed past the start of the State Fiscal Year.



Legislative/Regulatory Policy Guidelines ~ Administration of Justice

COUNTY OF SAN JOAQUIN ~ ADMINISTRATION OF JUSTICE

Contact: Steve Moore, Sheriff; E-Mail: smoore@sjgov.org ; Ph: (209) 468-4311

Contact: Patty Mazzilli, Chief Probation Officer; E-Mail: pmazzilli@sjgov.org; Ph. (209) 468-4070

Adults ~

- 1) Support a State bond which would provide funding for the expansion of jail beds at the San Joaquin County Jail facilities.
- 2) Support State funding for a new San Joaquin County courthouse.
- 3) Advocate in support of State economic stimulus funding for the development of information technology infrastructure, including County connectivity to the new Administrative Office of the Courts' computer systems.

Juvenile Justice ~

- 4) Seek that counties be given the opportunity to analyze the impact, assess the feasibility, and determine the acceptability of any juvenile justice proposal that would realign services from the State to the local level. As with any realignment, responsibility and authority must be connected, and sufficient resources, with a built-in growth factor adjustment, must be provided.
- 5) Advocate in support of funding for local governments to provide facilities for additional programming options for juveniles who are no longer under the jurisdiction of the Department of Juvenile Justice, including funding to construct or expand juvenile camps, ranches, and related facilities for treatment services and programs.
- 6) Advocate that the enforcement of minimum facility standards must be dependent upon State financial assistance.
- 7) Support legislative and administrative efforts which would reduce overcrowding of juvenile detention facilities and improve the chances for treatment and rehabilitation of lesser offenders.
- 8) Support legislative, regulatory, and/or administrative efforts which would provide that truants, runaways, and youths who are beyond the control of their parents be removed from the justice system except in unusual circumstances. These youths should be the responsibility of their parents, not the government. Imposing fines and/or sanctions on parents to prompt their participation in their children's lives and involvement in the process should remain an option.



ADMINISTRATION OF JUSTICE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ ADMINISTRATION OF JUSTICE

Contact: Steve Moore, Sheriff; E-Mail: smoore@sjgov.org Ph: (209) 468-4311

4. Title: Funding for County Jail Expansion - Public Safety and Offender Rehabilitation Services act of 2007

Issue: Local jail overcrowding continues to be a significant issue in San Joaquin County, and funding authorized in AB 900 (2007-Solorio) for county jail beds has not been appropriated by the State.

Legislative Platform: Seek, advocate, and support legislative and budgetary efforts which would provide state “funding preference” and adequate State funding to San Joaquin County for the expansion of the County’s jail.

Background: The Public Safety and Offender Rehabilitation Services Act of 2007 (AB 900-2007), signed by the Governor in 2007, seeks to deter federal court actions, including the possible imposition of a prison population cap and the potential of a federal receivership. AB 900 contains approximately \$7.4 billion in bond funding and \$350 million in State General Funds for infrastructure financing (for approximately 13,000 local jail beds and 40,000 State prison beds) to address overcrowding issues in local adult detention facilities. This bill addresses the adult corrections system only; it does not speak to the juvenile justice issues.

In July 2007, the San Joaquin County Board of Supervisors adopted a Resolution (R-07-451) supporting and requesting the use of the Northern California Women’s Facility (NCWF) as a re-entry facility as identified in AB 900, with the following conditions to the State: 1) Invoke priority funding to the County under AB 900, 2) Mitigate traffic, water, and sewer impacts due to the use of the NCWF, 3) Ensure the facility would be used for inmates who are within one year of release from State custody and who would be released within the San Joaquin Region (San Joaquin, Calaveras, and Amador counties), 4) Provide expanded programming to re-entry facility inmates, and 5) Consider use of any additional capacity in the NCWF for local jail relief.

SB 943 – Prisons (2007-Machado) signed by the Governor in 2007, authorizes the California Department of Correction and Rehabilitation (CDCR) to use the NCWF in Stockton as a re-entry facility for San Joaquin, Calaveras, and Amador counties. In addition, SB 943 states that subdivision (b) of Section 15820.907 of the Government Code (enacted by AB 900-2007) was met on August 7, 2007 when the San Joaquin County Board of Supervisors and the Stockton City Council passed resolutions supporting conversion of the former NCWF to a re-entry facility to house male inmates and/or parole violators. Subdivision (b) states: “The CDCR and Correction Standards Authority shall give *funding preference* to counties that assist the State in citing re-entry facilities, pursuant to Section 6270. State funding for expansion of the County’s jail has not been appropriated by the State. (Appendix G, Page 126)



ADMINISTRATION OF JUSTICE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ ADMINISTRATION OF JUSTICE

Contact: Steve Moore, Sheriff; E-Mail: smoore@sjgov.org; Ph: (209) 468-4311; and

5. Title: Public Safety Interoperability Communication System Project

Legislative Project Appropriations Request:

Seek, advocate, and support \$4.2 million in funding assistance for a Public Safety Interoperability Communication System Project.

Background: San Joaquin County (SJC) is seeking federal and state assistance to develop and implement a Public Safety Interoperability Communication System to provide emergency communications interoperability for all public safety agencies within the County. Public safety agencies within the County use different radio frequencies to communicate and, consequently, do not have the capability to directly communicate with each other. The communications systems within the County currently operate in both digital and analog mode. This project upgrades all agencies to operate in digital mode in order to be compliant with the Federal Communications Commission mandate, which requires all public safety agencies to operate in the digital mode by January 2013.

The SJC Public Safety Interoperability Communication System project will migrate all public safety entities within the County from their existing analog radio communication systems to a common digital radio platform. This migration of all public safety entities to a common digital platform will allow the agencies to effectively communicate with each other during emergencies. The project is consistent with the SJC Master Radio Communication Plan which was developed by a committee comprised of representatives from all public safety agencies within the County. Agencies represented on the committee include Emergency Medical Services, City and Rural Fire Districts, Sheriff and City Police Chiefs, Office of Emergency Services, and other County public safety agencies. All of these agencies have adopted the Master Radio Communication Plan and have agreed to operate on a public safety trunked radio system. The agencies have also agreed to share resources to accomplish this goal.

Because of the magnitude of this effort and the potential impact to ongoing public safety operations, this project was designed with the intent that it would be implemented in five phases. SJC is focused on Phases I and II of the project to establish the infrastructure that will be the foundation for the eventual countywide radio system.

(Project Literature Available)

Appropriation Request:

\$4.2 million.

Total Project Cost:

\$26.3 million



ADMINISTRATION OF JUSTICE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ ADMINISTRATION OF JUSTICE ~ PROBATION
Contact: Patty Mazzilli, Chief Probation Officer; E-Mail: pmazzilli@sjgov.org; Ph. (209) 468-4070

6. Title: Construction of a New Juvenile Camp Project

Legislative Project Appropriations Requests:

Seek, advocate, and support a \$5.0 million funding request for a new Juvenile Camp.

Background: San Joaquin County continues to experience a high juvenile crime rate. Based on the most recent year of available data (2007) from the California Department of Justice, the County's overall juvenile crime rate of 6,864 arrests per 100,000 juveniles was the second highest of any county in the State of California with a juvenile population in excess of 50,000. For juvenile felony arrests, the County arrest rate per 100,000 was the third highest in the State, while the County was second highest in the State for misdemeanor arrests per 100,000 in counties with a juvenile population in excess of 50,000.

To address this continuing problem, the County has introduced a number of collaborative juvenile crime prevention and intervention strategies using evidence-based programs. In 1998, the County expanded its continuum of graduated sanctions for juvenile offenders to include a 45-bed camp program on the grounds of Juvenile Hall. The Camp is designed for males ages 14 to 18 and operates as a 180-360 day commitment (post adjudication) program for the Juvenile Court. The camp program allows the County to keep juvenile offenders in the local community who might otherwise be placed in the California Division of Juvenile Justice or in expensive out-of-county or out-of-state offender programs. The existing County Juvenile Camp is available only for males. The Juvenile Camp Project would increase the Camp capacity from the current 45 to 60 beds, and allow the inclusion of females in the program. Both maximum-security pre-disposition beds and post-disposition Juvenile Camp beds are needed. Additionally, San Joaquin County cannot offer the same continuum of sanctions for its female population as it does for its male population due to the design of the existing camp facility. A local camp program for female minors would provide the Court with another option prior to costly out-of-home placement and provide opportunity for family involvement at the local level.

Currently, the State's Juvenile Corrections Reform Program places a high emphasis on local rehabilitative programs such as the Juvenile Camp. There are national and state movements to provide rehabilitative beds where juveniles can participate in evidence-based programs that research has shown to reduce recidivism.

(Project Literature Available)

<p><u>Appropriation Request:</u> \$5.0 million</p> <p><u>Total Project Cost:</u> Approximately \$9.8 million</p>
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ADMINISTRATION OF JUSTICE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ ADMINISTRATION OF JUSTICE

Contact: Steve Moore, Sheriff; E-Mail; smoore@sjgov.org Ph: (209) 468-4311

7. **Title: California Multi-Jurisdictional Methamphetamine Program**

Issue: The proliferation and trafficking of methamphetamine drug laboratories and other illegal drugs continues to be a serious problem in San Joaquin County.

Legislative Platform: Seek, advocate, and support efforts which would:

- 1. Increase funding to local law enforcement agencies to combat the production, trafficking, and sale of methamphetamine and other illegal drugs; and,**
- 2. Increase funding for the California Multi-Jurisdictional Methamphetamine Program and other programs targeted at combating illegal drug production and trafficking; and,**
- 3. Support legislative efforts and/or budgetary proposals which would sustain the current level of funding to combat illegal drugs, and oppose budget reductions to the Methamphetamine Program.**

Background: Production and trafficking of methamphetamine continues to be a significant issue in San Joaquin County (SJC) in spite of the increased seizures of large-scale clandestine laboratories. It has been estimated that 99% of the “super-labs” – labs capable of producing more than 500 pounds of the drug a week – in the United States are located in Central California. Although federal and State laws have been enacted to curtail and restrict the sales of precursor chemicals, drug trafficking organizations have adapted and continue to transport large quantities of methamphetamine into California. In addition, marijuana and cocaine trafficking is increasing in SJC. Increased federal and State funding is necessary to maintain high-level enforcement to combat this issue, and to address the growing operating costs, including technological costs of keeping abreast of the sophisticated and elusive drug trafficking organizations.



ADMINISTRATION OF JUSTICE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ ADMINISTRATION OF JUSTICE ~ PROBATION
Contact: Patty Mazzilli, Chief Probation Officer; E-Mail: pmazzilli@sjgov.org; Ph. (209) 468-4070

8. **Title: Early Release of State Prisoners**

Issue: The State must provide sufficient resources to local government to both protect the public and to provide needed services in the event that early release of state prison inmates is acted upon by the State.

Legislative Platform: **Seek and advocate in support of state funding for county provided programs and services needed to address early release of state prison inmates into San Joaquin County.**

Background: The State of California is under significant pressure, from both a cost perspective and from the Federal Courts, to reduce the state's prison populations. The State continues to propose releasing prison inmates through an early release program. If the state is to pursue this early release, or any other plan to reduce the State prison population, it is imperative that resources be provided to counties to provide services to this population, including local law enforcement, health and human services, workforce training and employment services, and a variety of other services to assist the individual to return to society.

Background (as of November 2009)

In July 2007, a federal three-judge panel was created to review prison overcrowding, and directed orders to reduce overcrowding that must then be implemented by the state. In February 2009, the federal three-judge panel on prison overcrowding issued a tentative ruling finding that prison overcrowding was the primary cause for the state's failure to deliver a constitutional level of medical and mental health care in the prison system. The ruling included directing the state to develop a plan to reduce the prison population to 120% or 145% of the prison's design capacity over a two- to three-year period. According to the California Department of Corrections and Rehabilitation (CDCR), this population cap would result in a release order of approximately 37,000 to 58,000 state prison inmates. In August 2009, the federal three-judge panel issued its final ruling ordering the state to issue its state prison population reduction plan within 45 days that would reduce the state's prison population to 137.5% of its prison design capacity. In September, the state complied with the three-judge panel's final ruling and submitted its plan. In October, the three-judge panel rejected the state's prison population reduction plan citing several reasons for rejecting the plan; primary among them, was the state's failure to reduce the prison population to 137.5% of the state prison system's design capacity within two years. (The state's September plan only reduces the prison population to 166% of design capacity.) The federal court ordered the state to submit a new plan, and indicates that should the state not submit a plan that complies with the court's August 2009 order, that the court will be left with no other alternative than to develop its own plan and order the state to implement it.



ADMINISTRATION OF JUSTICE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ ADMINISTRATION OF JUSTICE ~ PROBATION
Contact: Patty Mazzilli, Chief Probation Officer; E-Mail: pmazzilli@sjgov.org; Ph. (209) 468-4070

9. Title: Funding for Juvenile Justice Programs

Issue: There continues to be a lack of stable funding for critical local juvenile justice programs, including gang intervention and prevention.

Legislative Platform:

- 1. Support legislation and budget proposals which would provide a stable funding source for local juvenile justice programs, including the Juvenile Justice Crime Prevention Act, Juvenile Probation and Camps, and the Youthful Offender Block Grant programs; and**
- 2. Seek and support legislation which would provide sustainable resources to address juvenile delinquency, including gang-related youth issues.**

Background: State funding for local law and justice programs has been shifted from a stable general fund (State) funding source to the less stable Vehicle License Fee (VLF) funding. Specifically, the Juvenile Justice Crime Prevention Act, and the Juvenile Probation and Camps Funding have been moved to the less stable VLF funding source. It is critical that these important programs continue to receive State support, and that stable funding be provided. Additionally, the State established the Youthful Offender Block Grant program to provide needed resources to local Probation agencies aimed at reducing the population of youth in state custody. While this funding has remained stable, and in fact has increased in the past three years, it is critical that this funding continue to be supported by the State, and that it also remain in a stable funding mode to allow for proper planning of services to youth. In addition, gangs and gang related involvement are major law enforcement issues in the County. Prevention of gang involvement is a major focus in dealing with youth in San Joaquin County.



ADMINISTRATION OF JUSTICE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ ADMINISTRATION OF JUSTICE

Contact: Steve Moore, Sheriff; E-Mail: smoore@sjgov.org; Ph. (209) 468-4311

10. **Title:** Amend Penal Code Section 370 - Public Nuisance to Assist in Combating Criminal Street Gang Violence

Issue: There are many locations in San Joaquin County that have a history of documented criminal gang activity and serve to enable the criminal street gang members to meet and spread the influence of gangs throughout the communities.

Legislative Platform:

- 1. Seek and support legislation, similar to AB 1838 (2010-Berryhill), which would make it unlawful and a public nuisance for any person owning, leasing, occupying, or having charge or possession of any premises or properties in the State of California to have any unlawful activities of criminal gangs, as defined in Penal Code 186.22, 186.22a, and 186.25, and Health and Safety Code Section 11570.**
- 2. Seek and support legislation that would provide the ability to order evictions in conjunction with owners of the property, based on civil nuisance.**
- 3. Seek and support an alternative solution by amending Civil Code 3485 (a) adding illegal conduct involving gangs to the Section that already includes weapons and ammunition. This legislation was passed as AB 530 (2009).**

Background: An amendment in the State's public nuisance laws is needed to assist local law enforcement to combat the presence of criminal street gangs within our communities. Within the neighborhoods of San Joaquin County, there are several well known locations that allow identified gang members to meet, associate, and spread the influence of a gang throughout the community. In a sense, these locations are enabling the criminal street gangs to gain a stronger hold on the neighborhoods and children. Many locations have a long history of documented criminal activity. In many instances there are adults in control of these homes that are sympathetic to the gang lifestyle, and enable gang behavior and criminal activity. A change in the State's Penal Code Section 370 - Public Nuisance, would allow law enforcement to address some of these chronic issues by holding accountable those in control of said properties.

San Joaquin County sponsored AB 1838 (2010-Berryhill) as a follow-up to a bill introduced in 2009 (AB 891-Berryhill) specifically regarding residential properties being used as a congregating point for gangs. AB 1838, if enacted, would allow the District Attorney to file an unlawful detainer action against tenants using properties in such a manner. AB 1838 was passed in both houses, and vetoed by the Governor in September 2010.



ADMINISTRATION OF JUSTICE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ ADMINISTRATION OF JUSTICE

Contact: Steve Moore, Sheriff; E-Mail: smoore@sjgov.org; Ph. (209) 468-4311

11. **Title: Unreimbursed Trial Court Expenditures**

Issue: Rule 810 of the California Rules of Court specifically excludes some costs which are clearly court-related, thus shifting those costs to the counties. Furthermore, the Sheriff is mandated to provide courtroom security. Therefore, the State should fund all costs associated with court security.

Legislative Platform: Support legislation that would:

- 1. Expand the definition of “allowable” trial court expenditures under Rule 810 of the California Rules of Court to include all court-related costs that are currently paid by counties;**
- 2. Provide a budget appropriation to fund “allowable” costs under the Superior Court Law Enforcement Act of 2002 (SB 396); and,**
- 3. Support legislation that would require local courts to pay actual cost for provision of security services or authorize the Sheriff to reduce services as necessary to meet the budget reductions made necessary by a local court.**

Background:

Rule 810

Local trial courts receive funding only for expenditures falling under categories listed in Rule 810 of the California Rules of Court prepared by Judicial Council. Rule 810 specifically excludes some costs which are clearly court-related, thus shifting those costs to the counties. Examples include the courts’ fair share of building and grounds maintenance in the courthouses, juror parking, bus passes, office overhead, in-custody defendant transportation, and holding cell personnel necessary for the court security function. The Superior Court Law Enforcement Act of 2002 (SB 396), Section 69927 (4), defines, among other things, the cost of support staff for the court security function as “allowable” costs; however, provisions for funding were not provided by the Legislature.

Court Security

Local trial courts receive funding through the Administrative Office of the Courts (AOC) to operate. One of the areas funded in this method is the provision of Court Security Services by the Sheriff to the local courts. Pursuant to Government Code Section 69927, certain costs are reimbursable only to the extent funds are made available by the Legislature. In July 2009, the Legislature reduced the amount reimbursed to the Sheriff by 4.62%; however, the Legislature requires the Sheriff to continue to provide the same level of services to the Courts. This same legislation gave the local court the ability to refuse to pay for any post-employment healthcare costs for Sheriff staff. In effect, the Legislature has shifted these costs to the Sheriffs, and ultimately to the counties. To the extent a court cannot pay the costs, the Sheriff shall not be required to provide the service.



AGRICULTURE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ AGRICULTURAL COMMISSIONER

Contact: Scott Hudson, Agricultural Commissioner; E-Mail: shudson@sjgov.org; Ph. (209) 953-6007

12. Title: The Williamson Act

Issue: The significantly reduced reimbursement payments to counties, the proposed elimination of funding for the Williamson Act, and the absence of a permanent mechanism for full and permanent funding of the Williamson Act State Subvention Program threatens the long-term viability of this agricultural and land preservation program in San Joaquin County.

Legislative Platform: Seek legislation or budgetary proposals which would:

- 1. Maintain the 2010-11 appropriation for the Williamson Act Subvention reimbursement to counties totaling \$10 million;**
- 2. Reinstate full State funding for the Williamson Act Program for 2011-12 including subvention payments to counties; and**
- 3. Establish a permanent funding mechanism for the Program.**

Background: Agriculture remains the County's top industry contributing in excess of \$6.8 billion to San Joaquin County's economy. The Williamson Act is one of the most effective tools in preventing the loss of farmland with over 543,000 acres in the County presently conserved by landowner participation in Williamson Act contracts.

Enacted in 1965, the California Land Conservation Act also known as the Williamson Act, is a property tax exemption designed to keep agricultural land free of development, and give local governments a tool to use in implementing land use planning goals. The Williamson Act provides tax breaks to growers who contract to keep their land in agriculture for a period of 10 years (20 years under the "Super Williamson Act"). Growers' properties, which are under Williamson Act contracts, are assessed at a lower agricultural tax rate rather than a possible higher rate due to development potential. To encourage county participation in the program, the State reimburses counties for a portion of the revenue losses resulting from the lower assessments. San Joaquin County's participation in the Williamson Act Program dates back to 1969.

In 1971, the State created the Williamson Act Subvention Program. Historically, the State budget has included over \$37 million in Williamson Act subvention reimbursement, of which San Joaquin County received approximately \$1.7 million (2008). The State's 2008-09 Budget reduced the Williamson Act Subvention reimbursement to counties by 10%. The State's 2009-10 Budget essentially eliminated the reimbursement payments to counties by appropriating \$1,000 statewide, of which San Joaquin County received \$53. In October 2010, SB 863 was enacted, which amongst other things, appropriates \$10 million in Williamson Act subvention reimbursement for 2010-11. San Joaquin County's share of the \$10 million is estimated at \$448,000, reflecting a 76% reduction (from 2008-09 level) in Williamson Act subvention reimbursement to the County for 2010-11. However, the Governor's 2011-12 budget proposes to eliminate the \$10 million appropriation included in SB 863 (2010). The reduction in reimbursement payments to counties or elimination of reimbursement payments to counties serves to seriously threaten the long-term viability of this vital agricultural and land preservation program in San Joaquin County.



AGRICULTURE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ AGRICULTURAL COMMISSIONER

Contact: Scott Hudson, Agricultural Commissioner; E-Mail: shudson@sjgov.org; Ph. (209) 953-6007

13. Title: Light Brown Apple Moth

Issue: Detections of Light Brown Apple Moths in San Joaquin County has prompted quarantines to contain the spread of the invasive pest.

Legislative Platform: Urge the Legislature to seek full restoration of Federal funding for the Light Brown Apple Moth quarantine, eradication, and related activities.

Background: The Light Brown Apple Moth (LBAM) was detected in California in 2007 - the first recorded in the United States mainland. The LBAM is of particular concern because it can damage over 250 crop and plant species, including stone fruits (almonds, cherries, peaches, plums, and apricots), pome fruits (apples and pears), grapes, vegetables (tomatoes, corn, and cucumbers), alfalfa, and nursery stock. If the LBAM impacted all of California's host crops, the total loss of production and control cost could reach as high as \$133 million. In addition to crop damage, an infestation of LBAM could potentially result in the loss of international and domestic markets, as plant quarantines are imposed on agricultural commodities originating from infested areas in San Joaquin County.

Presently, California's LBAM-infested areas are under Federal quarantine. The quarantine regulates the movement of agricultural products and includes detection, containment, and eradication activities. Quarantine activities for this pest are handled cooperatively under a LBAM Quarantine Project consisting of the San Joaquin County Agricultural Commissioner, California Department of Agriculture, and the United States Department of Agriculture. San Joaquin County's LBAM-infested areas are currently under quarantine.

In 2009-10, San Joaquin County received approximately \$250,000 in funding for the LBAM program to help protect the County's \$2.0 billion agricultural industry. In 2010-11, funding was reduced by 76% to \$60,000. Restoring funding for the LBAM Eradication Program is vital to sustaining San Joaquin County's agricultural industry and economy.



AGRICULTURE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ AGRICULTURAL COMMISSIONER

Contact: Scott Hudson, Agricultural Commissioner; E-Mail: shudson@sjgov.org; Ph. (209) 953-6007

14. **Title:** Pierce's Disease/Glassy-winged Sharpshooter Program

Issue: The Glassy-winged Sharpshooter has entered the San Joaquin Valley and has threatened the grape industry with Pierce's Disease, a deadly grape disease for which currently there is no cure.

Legislative Platform: Support legislative efforts and budgetary proposals which would increase or maintain funding for the Pierce's Disease/Glassy-winged Sharpshooter Program, and oppose efforts to reduce the current level of program funding.

Background: The Glassy-winged Sharpshooter (GWSS) is a devastating pest for California. Since its migration into the State in 1990, the GWSS population has ballooned. This pest is a concern to California agriculture because of its ability to transmit *Xylella fastidiosa*, a bacterium that causes a variety of plant diseases including Pierce's disease, a deadly grape disease which threatens California's wine and table grape industry. The GWSS flies further than native sharpshooters, making the possibility of the bacterium's increased spread a serious agricultural threat. With the spread of the GWSS, the spread of Pierce's disease has become a threat to California's entire grape industry. Pierce's disease also attacks other important fruit and nut crops.

There has been an ongoing federal-state-county-industry program in place for the past ten years to prevent the spread of GWSS and to fund research for an eventual control of Pierce's disease. Continued State funding is critical to prevent the spread of GWSS and to find an effective control for Pierce's disease. San Joaquin County receives \$385,000 annually in GWSS program funding to help protect its \$285 million grape crop. Most of this funding originates from the United States Department of Agriculture. The increase or maintenance of State funding is critical to prevent the spread of the GWSS, and to find an effective control for Pierce's disease. Loss of GWSS program funding would put the local grape industry in jeopardy.



AGRICULTURE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ AGRICULTURAL COMMISSIONER

Contact: Scott Hudson, Agricultural Commissioner; E-Mail: shudson@sjgov.org; Ph. (209) 953-6007

15. Title: High-Risk Pest Exclusion Program

Issue: In 2010-11 San Joaquin County received \$118,000 for the State's mandated High-Risk Pest Exclusion Program; however, \$292,000 was needed to fully fund the program.

Legislative Platform: Support legislation and budgetary proposals which would provide full funding for the State mandated and County operated High-Risk Pest Exclusion Program.

Background: Foreign pests and diseases such as the Mediterranean Fruit Fly, Japanese Beetle, Light Brown Apple Moth, and Red Imported Fire Ant continue to threaten California's \$36 billion agricultural industry. The purpose of the County-operated High-Risk Pest Exclusion Program is to protect California's agriculture by preventing foreign pests and diseases from entering and establishing themselves in California. This prevention is accomplished through inspections of foreign plant material at shipping terminals such as nurseries, domestic airports, post offices, and express carriers (UPS, FedEx, etc.), and similar locations. The High-Risk Pest Exclusion Program is one of the largest and most important programs for San Joaquin County's agricultural industry.

The State Legislature has appropriated \$5.5 million, or partial funding, for the State-mandated High-Risk Pest Exclusion Program operated by the County. However, almost \$17 million is needed to fully fund this critical agricultural program statewide. In 2010-11, San Joaquin County experienced a 42% reduction in funding for the State mandated High-Risk Pest Exclusion Program. If pests and diseases are left unchecked, California could easily serve as a gateway to the entire nation for devastating plant pests and disease vectors. Such an outcome could cost billions of dollars in pest eradication efforts and further threaten our economy and domestic food supply. Furthermore, funding to exclude these pests would be less expensive than the subsequent damages and costs of eradication should these insects become established.



AGRICULTURE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ AGRICULTURAL COMMISSIONER

Contact: Scott Hudson, Agricultural Commissioner; E-Mail: shudson@sjgov.org; Ph. (209) 953-6007

15. **Title: European Grapevine Moth Program**

Issue: The European Grapevine Moth has been detected in San Joaquin County, and funding is needed to maintain and potentially expand the state trapping, surveying, and inspection programs.

Legislative Platform: Support legislation and administrative proposals which would maintain or provide full funding of the European Grapevine Moth Program, and oppose efforts to reduce the current level of program funding.

Background: The European Grapevine Moth (EGVM) is a significant pest to grapes, and as such, a threat to wine, table, raisin, and wild grapes throughout the State. The EGVM was first detected in California in 2009, the first recorded in the United States. Without control measures, grape crop losses could be significant. As of October 2010, areas under quarantine had expanded to 2,089 square miles within Mendocino, Sonoma, Napa, Solano, Merced, Fresno, Santa Clara, Monterey, and San Joaquin counties.

In 2010, the EGVM was detected within in the Lodi area, which initiated a federal and state quarantine encompassing a large portion of the Lodi wine grape growing region. Growers and wineries in the EGVM quarantine areas have already felt the economic impact of the quarantine, as they are required to meet a number of quarantine restrictions in order to harvest and process their grapes.

The United States Department of Agriculture, California Department of Food and Agriculture, and County Agricultural Commissioner's Office are working together to detect, delimit, and control this pest before it has the opportunity to spread. Without State and Federal funding, the EGVM Program could not be continued, and the EGVM would likely spread, significantly impacting the grape industry.



ASSESSOR ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ ASSESSOR-RECORDER-COUNTY CLERK
Contact: Ken Blakemore, Assessor; E-Mail: kblakemore@sjgov.org; Ph. (209) 468-2649

17. Title: Property Tax Administration Program

Issue: Elimination of the Property Tax Administration grant program.

Legislative Platform:

1. Support budgetary, legislative, or executive action to restore funding to the Property Tax Administration program, subject to the Board of Supervisors' approval of the distribution of the funds.

2. Provide funding for the statewide Property Tax Collection System.

Background: The Property Tax Administration program provided \$60 million to counties to assist in funding the administration and collection of property taxes. The 2005-06 State Budget eliminated the Property Tax Administration grant program; and there remains significant reticence to provide State funding for the property tax system, despite the efforts being made to develop alternative proposals to restore this funding.



COMMUNITY DEVELOPMENT ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ COMMUNITY DEVELOPMENT

Contact: Kerry Sullivan, Director; E-Mail: ksullivan@sjgov.org; Ph. (209) 468-3140

18. **Title: Housing Foreclosure Prevention and Mitigation**

Issue: San Joaquin County ranks within the top five jurisdictions in the State, and in the nation, as most severely impacted by the housing foreclosure crisis.

Legislative Platform: Seek, advocate, and support legislation or a budget proposal which would continue to provide local jurisdictions with funding to operate foreclosure prevention counseling programs, and to purchase, redevelop, and sell foreclosed properties to low income buyers.

Background: Since January 2007, San Joaquin County has experienced over 30,000 residential foreclosures and there is no foreseeable end. This rate equates to almost one in every five homes being foreclosed upon, ranking the County within the top jurisdictions in the State and in the nation as most severely impacted by the housing foreclosure crisis.

Foreclosures impact families, neighborhoods, and communities through displacements, blight, increased crime, and reduced property values. Foreclosures impact local government through reduced property tax revenues and increased demand for social services and law enforcement. Delays in addressing the national home foreclosure issues will continue to have a significant impact on the County's budget in the form of reduced property tax revenues and increased demand for services.



COMMUNITY DEVELOPMENT ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ COMMUNITY DEVELOPMENT

Contact: Kerry Sullivan, Director; E-Mail: ksullivan@sjgov.org; Ph. (209) 468-3140

19. Title: Homelessness Prevention

Issue: San Joaquin County continues to experience high foreclosure and unemployment rates, resulting in a significant increase in its homeless population.

Legislative Platform: Seek, advocate, and support legislation or budgetary proposals which would provide local jurisdictions with ongoing entitlement funding to operate homelessness prevention programs.

Background: The ongoing economic downturn has resulted in continued significant property foreclosures and job losses in San Joaquin County. Because of this economic downturn, homelessness has significantly increased in the County.

Homelessness is a very undesirable condition, both for the people it affects and for society in general. Most often, homeless persons have poor health, and homeless children experience developmental delays, behavioral problems, and perform poorly at school. These issues and how they manifest themselves can be very costly to both non-profit and government social service providers.

A Homeless Prevention Program would provide assistance to avert housing loss through supportive services, mediation, and cash assistance for rent and mortgages. Furthermore, a Homeless Prevention Program would divert demand for social services, which continue to be heavily impacted by budget reductions.



Legislative/Regulatory Policy Guidelines ~ Emergency Flood Response

COUNTY OF SAN JOAQUIN ~ OFFICE OF EMERGENCY SERVICES

Contact: Ronald Baldwin, Director; E-Mail: rbaldwin@sjgov.org; Ph. (209) 953-6206

Improvement of levees and the physical aspects of the flood control system must continue to be a high priority for the State. However, given that any levee can fail, the quality of the emergency response system, as it relates to patrolling levees during a crisis, responding to potential problems on levees, and minimizing flooding impacts after a levee failure, must also be addressed. In light of the issues regarding the current condition of the Delta levees, following are San Joaquin County's Emergency Flood Response Policies:

Regional Response

Seek, advocate, and support regional coordination of federal, State, and local agencies' efforts to patrol levees and to identify and respond to threats to levee integrity. Encourage the State to facilitate and support San Joaquin County's efforts to create a regional coordination system for flood response. In an emergency, the coordination system would provide all appropriate local agencies access to the following: 1) levee patrol results for the Sacramento-San Joaquin Delta, 2) all identified levee problems within that area, and 3) federal, State, and local resources available to respond to levee issues.

Basin-Wide Management of Flood Fight Resources

Encourage the State and federal agencies to facilitate the development of systems for the centralization of dispatch of materials/supplies needed to prevent levee failure or minimize flooding in the event of a levee failure. Use of the Internet to deploy such systems should be considered.

Removal of Obstacles in Response to Levee Problems

Encourage the State to work with the Federal Emergency Management Agency (FEMA) to remove regulatory and other administrative rules which currently impede local, State, and federal agencies in responding to a levee issue. (At the local and State level, FEMA regulatory rules do not allow for agencies that do not have direct jurisdiction on a levee to be reimbursed for resources used in the prevention of levee failure.) In the past, failure of the State to budget funds for response to levee problems has delayed the Department of Water Resources' response to identified levee problems. In addition, the U.S. Army Corps of Engineers' regulations relating to response to levee problems and levee rehabilitation need to be more flexible and should include non-project levees.

Regional Flood Contingency Planning

Advocate in support of coordination of State and local efforts to complete specific planning for responding to Delta levee issues and/or failure. Previous mandates for emergency response have not led to identifying specific responsibilities and assignments for predictable actions in the event of a levee issue or failure. An example of essential planning efforts is the development of flood contingency maps that identify critical, historical, and survey information, as well as foreseeable engineering options to potential levee problems. Such planning efforts are critically needed to move planning from general concepts to specific needs and assignments.



EMPLOYMENT AND ECONOMIC DEVELOPMENT DEPARTMENT ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ EMPLOYMENT & ECONOMIC DEVELOPMENT DEPARTMENT
Contact: John Solis, Director; E-Mail: jsolis@sjcworknet.org; Ph. (209) 468-3511

20. **Title: Enterprise Zone Program**

Issue: The Governor's proposed 2011-12 budget includes elimination of the State Enterprise Zone program. Without the State Enterprise Zone program, the State has limited incentives to attract new or retain existing businesses, and emerging industries.

Legislative Platform: Seek, advocate, and support continuation of the California Enterprise Zone program, as well as funding for the program.

Background: The California Enterprise Zone (EZ) program was established to revitalize economically challenged parts of California. The EZ program targets economically distressed areas using special State and local incentives to promote business investment and job creation. The program encourages entrepreneurship and business growth creating and sustaining economic expansion in California communities. By helping businesses create well-paying jobs, local communities are empowered to help build the state's overall economy.

On January 31, 2008, the State of California granted San Joaquin County a 15-year EZ Designation with an effective date of June 22, 2008. With the recent modification submitted, the San Joaquin EZ will cover a total of 662 square miles including the City of Escalon and Ripon. All the incorporated cities and key unincorporated areas of San Joaquin County will be a party to the county's EZ. The EZ program has become a vital program for business retention and expansion for San Joaquin County. Without the EZ program, the County, and the State would lose a significant number of its existing industries to neighboring states. The EZ program is California's largest incentive for retaining existing growth and emerging industries who are considering relocation or expansion outside of California.

Furthermore, the EZ program has been effectively used by local entities, including the San Joaquin County Workforce Investment Board, to re-employ individuals that have been displaced as a result of recent plant closures and downsizing in local communities.



Legislative/Regulatory Policy Guidelines ~ Environmental Health

COUNTY OF SAN JOAQUIN ~ ENVIRONMENTAL HEALTH

Contact: Donna Heran, Director; E-Mail: dheran@sjcehd.com; Ph. (209) 468-3429

The San Joaquin County Environmental Health Department provides services which protect and enhance the well-being, health, and safety of the residents of the County. These efforts are provided through the prevention, education, inspection, and enforcement of State and local environmental laws and regulations.

- 1) Support legislation or regulatory action which would provide alternatives in emergency situations to the current methods of dead animal transportation and disposition, , and expand the capacity of rendering facilities, including landfills.
- 2) Oppose legislation or regulatory action which would strike down existing or future County ordinances that prohibit or restrict the use of bio-solids as a soil amendment or fertilizer.
- 3) Support legislation which would provide clean-up language (amendments) to the California Retail Food Code - support amendments which would make *non-substantive* changes to the Code, and amendments that address the County's interest.
- 4) Oppose legislative efforts, similar to Proposition 23 proposed in 2010, to suspend provisions of AB 32 (2006), the Global Warming Act of 2006; and support efforts to reduce greenhouse gas emissions and funding proposals to meet these regulatory requirements.



ENVIRONMENTAL HEALTH ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ ENVIRONMENTAL HEALTH

Contact: Donna Heran, Director; E-Mail: dheran@sjcehd.com; Ph. (209) 468-3429

21. **Title: Water Quality Standards for Recreational Use of Fresh Waters**

Issue: There are no State enforceable minimum standards or requirements for monitoring freshwater recreational bathing areas and beaches at inland rivers, lakes, and the Delta.

Legislative Platform:

1. Support legislation which would set enforceable minimum bacteriological standards for freshwater bodies, such as public access lakes, rivers, the Delta, and other freshwater bodies that promote and allow swimming and other body-contact sports.

2. Support legislation or budgetary proposals which would provide sufficient funding to establish and administer a local water quality monitoring program.

Background: Since 1998, the State has had enforceable minimum standards for bacteriological monitoring of ocean beaches. Legislation signed by the Governor in 2004 requires water quality monitoring at San Francisco Bay beaches. However, there are no State enforceable minimum standards or requirements for monitoring of freshwater recreational bathing areas and beaches at inland rivers, lakes, or the Delta.

Health risks associated with recreational use of freshwater bodies warrant establishing an enforceable standard framework for monitoring. Such legislation would provide regulatory certainty and clarity for the State and local regulators of freshwater bathing areas, and would serve to control the spread of costly and dangerous outbreaks that could negatively affect the well-being of California's most vulnerable population.

The California Department of Public Health's website includes draft guidelines for freshwater beaches; however, no State enforceable minimum standards (regulations) exist for bacteriological monitoring and testing. Additionally, neither a State funding source nor a public notification criteria (i.e., requirements for posting, closing, and the reopening of public freshwater bathing areas after bacteriological problems are identified) have been established.

SB 1438 (Florez – 2001), if passed, would have established freshwater minimum standards for freshwater bathing and beaches. The legislation was re-introduced and passed by the Legislature in 2005 (SB 429-Florez), however it was vetoed by the Governor.

The U.S. Environmental Protection Agency is in the process of developing new bacteriological criteria for all recreational waters. Reportedly, the bacteriological criteria will include enforceable minimum standards for bacteriological monitoring of freshwater recreational bathing areas, including beaches at inland rivers, lakes, and the Delta, and are anticipated by October 2012.



ENVIRONMENTAL HEALTH ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ ENVIRONMENTAL HEALTH

Contact: Donna Heran, Director; E-Mail: dheran@sjechd.com; Ph. (209) 468-3429

22. **Title: On-site Wastewater Treatment System Regulations**

Issue: The State Water Resources Control Board's draft statewide regulations for onsite wastewater treatment systems would negatively impact residents and businesses in San Joaquin County.

Legislative Platform:

- 1. Support legislation similar to AB 268, AB 580, AB 916, as well as regulatory efforts to address problems associated with implementation of AB 885 – On-site Sewage Treatment Systems enacted in 2000.**
- 2. Support efforts to revise the State Water Resources Control Board's draft regulations for implementing AB 855 to adequately address issues identified by San Joaquin County.**

Background: In September 2000, AB 885 (Jackson) was enacted into law, requiring the adoption of regulations for the permitting and operation of the State's \$1.2 million onsite wastewater treatment (septic) systems. On November 7, 2008, the State Water Resources Control Board (SWRCB) released draft statewide regulations. The regulations, as drafted, would potentially have far-reaching impacts to approximately 25,000 residents and businesses in San Joaquin County that utilize on-site septic systems for sewage disposal, as well as to local regulatory agencies. In summary, the regulations require additional oversight and expense for septic system site evaluation and design, well-water monitoring, septic tank inspections, and performance standards. There is widespread opposition to the regulations because they fail to adequately acknowledge the potential costs and difficulties associated with implementation. In addition, the regulations fail to document the scientific basis for certain requirements, provide clear enforcement provisions, or consider local septic system programs and standards already in place that are protective of public health and the environment.

Due to widespread opposition to the draft regulations, the SWRCB developed a new regulatory approach based on potential risk to ground and surface waters which includes grouping septic tank installations into three regulatory tiers: Tier 1 – low risk area; Tier 2 – greater risk area; and Tier 3 – impacted area. The new three-tiered regulatory approach is anticipated to be presented during the 2011 legislative session, along with the unveiling of new draft regulations.

AB 268 (2009-Gaines), AB 580 (2009-Huber), and AB 916 (2009-Logue) were introduced in the 2009-10 legislative session. AB 268 (as amended April 13, 2009) if enacted, would repeal the AB 885 law altogether (sections 13290-13291.7 of the California Water Code); AB 580 (as amended June 1, 2009) if enacted, would specify that in addition to the Regional Water Quality Control Board, exemption criteria for the standards may also be established by the SWRCB, and encouraged a three-tiered system of meeting the regulation requirements; and AB 916, which failed passage, proposed to change the draft regulations to "recommended" instead of mandatory standards.



ENVIRONMENTAL HEALTH ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ ENVIRONMENTAL HEALTH

Contact: Donna Heran, Director; E-Mail: dheran@sjechd.com; Ph. (209) 468-3429

23. **Title: Food Product Recall Technology**

Issue: The Salmonella outbreak in peanut products is an example of how contaminated foods can end up on store shelves threatening consumer safety.

Legislative Platform: Support legislation, similar to SB 550 (2009-Florez), which would ensure the prevention of food products, subject to recall, from being sold to customers.

Background: San Joaquin County has recently been involved in the recall of several types of food products through retail food stores (i.e., grocery stores). California law requires retail food stores to remove products that are the subject of a recall, from their shelves. Unfortunately, some products are inadvertently overlooked in the stores' removal process, consequently, products recalled from retail food stores are sold to customers.

The Salmonella outbreak in peanut products is one example of how contaminated foods are found on store shelves thereby threatening consumer safety. The products were originally produced in southwest Georgia, but were distributed across the nation. According to the Centers for Disease Control, this outbreak began in September of 2008. A recall was not issued until January 2009, listing several hundred recalled products. Over 2,100 products have been voluntarily recalled, and the list continues to grow. In light of these facts, measures must be put in place to ensure that recalled food is not sold to customers.

SB 550, Public Health Food Product Recall Technology was introduced by Senator Florez in 2009; however, it failed in committee. If enacted, SB 550 would have required retail food stores to program their point-of-sale (POS) equipment to prevent products subject to recall from being sold to customers. The POS system would notify the employee that the product is subject to a recall, and prevent sale of that product to the customer.



ENVIRONMENTAL HEALTH ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ ENVIRONMENTAL HEALTH

Contact: Donna Heran, Director; E-Mail: dheran@sicehd.com; Ph. (209) 468-3429

24. **Title: Treated Auto Shredder Waste Used as Alternative Daily Cover at Landfills**

Issue: Under the authority of a waiver from the State Department of Toxic Substance Control, scrap metal processors have been allowed to dispose of treated auto shredder waste, containing high levels of metal and polychlorinated biphenyls, at Class 3 (non-hazardous waste) landfills.

Legislative Platform: Support legislative and/or administrative efforts to rescind the State's waiver which currently allows the disposal of treated auto shredder waste that exceeds the State's regulatory thresholds, at Class 3 landfills.

Background: The shredding of automobiles and major household appliances produces a waste consisting primarily of non-metallic materials such as glass, fiber, rubber, automobile fluids, and plastics that remain after the recyclable metals have been removed. This waste material is referred to as treated auto shredder waste (TASW).

TASW has been found to contain lead, cadmium, copper, zinc, and polychlorinated biphenyls (PCBs) at levels above the State's regulatory thresholds. However, the State has allowed TASW to be used as Alternative Daily Cover (ADC) at Class 3 (non-hazardous waste landfills) under a waiver from the Department of Toxic Substances Control (DTSC). Due to the high levels of heavy metals and PCBs in TASW, the DTSC is now considering rescinding the waiver. (ADC refers to cover material other than earthen material placed on the surface of the active face of refuse at a municipal solid waste landfill at the end of each operating day to control vectors, fires, odors, blowing litter, and scavenging. CalRecycle has 11 approved ADC material types.)

If the waiver is rescinded, scrap metal processors will have to modify their shredding processes to reduce the heavy metals and PCBs, or take TASW to a Class 1 (hazardous waste) landfill.



ENVIRONMENTAL HEALTH ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ ENVIRONMENTAL HEALTH

Contact: Donna Heran, Director; E-Mail: dheran@sjcehd.com; Ph. (209) 468-3429

25. **Title:** Recruitment and Retention of Public Health Workers

Issue: There is a lack of public health workers.

Legislative Platform: Seek and support the establishment of a Public Health Workforce Scholarship program and a Public Health Workforce Loan Repayment program as an incentive to increase the supply of public health and environmental health professionals in an effort to mitigate an anticipated public health preparedness workforce shortage.

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



ENVIRONMENTAL HEALTH ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ ENVIRONMENTAL HEALTH

Contact: Donna Heran, Director; E-Mail: dheran@sicehd.com; Ph. (209) 468-3429

26. Title: Bulk Water Haulers

Issue: Legislation has been pursued which would threaten existing regulatory authority over licensed bulk water haulers that protects public health and prevents the use of unapproved water sources, and creates a new unfunded regulatory classification of small public water systems.

Legislative Platform: Support legislative and administrative efforts which would maintain existing State regulations relative to bulk water haulers, and oppose efforts to impose new “Small Public Water System” classifications as proposed in AB 2507 (2010-Strickland) or similar programs, with cost burdens held by the counties.

Background: Existing law requires the California Department of Public Health to administer provisions relating to the regulation of drinking water to protect public health. AB 2507 was introduced during the 2010 legislative session; however, it failed in committee. In summary, if enacted, AB 2507 would have authorized the creation of a “small public water system” classification for new communities, lacking a permanent or sufficient public drinking water source, to be served by bulk water haulers. AB 2507 would have required local public health officers to establish standards for, and be the primary enforcement agency over, the small public water systems. Furthermore, AB 2507 provided that “. . . no reimbursement shall be made pursuant to these statutory provisions for costs mandated by the state.” Consequently, AB 2507 would have imposed another state-mandated local program, obligating counties to additional workloads without the funding to administer the program.



ENVIRONMENTAL HEALTH ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ ENVIRONMENTAL HEALTH

Contact: Donna Heran, Director; E-Mail: dheran@sicehd.com; Ph. (209) 468-3429

27. **Title:** Safe Body Art

Issue: The absence of enforceable statewide health and safety standards for body art.

Legislative Platform: Support legislation or regulatory action which would require statewide health and safety standards for body art (tattooing, body piercing, or permanent cosmetics).

Background: AB 186 (1997-Brown) established a statutory process to regulate body art (tattooing, body piercing, and permanent cosmetics) practitioners. In summary, AB 186 required that: 1) body art practitioners register with their local County Health Department; 2) the California Conference of Local Health Officers (CCLHO) establish safety standards; 3) and that the California Department of Public Health (CDPH) review and adopt safety standards.

The CCLHO has worked with the California Conference of Directors of Environmental Health and other stakeholders for over 10 years to draft guidelines for submission to the CDPH for adoption as statewide body art health and safety standards. In January 2008, the CDPH issued a memo concluding that body art regulations are not necessary, as current law does not explicitly require the CDPH to adopt standards. Consequently, there is significant concern that the draft guidelines developed would be unenforceable unless formally adopted by the CDPH.

AB 223, Safe Body Art Act (introduced in 2010 by Ma), if enacted, would have created statewide safety standards. AB 223 was vetoed by the Governor as was AB 517 (2009-Ma).

To date, the CCLHO has not adopted the safety standards required by AB 186. Because enforceable statewide safety standards have not been adopted, some counties have adopted standards through local ordinance.



Legislative/Regulatory Policy Guidelines ~ Health Care

COUNTY OF SAN JOAQUIN ~ HEALTH CARE SERVICES AGENCY

Contact: Kenneth Cohen, Director; E-Mail: kcohen@sjgh.org; Ph. (209) 468-7031

As a political subdivision of the State of California, the County is a partner in the delivery of health care services. San Joaquin County's Health Care Services Agency is the health care safety-net provider for the community. In addition, the State has transferred direct responsibility for the health care of some residents to the County. In light of this partnership, the San Joaquin County Board of Supervisors:

1. Advocates for maximum local control and flexibility in the administrative responsibilities for health care services for which the County has been transferred authority.
2. Supports simplification of regulations, contract requirements, and reimbursement claims mechanisms to ensure flexibility and maximum financial support of local health care delivery systems.
3. Aggressively opposes reductions in Medi-Cal, Safety-Net Care Pool, and other health care funding or reform to Medi-Cal which would result in decreased access to health care and/or would shift costs or risk to counties.
4. Opposes legislative, administrative, and/or regulatory efforts that would impose unfunded mandates or regulations impeding the efficient and effective delivery of health care services at the local level, including health facility standards.
5. Advocates that the Legislature and State Administration consider potential impacts of health care legislation, regulations, and/or guidelines to the local health care delivery systems, economy, resources, and job market prior to adoption.
6. Advocates for health care and public health funding formulas that equitably reflect San Joaquin County's demographics and health burdens.
7. Advocates in support of policies which promote healthy eating and increase access to opportunities for physical activity.
8. Supports legislative efforts and budgetary appropriations for local health care agencies to be able to: a) address chronic health conditions (such as obesity, diabetes, asthma, cardiovascular disease, and cancer), b) enhance local disease control and prevention (including epidemiology, surveillance, investigation, and response), c) provide emergency and bio-terrorism preparedness and response, including pandemic influenza, and d) support infrastructure development.
9. Supports budgetary appropriations to local public health department programs for the control of communicable diseases, including tuberculosis, and advocates that Medi-Cal funding for tuberculosis is exempt from State funding reductions to Medi-Cal for immigrants.



Legislative/Regulatory Policy Guidelines ~ Health Care

COUNTY OF SAN JOAQUIN ~ HEALTH CARE SERVICES AGENCY

Contact: Kenneth Cohen, Director; E-Mail: kcohen@sjgh.org; Ph. (209) 468-7031

Health Care Legislative/Regulatory Policy Guidelines (*continued*)

10. Advocates and supports infrastructure bonds, financing, and/or an economic stimulus package that would provide funds to San Joaquin General Hospital for seismic safety upgrades, including construction, replacement, renovation, and retrofit.
11. Advocates in support of funding for health care information technology infrastructure to enhance the quality of patient safety and the delivery of health care services.
12. Maximize the ability of the County to match Federal funds for health care programs and services, which results in direct payments back to the County.
13. Support extension of the Hospital Fee to enhance Medi-Cal rates and augment payments to public hospitals.



HEALTH CARE ~ Legislative Projects

COUNTY OF SAN JOAQUIN ~ HEALTH CARE SERVICES AGENCY
Contact: Kenneth Cohen, Director; E-Mail: kcohen@sjgh.org; Ph. (209) 468-7031

San Joaquin County's Health Care Services Agency (Agency) is the safety-net provider for the County. Due to fiscal constraints, the Agency is underinvested in information technology. Operating budgets have very limited capacities to fund major improvements and changes. The data infrastructure of the Agency has become less efficient in tracking the treatment of patients, maintaining accounts, and assuring appropriate revenue tracking. The Agency has developed a strategic plan for information technology services to guide the County's priorities given limited funding. State and federal government assistance toward technology improvements is essential in maintaining the viability of the Agency as a cost-effective safety-net provider. Following is the Agency's top health care technology project:

28. **Title: Electronic Health Records System Project**

Legislative Project Appropriations Request: Seek, advocate, and support legislation and/or budgetary appropriations to fund an Electronic Health Records System project.

Background: The Electronic Health Record System is a web-enabled health care information system with wireless capabilities that brings together all clinical and financial data. This system provides a single point of entry for clinicians and other staff to obtain real-time information to support a patient's medical care. The system includes a Computerized Provider Order Entry system that allows for ordering tests and procedures and receiving results of those orders on-line. In short, this system creates patient-centric electronic medical records.

<p><u>Appropriation Request:</u> \$900,000</p> <p><u>Total Project Cost:</u> Approximately \$1.2 million</p>
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HEALTH CARE ~ Legislative Projects

COUNTY OF SAN JOAQUIN ~ PUBLIC HEALTH SERVICES

Contact: William Mitchell, Director; E-Mail: wmitchell@sjcphs.org; Ph. (209) 468-3413

29. Title: Public Health Laboratory Project

Legislative Project Appropriations Request: Seek, advocate, and support legislation and/or budgetary appropriations to provide funding assistance for a new local public health laboratory.

Background: A new state-of-the-art public health laboratory structure is needed on the Public Health Services complex. The San Joaquin County Public Health Laboratory has been designated as a Level B laboratory for the identification of agents that can be used as weapons of mass destruction. However, the existing facility is not sufficient for the necessary level of bio-containment capacity. The San Joaquin County Health Care Services Agency has developed, and is implementing, a bio-terrorism preparedness and public health infrastructure plan.

(Project Literature Available)

<u>Appropriation Request:</u> \$2.0 million
<u>Total Project Cost:</u> Approximately \$10.5 million

30. Title: Public Health Facility Expansion Project

Legislative Project Appropriations Request: Seek, advocate, and support legislation which would create a funding program to construct new public health facilities.

Background: Many public health departments were constructed in the 1960s with Hill-Burton funds. These facilities are now outdated and insufficient to support current state-of-the-art public health efforts. The San Joaquin County Public Health facility was built nearly 50 years ago, is too small, and is in need of major repairs. The San Joaquin County Board of Supervisors approved, in principle, the future building of Public Health facilities, giving priority to a new Public Health Laboratory (see item above). The primary objectives are to: 1) consolidate Public Health operations onto a single site, and 2) plan sufficient space for future growth.

<u>Appropriation Request:</u> \$5.0 million
<u>Total Project Cost:</u> Approximately \$17.6 million



HEALTH CARE ~ Legislative Projects

COUNTY OF SAN JOAQUIN ~ SAN JOAQUIN GENERAL HOSPITAL

Contact: David Culbertson, Interim Director; E-Mail: dculberson@sjgh.org; Ph. (209) 468-6042

31. **Title: San Joaquin General Hospital Facility Replacement Capital Improvement Project**

Legislative Project Appropriations Request: Seek, advocate, and support legislation and/or budgetary appropriations to fund facility replacement and capital improvements for San Joaquin General Hospital.

Background: The “Old Towers” Building at San Joaquin General Hospital was built in the early 1930s is functionally obsolete and is well past the usual life span for a critical health facility. Although San Joaquin County requested, and received, an extension on the replacement of the building for seismic integrity until 2020, the continuous maintenance and deteriorating infrastructure of this facility is costly and inefficient to use. The extension of the facility replacement to 2020 is also contingent upon meeting state statutory milestones for planning, design and construction activities. The replacement/facility/improvements would provide, in addition to other things, state-of-the-art facilities for Neonatal Intensive Care and Obstetrics Post-Partum units, and medical/surgical capacity for community patients.

In addition, SJGH has been significantly under-capitalized for the past several years, as losses necessitated the use of capital funds for ongoing operations. As a result, much of the new equipment purchased when the new Towers were built in 1997, have reached the end of their useful life and will need to be replaced shortly. In addition, Information Technology infrastructure for disaster recovery, decision support and patient care and management need to be purchased, upgraded or replaced to meet federal requirements for patient records and quality milestones. These changes will require significant capital investment.

Appropriation Request:

\$25 million

Total Project Cost:

\$45 million



HEALTH CARE ~ Legislative Projects

COUNTY OF SAN JOAQUIN ~ BEHAVIORAL SERVICES

Contact: Victor Singh, Director; E-Mail: vsingh@sjcbhs.org; Ph. (209) 468-2080

32. Title: Adolescent Substance Abuse Facility Project

Legislative Project Appropriations Request: Seek, advocate, and support legislation and/or budgetary appropriations to provide funding assistance for an Adolescent Substance Abuse Facility project.

Background: For several years, San Joaquin County has identified a significant need for a residential substance abuse treatment facility for adolescents ages 14 to 18. Studies conducted conclude that methamphetamine appears to be the drug most used; however, alcohol is the major drug of choice among adolescents. It is estimated that approximately 2,000 San Joaquin County youths have a serious substance abuse problem and are in need of treatment. Currently, the only available option for adolescents is outpatient services. If an adolescent needs more than outpatient counseling, there are no available treatment options.

(Project Literature Available)

Appropriation Request:

\$2.5 million

Total Project Cost:

Approximately \$5.5 million



LEGISLATIVE PRIORITIES ~ Health Care

COUNTY OF SAN JOAQUIN ~ HEALTH CARE SERVICES AGENCY

Contact: Kenneth Cohen, Director; E-Mail: kcohen@sjgh.org; Ph. (209) 468-7031

33. **Title: State Implementation of Federal Health Care Reform**

Issue: Thousands of San Joaquin County residents lack health care coverage.

Legislative Platform:

- 1. Advocate and support legislation and regulations which would provide expanded health care, including preventive and treatment services; and ensure that the County is protected from unforeseen liability and/or unfunded service obligations resulting from health care reform.**
- 2. Oppose new unfunded mandates for expansion of health and mental health services.**
- 3. Support Local Initiative participation in new state insurance exchanges.**

Background: Although San Joaquin County supports universal access to affordable health care, reform efforts/measures need to address specific issues to ensure the County is protected from unforeseen liability and/or unfunded service obligations. Otherwise, the County may be left with new and unfunded mandates, subjected to new litigation and case law, insufficient funding for new and undefined populations, and increased requirements to fund these new obligations. Additionally, the following eight concepts* must be addressed in order to avoid disruption in the provision of essential health care services:

1. Financing
2. Coverage
3. Access
4. Affordability
5. Prevention
6. Streamlining
7. Health Care Delivery System
8. Primary Care and Chronic Disease Management

**Eight concepts defined in detail in San Joaquin County Health Care Services General Policy Guidelines for Health Care Reform at: <http://www.sjgeneralhospital.com/docs/HCSGuidelines.pdf>*



HEALTH CARE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ HEALTH CARE SERVICES AGENCY

Contact: Kenneth Cohen, Director; E-Mail: kcohen@sjgh.org; Ph. (209) 468-7031

34. Title: Medi-Cal Section 1115 Waiver

Issue: A new Medi-Cal Hospital Financing waiver was negotiated during the 2010 legislative session.

Legislative Platform:

- 1. Aggressively advocate and seek support to ensure sufficient funding to public safety-net hospitals for the provision of indigent health care.**
- 2. Oppose legislative and administrative efforts to divert safety-net care pool, or other Medi-Cal or waiver related funds, away from public hospitals for other non-public hospital services.**
- 3. Maximize use of Certified Public Expenditures (CPEs) for Federal match and ensure those funds are returned to the County for health care services.**
- 4. Provide flexibility to counties under programs to expand coverage and reposition San Joaquin General Hospital and health system to fully benefit from Health Care Reform.**

Background: The Medi-Cal Hospital/Uninsured Care Demonstration Project Act (SB 1100, 2005, Chapter 560) implemented an agreement reached between the State and the Centers for Medicare and Medicaid Services (CMS) on California's Medi-Cal Hospital Financing Section 1115 Waiver. Among other things, this legislation revised the methods the State uses to pay hospitals that contract with the State under the Medi-Cal selective provider contracting program, and distributes funds through a Safety-Net Care Pool. This Waiver expired in August 2010, and was extended through October 2010, but a successor waiver program was negotiated and authorized for the next five-year period.

The 2005-2010 Waiver shifted all public hospitals to a form of cost-based reimbursement known as Certified Public Expenditures (CPEs). Public hospitals must now use CPEs in order to claim federal Medi-Cal, supplemental safety net care-pool or other federal funds previously received. The CPEs is calculated entirely on county hospital expenditures; and federal funds are matched directly to the hospital's expenditures. No State General Fund dollars support these programs for public hospitals.

Any changes to hospital financing for the next five-year Waiver should guarantee that public hospitals do not receive less funding than they currently do, until and unless there is a demonstrated change in mandate, workload, and/or reimbursement. Hospitals and health care systems should receive more federal funding in the future as demand for services increase. County funds should not be at risk for expanded mandates which might increase cost or liability for the County.



HEALTH CARE~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ EMERGENCY MEDICAL SERVICES (EMS)

Contact: Dan Burch, EMS Administrator; E-Mail: dburch@sjgov.org; Ph. (209) 468-6818

35. Title: County/Emergency Medical Services Agency Authority

Issue: Efforts exist to reduce or eliminate county authority regarding the governance of emergency medical services.

Legislative Platform:

1. **Aggressively support legislation, regulatory, and other efforts to maintain and increase:** a) the authority and governing role of counties and their local emergency medical services agencies to plan, implement, and evaluate all aspects and components of the Emergency Medical Services system; and b) funding for emergency medical services oversight.
2. **Support legislative efforts to maintain:** a) the administration and medical control of EMS, pre-hospital emergency medical care, and ambulance services at the county level; and b) an independent State Emergency Medical Services Authority aligned with the California Department of Public Health.
3. **Aggressively oppose legislative, regulatory, or other efforts which would:** a) threaten or weaken the authority and governing role of counties over Emergency Medical Services; b) result in fragmentation of the Emergency Medical Services systems and the delivery of pre-hospital emergency medical care; c) allow cities and special districts to provide Emergency Medical Services independent of the county's administration and medical control; d) limit or diminish the authority of the local Emergency Medical Services agency medical director to maintain medical control of the Emergency Medical Services system; and, e) shift responsibility for regional trauma planning away from counties and local Emergency Medical Services agencies.

Background: Under current law, counties have an obligation to ensure public health and medical care for its citizens including ambulance service. Emergency Medical Services (EMS) and ambulance services planned for and provided on a countywide basis ensure system integrity and the delivery of optimal patient care. While neither cities nor fire districts have any health care obligations under state or federal law, some have sought to overturn the EMS Act (Division 2.5 of the Health and Safety Code) and obtain authority to establish city managed and/or fire service control of EMS and ambulance services. Fragmenting the EMS system by allowing cities and special districts to self govern EMS participation creates incentives which work against the delivery of optimal patient care and efficient system designs for the county over all.



HEALTH CARE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ HEALTH CARE SERVICES AGENCY
Contact: Kenneth Cohen, Director; E-Mail: kcohen@sigh.org; Ph. (209) 468-7031

36. **Title:** Shortages of Physicians, Nurses, and Ancillary Clinicians

Issue: San Joaquin County Health Care Services Agency departments continue to experience a significant shortage of physicians, nurses and ancillary clinical staff.

Legislative Platform:

- 1. Advocate and support legislation or budgetary efforts which would expand health-related training programs, especially for physicians, nurses and ancillary clinicians.**
- 2. Support funding for health-training loans and scholarship programs, as well as funding for workforce outreach and development in schools and the community.**
- 3. Support legislation which would provide incentives to encourage and attract health care professionals to practice in the Central Valley.**
- 4. Continue to oppose legislation which would impose fees and/or fines relative to inspections and compliance with minimum nurse-to-patient staffing ratios.**
- 5. Oppose legislation which would impose new staffing ratios or increase demand for physicians (including specialists and psychiatrists), registered and licensed vocational nurses, psychiatric technicians, clinical laboratory, radiology, and pharmacy technicians and technologists, and allied health care professionals without adequately addressing the supply of available licensed and/or ancillary staff.**

Background: The health care industry continues to face a critical shortage of physicians, registered nurses, including public health nurses, and ancillary clinical staff (e.g. radiology, nuclear medicine, microbiology, ultrasound technology, respiratory therapy, physical therapy, and pharmacy). In past years, the State has provided funding for the expansion of nurse training programs. However, additional support to expand training programs, fund loan and scholarship programs, pursue career outreach and development programs, and incentivize location to underserved areas, is critical to address these career deficiencies in the health care industry.

In January 2002, the Administration proposed nurse-to-patient staffing ratios as required by State law (AB 204, 1999). Compliance with the required staffing coverage has already created significant financial implications for San Joaquin General Hospital at a cost exceeding \$1.0 million per year. Legislative efforts continue to attempt to add ratios for other health care ancillary staff. To date, these efforts have been unsuccessful or have been vetoed.



HEALTH CARE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ PUBLIC HEALTH SERVICES

Contact: William Mitchell, Director; E-Mail: wmittchell@sjcphs.org; Ph. (209) 468-3413

37. Title: California Children's Services

Issue: The Department of Health Care Services has imposed a new funding formula that places a cap on administrative allocations for the California Children's Services Program (CCS). The funding structure for CCS diagnostic, treatment, and therapy services is based on 1990-91 expenditure levels. As a caseload-driven program, these funding issues may force counties to curtail services to handicapped children, reduce payments to providers, or incur additional county general fund costs to maintain services.

Legislative Platform:

- 1. Aggressively advocate and seek legislative or regulatory changes to mitigate impacts of the implementation of the State's revised administration allocation methodology and revised funding formula.**
- 2. Seek alternative funding or change in administrative structure for CCS to mitigate the growth in this unfunded mandate to counties, or require the State to fully fund its statutory obligation for CCS.**

Background: The CCS program provides diagnosis and treatment services, medical case management, and physical and occupational therapy services to children under age 21 with CCS-eligible medical conditions, such as cystic fibrosis, hemophilia, cerebral palsy, heart disease, cancer, and traumatic injuries. CCS also provides medically necessary physical and occupational therapy to special education students. The CCS program has been in existence since the 1920s, and pre-dates Medi-Cal and Healthy Families.

Counties have historically been responsible for eligibility determination and case management services. Counties have had a long-standing share of cost for the non-Medi-Cal portion of the CCS program. Realignment requires counties to provide contributions to fund diagnosis, treatment, and therapy up to the level of their actual expenditures for fiscal year 1990-91, unless the State CCS program certifies that a lower level of funding is sufficient. The State is required to match one dollar for each dollar a county appropriates for CCS expenditures above its Maintenance of Effort level "to the extent that funds are available".

The State Department of Health and Human Services has not provided any guidance on reduction of service levels commensurate to the revised State budget allocation for CCS. Although statute governing CCS is laden with "to the extent funds are available" language, the State generally administers the program as an entitlement with no guidance regarding adjustments to program eligibility or services if there are insufficient State or county funds. State CCS personnel have advised counties that the State CCS must continue to conduct eligibility determination and authorize treatment even if there are insufficient funds in the county CCS account.



HEALTH CARE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ BEHAVIORAL HEALTH SERVICES
Contact: Victor Singh, Director; E-Mail: vsingh@sjcbhs.org; Ph. (209) 468-2080

38. **Title: Provision of Community Mental Health Services – Diversion of Proposition 63 Funds**

Issue: Proposals to divert Proposition 63 Mental Health Services Act funds, away from community mental health systems in order to fill the State’s budget gap is of significant concern to San Joaquin County. In addition, San Joaquin County continues to be concerned about the erosion of State funding and support for core mental health services.

Legislative Platform:

- 1. Seek a written determination from the Department of Mental Health that Mental Health Service Act funds (Proposition 63) can be used flexibly, including for core local mental health services.**
- 2. Oppose legislation, administrative efforts, and/or budgetary proposals which would serve to divert Proposition 63 funds to address the State’s budget shortfall.**
- 3. Oppose additional reductions in state funding for mental health services that will result in the State shifting its costs to the County.**
- 4. Support legislative and budgetary efforts which would serve to enhance comprehensive community-based treatment of mental health illness.**

Background: In 2004, California voters passed Proposition 63, or the Mental Health Services Act (MHSA). Proposition 63 does not add funding to existing programs, but rather provides for new programs that expand the capacity of existing mental health services. The loss of MHSA funds would result in the elimination of vital mental health services for children and adults with serious mental illness currently served by the County’s mental health programs. Additionally, the impact of the investments that have been made through MHSA in county mental health systems would be erased. County mental health services have consistently demonstrated effective results in getting people with unmet mental health needs off the streets, into housing, employed, and out of the criminal justice system.

County mental health programs are already experiencing funding reductions due to decreases in revenues from state sales tax, vehicle license fees, reduction in Medi-Cal funding, and the elimination of state general fund-supported categorical programs (including the Integrated Services for Homeless Adults program, on which the MHSA was modeled). While budget reductions are inevitable in today’s challenging fiscal environment, funding from the MHSA has provided needed resources, and has kept county mental health systems from total collapse.

The dismantling of programs while building a transformed system is extremely damaging and counterproductive to local service providers and their recipients. The MHSA prohibits the State from making any change to the financing structure of mental health services that increases a county’s share of costs or financial risk for mental health services “unless the State includes adequate funding to fully compensate for such increased costs or financial risk.”



HEALTH CARE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ HEALTH CARE SERVICES

Contact: Kenneth Cohen, Director; E-Mail: kcohen@sjgh.org; Ph. (209) 468-7031

39. **Title: Medi-Cal for County Correctional Facility Inmates**

Issue: State law should mirror federal law and provide for Medi-Cal benefits to be suspended, not discontinued, while the recipient is incarcerated, and immediately reactivate the Medi-Cal benefits upon the recipient's release from incarceration to permit him/her to quickly obtain needed mental health and substance abuse treatment, and to help break the expensive cycle of re-incarceration or hospitalization.

Legislative Platform: Support legislation which would suspend rather than discontinue an individual's Medi-Cal coverage during incarceration.

Background: State law provides that Medi-Cal benefits generally cannot be provided to incarcerated individuals. The State Department of Health Services has interpreted this law to mean that Medi-Cal benefits should be discontinued when an individual is incarcerated. However, federal law does not require states to terminate inmates' eligibility. Under federal law, the inmate may remain enrolled in Medicaid, although services received while incarcerated are not covered.

If State law mirrored federal law, an incarcerated individual's Medi-Cal benefits would be suspended, not discontinued, and quickly reactivated upon the individual's release from a detention facility. The lack of access to medical care is an acute issue for many individuals with mental health and/or substance abuse issues when they are released from state and/or county detention facilities. These individuals are often in need of medical care for severe mental health and/or substance abuse conditions. Delays in securing mental health treatment often has a devastating effect on the individual's ability to successfully adjust to society, and may contribute to the individual being quickly re-incarcerated or hospitalized.

Timely reactivation of Medi-Cal may also be a necessary tool in the development of a re-entry program for State prison inmates returning to their home county.



HEALTH CARE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ PUBLIC HEALTH SERVICES

Contact: William Mitchell, Director; E-Mail: wmitchell@sjcphs.org; Ph. (209) 468-3413

40. Title: Public Health Emergency Services

Issue: There needs to be a continuation of fair and equitable funding for public health emergency services.

Legislative Platform: Aggressively pursue and support:

- 1. Sustained State funding for planning and responding to the medical/health consequences of terrorism, disasters, and other public health emergencies;**
- 2. Development of equitable funding formulas which would consider the proximity of jurisdictions to high-profile targets, not based solely on the presence of such targets within jurisdictional boundaries; and**
- 3. Policies that ensure there will be no fiscal penalties to counties if staff is pulled from categorically funded programs in order to respond to terrorism, disasters, or other public health emergencies.**

Background: The terrorist activity occurring on and after September 11, 2001 identified the need to increase preparedness efforts and local public health jurisdiction response capabilities for dealing with terrorism, including bio-terrorism, at the local level. Hurricane Katrina (2005) identified the impact of natural disasters on local, state, and federal medical/health response capabilities. Pandemic influenza threatens to overwhelm an already fragile medical and public health system. County government is at a severe disadvantage in its ability to obtain new funding sources to address these additional public health and safety issues.

Although federal funds have been appropriated for response to influenza (H1N1), sustained funding is needed to augment local programs to prepare for, and respond to, all forms of terrorism, natural disasters, and other related public health emergencies. Legislation is needed which would increase prevention and response capabilities and strengthen the partnerships between state, federal, local agencies and community groups to effectively identify, prevent, and respond to the medical/health consequences of terrorism, disasters, or other public health emergencies. Funding formulas should consider the proximity to high-profile, high-impact targets. Nearby jurisdictions to such targets would likely be severely impacted through the provision of mutual aid to the impacted jurisdiction or by the influx of large numbers of people seeking shelter and/or treatment.

Currently, staff within local health jurisdictions is often funded by categorical grants. These staff must be trained and, when appropriate, engaged in emergency preparedness and response activities. State policies must be flexible to ensure a competent, trained workforce regardless of salary funding stream or program assignment.



HEALTH CARE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ SAN JOAQUIN GENERAL HOSPITAL

Contact: David Culbertson, Interim Director; E-Mail: dculbertson@sigh.org; Ph. (209) 468-6042

41. **Title:** Financial Assistance for Seismic Safety Hospitals

Issue: There is a need to fund State-mandated hospital seismic improvements.

Legislative Platform:

- 1. Support legislation which would provide financial assistance to hospitals, especially safety-net hospitals, to retrofit or replace facilities to meet State requirements, including the requirements of SB 1953 – Building Standards (1994-Alquist) and SB 306 – Health Facilities, Seismic Safety (2007-Ducheny).**
- 2. Support modifications to the seismic regulations which would provide public hospitals increased flexibility to address the seismic compliance requirements in a cost-effective manner.**

Background: SB 1953 (1994-Alquist) mandates that all hospitals meet the tiered requirements of the seismic safety code by January 1, 2008. SB 306 (2007-Ducheny) allowed health care facilities to apply for an extension of the 2013 seismic deadline to 2020 if the facilities could certify their status as a safety-net provider, and meet other criteria. In 2008, San Joaquin General Hospital applied for and received the extension. The County provided the State with a Facility Master Plan in 2010.

Legislation, sponsored during the past several years, to provide financial assistance for hospitals to meet the State-mandated seismic requirements has not progressed due primarily to the State's overwhelming budgetary issues. Hospitals face higher expenditures for compliance, staffing ratios, new technology requirements, and rising pharmaceutical prices. If cost pressures continue unabated, public hospitals will have to reduce or eliminate services and close facilities. Earthquake compliance requires a well-coordinated approach to balancing financing, deadlines, and safety requirements. Further legislation or regulatory action is needed to mitigate and manage compliance costs, avoid access issues, ensure adequate access to funding, and provide for services to remain affordable and available.



HEALTH CARE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ BEHAVIORAL HEALTH SERVICES
Contact: Victor Singh, Director; E-Mail: vsingh@sjcbhs.org; Ph. (209) 468-2080

42. **Title:** Reimbursement of Mental Health Services Costs for Special Education Students

Issue: Insufficient State funding and delays in reimbursement to counties has resulted in counties incurring costs for treatment to Special Education students.

Legislative Platform: Support legislation and/or budgetary proposals which would provide full and timely state reimbursement for costs incurred by county mental health for providing mandated mental health treatment to Special Education program students in accordance with AB 3632 (1984) - Special Education Pupils Program (Chapter 26.5 California Government Code).

Background: The Individuals with Disabilities Education Act (IDEA) (Title 20 of the United States Code 1400 et seq.) mandates schools to provide Special Education services, including mental health services, for Seriously Emotionally Disturbed (SED) children. IDEA entitles all children with emotional and physical disabilities to a free, appropriate public education that prepares them to live and work in the community. In 1984, the California Legislature passed AB 3632 that assigned and parceled out responsibility to state agencies and departments in meeting the goals and objectives of IDEA. AB 3632 assigned schools the responsibility to educate Special Education students, county mental health agencies the responsibility to provide mental health services, and the State Department of Social Services the responsibility of providing out-of-home care. In 1996, the State also shifted responsibility for mental health services of students placed in out-of-state residential facilities to county mental health agencies.

County data indicates that the cost of providing AB 3632 mandated services exceed the amounts budgeted by the State. Under existing State law, counties may file AB 3632 mandate claims for these costs. Therefore, San Joaquin County will continue to file mandate claims for costs incurred in providing State-mandated AB 3632 mental health services. To date, San Joaquin County Behavioral Health Services is owed in excess of \$1.0 million from the State for mental health services provided to SED students in previous years.



HEALTH CARE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ BEHAVIORAL HEALTH SERVICES
Contact: Victor Singh, Director; E-Mail: vsingh@sjcbhs.org; Ph. (209) 468-2080

43. Title: Substance Abuse Treatment

Issue: There is a lack of funding for treatment options for adult and adolescents with substance abuse issues.

Legislative Platform: Support legislation and/or budgetary proposals which would provide increased State funding for adult and adolescent behavioral health treatment programs (including an integrated mental health/substance abuse treatment component).

Background: For the past several years, San Joaquin County staff, the Mental Health Board, and the Juvenile Court have identified a high need for residential treatment. Many substance abusers have concomitant mental health issues which are masked by their addictions.

Protection of the mental health of vulnerable populations, including children and teens, is a continuing need that local behavioral health departments address through monitoring, assessment, intervention, and treatment. This protection includes the provision of residential and substance abuse services to people at high risk.



HEALTH CARE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ BEHAVIORAL HEALTH SERVICES
Contact: Victor Singh, Director; E-Mail: vsingh@sjcbhs.org; Ph. (209) 468-2080

44. Title: Public Guardian/Conservator

Issue: Secure a sustained source of funding to support the Public Guardian/Conservator, and provide State reimbursement for mandates imposed on local Public Guardian/Conservator by the Omnibus Conservatorship and Guardianship Reform Act of 2006.

Legislative Platform:

1. Support legislative efforts and/or initiatives which would create and designate funding for current and future mandates placed on the Public Guardian/Conservator, while opposing any unfunded mandates.
2. Support legislation which would increase the Public Guardian/Conservator's existing fee structure as outlined in the Probate Code.
3. Oppose legislation that imposes any unfunded mandates on Public Guardian/Conservator.

Background: Public Guardians/Conservators are responsible for the estates of people who cannot care for themselves as a result of a serious physical illness, mental illness, or other disability. When a court determines that an individual is not capable of providing for his or her personal financial needs, the court assigns the Public Guardian/Conservator to manage those needs.

The Omnibus Conservatorship and Guardianship Reform Act of 2006 (AB 1363, 2006) significantly restructured the courts' review of conservatorships, primarily by increasing the number of court reviews and the frequency and scope of court investigations. The Act is expected to increase the cases referred to and managed by Public Guardians/Conservators, requiring Public Guardians/Conservators to undertake additional duties without reimbursement. The Public Guardian/Conservator currently receives no State funding/reimbursement for the new mandates imposed by AB 1363. In addition, the Public Guardian/Conservator does not receive adequate funding from the clients being served to cover the costs of providing the services. Since the public served often have limited resources, it is unreasonable to expect that the clients would be able to fully fund the cost of their Guardian/Conservator service.



HEALTH CARE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ EMERGENCY MEDICAL SERVICES (EMS)

Contact: Dan Burch, EMS Administrator; E-Mail: dburch@sjgov.org; Ph. (209) 468-6818

45. **Title: Emergency Medical Services and Trauma Care Funding**

Issue: Secure a sustained source of funding to support emergency medical services and trauma care.

Legislative Platform:

- 1. Oppose the redirection of any existing indigent care funding from public hospitals to compensate community physicians for uncompensated emergency care.**
- 2. Oppose legislation which would increase the administrative burden of managing the distribution of Emergency Medical Services Maddy funds, or would change the distribution methodology to redirect funds from public hospitals.**
- 3. Support legislation or an initiative which would create or designate new funding for uncompensated emergency, trauma services, and on-call coverage.**
- 4. Support legislative efforts and/or an initiative to increase funding for hospital emergency rooms and trauma centers, county emergency medical services systems and agencies.**

Background: Hospitals throughout the State provide a significant volume of emergency care to patients who do not have third-party insurance coverage. The financial impact is often greater on designated trauma centers located in urban areas. Over 50% of hospital emergency rooms operate at a net operating loss due to the significant volume of uncompensated care. During the past several years, there have been multiple legislative efforts to restructure existing indigent care funding programs (such as Proposition 99 and the Emergency Medical Services Maddy funds) to redirect existing funds to reimburse private community physicians for providing uncompensated emergency care, thereby reducing available funding to public hospitals such as San Joaquin General Hospital. Legislative efforts, including an initiative to provide new dedicated funding for uncompensated care in emergency rooms, should be supported.



HEALTH CARE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ PUBLIC HEALTH SERVICES

Contact: William Mitchell, Director; E-Mail: wmitchell@sjcphs.org; Ph. (209) 468-3413

46. **Title: Maternal, Child, and Adolescent Health**

Issue: Protection of the health of vulnerable populations, including children, teens, and pregnant women, is a continuing need that local health departments address through monitoring, assessment, and assurance activities. These activities include the provision of support services to persons at high risk of poor health outcomes or premature death.

Legislative Platform: Support legislation and/or budgetary proposals which would:

- 1. Provide increased State funding to local public health departments for maternal, child, and adolescent health programs;**
- 2. Protect children from environmental risks to their health, such as unintentional injuries, lead poisoning, and air quality; and**
- 3. Ensure that women and adolescents have access to the unique prevention and health care services needed.**

Background: San Joaquin County ranks in the bottom quartile in the State regarding infant mortality, late entry to and adequacy of prenatal care, health disparities, and various other measures of community health. Community-based and individual services are intended to reduce morbidity and mortality that are preventable, such as deaths from intentional and unintentional injuries. The State distributes funds to local health departments to support these activities. These funds are derived from various federal and State sources. The current funding does not adequately support education or home visitation services to families at risk. Maternal, child, and adolescent health are some of the core functions of public health. There is inadequate funding to meet many needs in these areas. Additional allocation of State funds would draw more federal match and an increased allotment for San Joaquin County.



HEALTH CARE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ HEALTH PLAN OF SAN JOAQUIN

Contact: John Hackworth, Chief Executive Officer; E-Mail: jhackworth@hpsj.com; Ph. (209) 461-2211

47. **Title: Inclusion of TB Screening information in Immunization Registries in California**

Issue: Support legislation that would allow TB screening results (e.g. skin tests) to be entered into Immunization Registries in California. This would improve the availability of these results for medical care providers, schools, and parents.

Legislative Platform: Advocate for and seek legislative changes to allow the inclusion of TB screening results in the Immunization Registries in California.

Background: Under current California law, both TB skin testing and immunization information are considered “medical information” subject to California’s Confidentiality of Medical Information Act. Because of this, written authorization must be given by the patient/parent to allow a medical provider to share this information and must have a specified date as to when this authorization to share this information expires.

The California Registry Law allows the sharing of a patient’s immunization information through an Immunization Registry without written consent and without an expiration date. However, there is currently no authority granted in the California Registry Law that allows for collection and sharing of TB screening results, as they are deemed “medical information” in an Immunization Registry.

The TB screening results must currently be hand recorded by the medical provider onto the California Immunization Record (commonly referred to as the yellow card). The rest of the immunization information on the yellow card is printed out directly from the immunization registry after children receive vaccines. The yellow card is updated and reprinted each time a new vaccine is administered. Collection and retention of TB screening information outside of the Immunization Registry is a time-consuming endeavor for medical providers and an inconvenience for parents who must retain old yellow cards so that they have a record of the TB screening results.

Allowing TB results to be entered into the Immunization Registry represents a simple but important fix in the current system. Health care providers and schools throughout California who use the local Immunization Registry have consistently requested that the TB screening results be collected in the Registry and printed on the yellow card. This would ease the sharing of this information between providers, with the parents and with the schools.



HEALTH CARE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ HEALTH CARE SERVICES AGENCY
Contact: Kenneth Cohen, Director; E-Mail: kcohen@sjgh.org; Ph. (209) 468-7031

48. **Title:** County Jail and Juvenile Medical Services

Issue: The resources required to provide necessary jail medical services is inadequate.

Legislative Platform: Support legislation which would:

1. Require the inclusion of medical service and medical facility costs in projections for overall facility/operational costs as part of public funding for new and/or expanded county jail facilities;
2. Ensure or provide appropriate State funding of medical facilities and medical care for inmates in county correctional and juvenile facilities including any programmatic or “realignment” shift of these responsibilities to the local level; and,
3. Authorize county health care services to charge private health insurance plans for reimbursement of health care services provided to the enrollee while in custody.

Background: County costs for providing jail medical services continues to rise not only because jail population is expanding, but also due to court-mandated standards for care and the increasing prevalence of medical and mental health problems among inmates. Counties have a substantial financial commitment for jail medical services, emergency hospitalization of individuals in the custody of police or Sheriff, medical screening of all inmates after booking, and outpatient and inpatient medical care of individuals in the custody of the Sheriff after booking.



HEALTH CARE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ HEALTH PLAN OF SAN JOAQUIN

Contact: John Hackworth, Director; E-Mail: jhackworth@hpsj.com; Ph. (209) 461-2211

49. **Title: Seniors and Persons with Disabilities in Medi-Cal Managed Care**

Issue: Seniors and Persons with Disabilities beneficiaries would be better served in managed care environments where care and appropriate community-based services and supports can be coordinated, and cost effective treatments can be administered.

Legislative Platform:

- 1. Support regulations for the entrance of Seniors and Persons with Disabilities into Managed Care without burdensome or duplicative requirements.**
- 2. Support the inclusion of Local Initiatives in Seniors and Persons with Disabilities expansions and state insurance exchanges.**
- 3. Support enrollment and assignment of Seniors and Persons with Disabilities to safety-net providers who have traditionally served this population.**

Background: The new federal Waiver for Medi-Cal that would enable the entrance of seniors and persons with disabilities (SPD) into Managed Care. Presently, the SPD population is primarily served through the often disjointed services of physicians, hospitals and other ancillary services that accept fee-for-service Medi-Cal. Seniors and persons with disabilities are on their own trying to coordinate care for complex medical conditions. When enrolled into Medi-Cal Managed Care, the Plans would be responsible for care coordination, and locating and arranging for the necessary specialists. A small number of the SPD beneficiaries are currently enrolled in Medi-Cal Managed Care. An SPD beneficiary will be assigned a medical home; that enrollment and assignment needs to support the safety-net providers who serve as significant primary, specialty, and inpatient providers for this population.



HEALTH CARE ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ BEHAVIORAL HEALTH SERVICES
Contact: Victor Singh, Director; E-Mail: vsingh@sjcbhs.org; Ph. (209) 468-2080

50. **Title: Parity for Mental Health in Insurance Coverage**

Issue: There is inequity in insurance coverage between mental and physical health disorders in that the new parity law does not require insurers to offer mental health insurance.

Legislative Platform: Seek and support legislation or regulatory changes which would require insurance companies to provide coverage for mental illness consistent with coverage for physical illness.

Background: The Emergency Economic Stabilization Act, signed into law in October 2008, includes the Mental Health Parity and Addiction Equity Act of 2008 (HR 1424). This new law requires that insurance companies which offer mental health benefits do so in parity with other specialty services in terms of co-payments, deductibles, covered hospital days, etc. Although this new law is a major achievement, the parity measure does not actually require insurers to offer mental health benefits; the new law only requires parity for those that do offer mental health insurance. For those without mental health benefits, there are no provisions to serve the mental health needs of the covered individuals in their insurance plans. These individuals either do not have their mental health needs met, or they default to the safety-net, which is the County's Behavioral Health Services department. Use of County resources to meet the mental health needs of insured persons reduces the funding available to meet the needs of the truly indigent.



HUMAN SERVICES ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ HUMAN SERVICES AGENCY

Contact: Joseph Chelli, Director; E-Mail: jchelli@sjgov.org; Ph. (209) 468-1651

51. **Title:** Children's Shelter Funding for 601-type Youth

Issue: Lack of funding, and therefore programs and facilities, for 601-type status offenders has forced counties to maintain these more difficult youths as "300" dependents whenever possible, thereby making them eligible for placement in dependent children's shelters.

Legislative Platform: Advocate for flexible funding in collaborative system-of-care approaches through social services, juvenile justice, and health funding sources to develop residential treatment options and case management services for 601-type youth including:

1. Funding to increase counseling, supervisory, and support services in the County's children's shelter, and create incentives for taking in hard-to-place juveniles; and
2. Funding for the development of programs specific to dependent children who exhibit 601-type behavior.

Background: San Joaquin County is one of nine counties that have a county-operated children's shelter. Funding has always been a challenge, and most of the money comes from the County's Child Welfare allocation. However, lack of funding has forced counties to categorize these more difficult youths as "300" dependents whenever possible, thereby making them eligible for placement in dependent children's shelters.

Current regulations do not permit the housing of children classified as "601" in the same shelter as "300" dependents. Placement in these shelters results in a mixed population and places the truly dependent children at risk. One of the challenges involves an increasing number of juveniles who display behavior that is consistent with Welfare and Institutions Code Section 601, and are not able to be managed in shelters. These children are juveniles with more persistent and disruptive behavioral problems who have not yet committed crimes; therefore, they are not the responsibility of Juvenile Probation. Since this population is not responsive to traditional programs and treatments, non-traditional multi-disciplinary approaches are recommended. Along with an increasing number of developmentally challenged youth, these juveniles need more one-on-one supervision. This supervision in turn requires more staffing; but the funds are not available for more staffing. Moreover, the County finds it increasingly difficult to secure placements for these hard-to-place children. As a result, many of these juveniles require longer stays in the shelter; but State funding expires after 30 days. In these cases, services provided to children after 30 days become 100% county responsibility.



HUMAN SERVICES ~ Legislative Issue

COUNTY OF SAN JOAQUIN ~ HUMAN SERVICES AGENCY
Contact: Joseph Chelli, Director; E-Mail: jchelli@sjgov.org; Ph. (209) 468-1651

52. Title: Human Services Funding Deficit

Issue: The State's failure to fund actual county cost increases for mandated human service programs has led to a growing funding gap of nearly \$1 billion annually.

Legislative Platform: Oppose legislation or administrative efforts which would serve to institute performance standards, and penalize counties without first ensuring reasonable and predictable funding reflective of county statutory and programmatic responsibilities.

Background: While counties are legislatively mandated to administer numerous human services programs including Foster Care, Child Welfare Services, CalWORKs, Adoptions, and Adult Protective Services, funding for these services has been frozen at 2001 cost levels. This cost freeze has put the County in the untenable position of cutting services that the State expects the County to deliver to its residents, and/or to backfill the gap with county general funds. The lack of State funding strains the ability of the County to meet accountability standards. Static program funding levels shift costs to counties, and increase the county share of program costs above statutory sharing ratios, while at the same time, run contrary to the constitutional provisions of Proposition 1A.



HUMAN SERVICES ~ Legislative Issue

COUNTY OF SAN JOAQUIN ~ HUMAN SERVICES AGENCY

Contact: Joseph Chelli, Director; E-Mail: jchelli@sjgov.org; Ph. (209) 468-1651

53. Title: Child Welfare Services

Issue: Counties have not been provided adequate funding for the provision of mandated child welfare services – those aimed at protecting children from abuse and neglect.

Legislative Platform:

- 1. Strongly advocate in support of protecting existing funding levels while seeking adequate funding levels for mandated child welfare services/goals, and increased attention to the needs of teenagers in the child welfare system, including supports to help them successfully transition to adulthood.**
- 2. Oppose budgetary proposals which would result in further reductions in funding for mandated child welfare services.**
- 3. Strongly oppose legislation or budgetary proposals which include new child welfare services mandates without adequate funding.**

Background: In 1998, the California Legislature, through SB 2030 (Costa) required the State to conduct an evaluation of the adequacy of the child welfare services budgeting methodology, including appropriate caseload levels, supportive services, and prevention services. It was determined that in order to meet the goals, standards, and desirable outcomes, a considerable increase in staffing levels was necessary. Since that time, minimal increases in staffing has been provided. In order for outcome goals for children's welfare services to be met, county social workers need the time and resources to affect change.

The State of California is under a Performance Improvement Plan with the Federal Department of Health and Human Services. California's 58 counties are all under System Improvement Plans with the California Department of Social Services. These plans focus heavily on the federal outcomes which are: 1) Children first and foremost are protected from abuse and neglect, 2) Children are safely maintained in their homes whenever possible and appropriate, 3) Children have permanency and stability in their living situations, without increasing re-entry into foster care, 4) The family relationships and connections of children served by Child Welfare Services will be preserved, 5) Children receive services adequate to their physical, emotional, and mental health needs, 6) Children receive services appropriate to their educational needs, 7) Families have the enhanced capacity to provide for their children's needs, and, 8) Youth emancipating from foster care are prepared to transition to adulthood.

Current funding levels do not adequately support mandated services aimed at protecting children from abuse and neglect, providing family maintenance and reunification services, providing permanent child placement services (including long-term foster care, guardianship, and adoptions), and emancipation from foster care.



HUMAN SERVICES ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ HUMAN SERVICES AGENCY

Contact: Joseph Chelli, Director; E-Mail: jchelli@sjgov.org; Ph. (209) 468-1651

54. Title: Senior Services

Issue: Funding to support services for seniors and disabled adults has remained static or has decreased, while the cost for services and the demand for services continue to increase with the growing aging population. Furthermore, the cost associated with implementing the Independence Plus Waiver has not been provided in the In-Home Supportive Services Administration by the State.

Legislative Platform: Support legislation and budget proposals which would, at a minimum, maintain current State funding levels, and increase in funding for services and programs for seniors, including, but not limited to, programs for individuals who are victims of elder abuse and neglect, including financial abuse, and for community-based services to provide the ability for seniors and disabled adults to live safely in their own home in the community, thereby reducing the need for costly out-of-home care.

Background: In San Joaquin County, four separately funded programs assist seniors and disabled adults to live as independently as possible, are administered by the County Human Services Agency. Those four programs are as follows: 1) Older Americans Act (O A A), 2) Community-Based Services Programs (CBSP), 3) In-Home Supportive Services (IHSS), and 4) Adult Protective Services (APS). The OAA provides funding for a wide array of services for seniors aged 60+, including Meals on Wheels, Homemaker Services, Legal Services, Respite, Day Care, Family Caregiver Support, Medication Management, Elder Abuse Prevention, and comprehensive information and assistance. The CBSP provides State-only funds for care management services, supplemental food, respite, Alzheimer services, and other senior services focused on assisting to successfully maintain a senior or disabled adult in the community, and avoid more costly nursing facility placement and/or frequent hospitalization. IHSS Administration provides staffing to complete a variety of support services, including ongoing assessments of client needs and medical verification of need for services. APS provides 24-hour, seven days-per-week emergency response to reports of elder/dependent adult abuse. In January 2007, financial institutions became mandated reporters for suspected financial abuse.

These programs are designed to assist seniors and adults with disabilities to live independently and safely, while avoiding unnecessary hospitalization, as well as premature admission to skilled nursing facilities. The reduction in emergency room visits, unnecessary hospitalizations, and premature admission to skilled nursing facilities results in a substantial savings to both Medicare and Medicaid (Medi-Cal in California) and improves services for the quality-of-life for seniors and disabled adults within our community. Without substantial augmentation, these vital programs will not be able to respond to the increasing needs of our seniors, ultimately resulting in higher costs to both Medicare and Medicaid.



HUMAN SERVICES ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ HUMAN SERVICES AGENCY

Contact: Joseph Chelli, Director; E-Mail: jchelli@sjgov.org; Ph. (209) 468-1651

55. **Title: Long-Term Health Care Facilities**

Issue: State funding for the Long-Term Care Ombudsman Program was eliminated in 2008. There is a critical need to reinstate full funding for the program, and provide a dedicated source of funding for the Long-Term Care Ombudsman Program.

Legislative Platform: Strongly support legislation, including AB 935, introduced in 2009, which would require at least half of the funds in the State Health Facilities Citation Penalties Account and the Federal Health Facilities Citation Penalties Account to be appropriated to fund local long-term care ombudsman programs.

Background: The Long-Term Care (LTC) Ombudsman Program supports some of California's most at-risk and vulnerable elderly who live in residential care facilities. The local LCT Ombudsman Programs are supported by a combination of volunteer and paid staff. The Program investigates complaints made by, and on behalf of, nursing home residents.

If enacted, AB 935 (as amended on April 16, 2009) would require at least half of the funds in the California Department of Public Health State Health Facilities Citation Penalties Account, and the Federal Health Facilities Citation Penalties Account to be used to support LTC ombudsman programs administered by the California Department of Aging. In addition, AB 935 requires any remaining funds to be used to protect the health and safety of nursing home residents.

Together with AB 392 (2009-Feuer), AB 935 was intended to reduce the impact of the elimination of state funding for the program in 2008 and provide more stable funding for the LTC Ombudsman Program. As a result of recent budget reductions, LTC ombudsman services have been significantly reduced.



HUMAN SERVICES ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ HUMAN SERVICES AGENCY

Contact: Joseph Chelli, Director; E-Mail: jchelli@sjgov.org; Ph. (209) 468-1651

56. **Title:** The Elder Economic Security Standard Index

Issue: A significant number of elders are facing rising costs of living, and the existing Federal Poverty Level criteria no longer provides an accurate measure of income necessary for an elder to live independently.

Legislative Platform: Support legislation or regulatory changes which would require the State Department of Aging to include the Elder Index in its State Plan, and ensure that Area Agencies on Aging include the Elder Index in their plans.

Background: The Elder Economic Security Standard Index (Elder Index), developed at the University of Massachusetts, Boston, is a measure of income adequacy for older adults. The Elder Index benchmarks basic costs of living for elder households. It illustrates how costs of living vary geographically, and are based on the characteristics of elder households: household size, homeownership or renter, mode of transportation, and health status. The costs are for basic needs of elder households; they are based on market costs and do not assume any subsidies. The Elder Index, with its respective “tracks” for seniors living in different circumstances, shows how elders with low and modest incomes are challenged to cover their living costs today, as costs for basic needs are rising much faster than their incomes. In addition, it illustrates how seniors with moderate and somewhat higher incomes may be prepared for the present, yet face an uncertain future when living costs outpace their incomes, or when costs rise markedly as their life circumstances change. The University of California Los Angeles has calculated the Elder Index for each California county using 2007 data.

The Elder Index provides a framework to help guide public, private, and elders’ decisions. Using the index in preparing area agency plans will enable state government to have a more complete and accurate picture of the numbers of elderly people who lack the basic income and the extent of their income shortfalls.



HUMAN SERVICES ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ HUMAN SERVICES AGENCY

Contact: Joseph Chelli, Director; E-Mail: jchelli@sjgov.org; Ph. (209) 468-1651

57. Title: Alignment of California's Work Opportunity and Responsibility to Kids Program with Federal Temporary Assistance to Needy Families

Issue: The dissimilarity between the California's Work Opportunity and Responsibility to Kids program and the Federal Temporary Assistance to Needy Families program significantly affect the ability of counties to meet the federal program requirements.

Legislative Platform: Support legislation which would serve to align California's Work Opportunity and Responsibility to Kids program and the Federal Temporary Assistance to Needy Families program.

Background: In December 1996, Congress enacted the Personal Responsibility and Work Opportunity Reconciliation Act that revolutionized welfare in the United States. Temporary Assistance to Needy Families (TANF) is the federal statute governing Welfare-to-Work programs nationwide. California's program is called California's Work Opportunity and Responsibility to Kids (CalWORKs) program, and has been very successful in moving families from welfare to work. Congress extended the original law on numerous occasions since the Act expired on September 30, 2002. In February 2006, TANF was reauthorized and became law as part of the federal Deficit Reduction Act of 2005.

The dissimilarities between the CalWORKs and TANF program policies significantly affect the ability of counties to meet the federal TANF requirements. Some of the most significant policy issues surrounding the differences between CalWORKs and TANF are: 1) Separate State programs are currently included in the federal Work Participation rate, 2) Some of the State's participation exemptions are not recognized by TANF, 3) TANF's full family sanctions are for clients who do not participate, while CalWORKs only applies to the adults in the household, 4) Some of the State work activities are either uncountable or are limited in TANF, and 5) Special consideration should be given to counties based on fluctuations in the county employment rate.



HUMAN SERVICES ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ HUMAN SERVICES AGENCY

Contact: Joseph Chelli, Director; E-Mail: jchelli@sjgov.org; Ph. (209) 468-1651

58. Title: First 5 San Joaquin Children and Families

Issue: Local First 5 funds continue to be threatened, jeopardizing the sustainability of existing local First 5 programs and services.

Legislative Platform: Support legislation which would:

- 1. Oppose further funding reductions or the redirection of County operated First 5 funds;**
- 2. Oppose legislation, regulations, and/or initiatives which would adversely impact local First 5 Commissions as they relate to funding, services and programs; and,**
- 3. Support legislative and administrative efforts which would allow First 5 Commissions to maintain local authority.**

Background: First 5 California and 58 County Commissions enacted in 1998 to work to improve the lives of children from the time they are in the womb until they enter kindergarten. First 5 San Joaquin provides all children prenatal to five years of age with a comprehensive, integrated system of early childhood development services in accordance with the provisions of the California Children and Families Act of 1998.

Since 2008, the State Legislature called for the redirection of all First 5 revenues raised through Proposition 10 to the State General Fund for existing state-funded programs. The Governor's 2011-12 Proposed Budget includes a new redirection of the Proposition 10's reserves for the funding of Medi-Cal services as well as redirection of future Proposition 10 funding to fund early childhood education services. Past efforts failed; however, the threat to redirect First 5 funds remains, particularly due to the state's growing budget deficit.

Finally, local First 5 funds have been used to leverage resources with federal Title 5, funding from the California Department of Education, and other state and local funding. Funding reductions to the First 5 programs are further compounded by a corresponding reduction and/or elimination of federal funds leveraged.



LIBRARY ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ LIBRARY SERVICES

Contact: Chris Freeman, City Librarian; E-Mail: chris.freeman@ci.stockton.ca.us; Phone: (209) 937-8362

59. **Title:** Resource Sharing Programs for California Library Services Act

Issue: For years, the California Library Services Act/Transaction Based Reimbursement Program has not been funded at the rate approved by the State Department of Finance; and, in 2010-11 this State-mandated program was funded at a 38% reimbursement rate - 62% lower than the State-approved reimbursement rate.

Legislative Platform: Support legislative efforts and/or budgetary proposals which would, at minimum, maintain current funding levels for the California Library Services Act/ Transaction Based Reimbursement Program, oppose further efforts to reduce funding, and seek an increase in funding for library resource sharing programs.

Background: For nearly 32 years, Californians have had the opportunity to use any library in the State to check out books and materials through the California Library Services Act (CLSA)/ Transaction Based Reimbursement (TBR) program. TBR allows library customers who reside in one city or county to use the services of another city's or county's library system. Similarly, a public library in one jurisdiction can borrow from another jurisdiction. There is no fee to the customer for these loan services.

The TBR program is a mandated statewide program approved by the State to reimburse local libraries for providing these loan services. Both over-the-counter (direct loan) and inter-library loans are reimbursable. For years, the TBR program has not been funded at the reimbursement rate approved by the State Department of Finance. In 2007-08, libraries were reimbursed 43.8% of their costs. In 2008-09, the TBR budget was reduced by an additional \$1.4 million (from \$11.6 million to \$10.2 million), to an estimated 38% reimbursement rate to participating libraries. The 2010-11 State Budget maintained the TBR program at the 2008-09 funding level. A state investment of an additional \$29 million would provide libraries 100% of the cost of providing this valuable statewide service.

There is serious concern that further reductions in State funding for the CLSA/TBR program would diminish support for the 49-99 Cooperative Library System at the regional level. The 49-99 Cooperative Library System includes the Stockton-San Joaquin, Stanislaus, Calaveras, Amador, and Tuolumne County Libraries, and the Lodi Library. Finally, funding reductions to the CLSA program results in decreases in other local library programs statewide, including advanced library reference services, a demise of the delivery system between libraries, as well as other cooperative library system services throughout the state.



LIBRARY ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ LIBRARY SERVICES

Contact: Chris Freeman, City Librarian; E-Mail: chris.freeman@ci.stockton.ca.us; Phone: (209) 937-8362

60. **Title: Bond Funding for Public Libraries**

Issue: There is a considerable need to build new and renovate existing public libraries in San Joaquin County.

Legislative Platform: Seek and support bond funding for the construction of new and the renovation of existing public libraries in San Joaquin County.

Background: According to a 2007 “California Public Library Facility Needs Assessment,” produced by the California State Library, there is an \$8 billion need for library construction (662 projects) over the next 10 years. Of that amount, \$5.8 billion is needed within the next five years for library construction and renovation projects. The last library construction bond, California Reading and Literacy Improvement and Public Library Construction and Renovation Bond Act of 2000 (SB 3 - 1999) provided \$350 million for library construction projects statewide. Those funds were quickly expended, and three-fourths of the project applications were denied due to the limited amount of bond funding available under the Act.

In early 2007, the need for additional construction and remodeling for Stockton-San Joaquin County Public Library facilities was estimated at \$124.4 million. Preliminary construction and remodeling projections through 2025 established through an updated Facilities Master Plan are estimated at more than \$500 million, based on population growth within the County.

Clearly, the State has not been able to keep pace with the rising needs at the local level for library construction. Currently, counties do not have the financial resources to operate state programs and also meet local needs. In order to meet each community's unique needs, counties must be given the authority to offer the voters the option of approving revenues at a level sufficient to provide the degree of local services the community desires. Furthermore, the current demands upon libraries is ever increasing, particularly in regard to the areas of adult literacy services, helping to bridge the digital divide, and serving the County’s growing unemployed population. Thus, it is important to meet this need with adequate library facilities for San Joaquin County residents.



LIBRARY ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ LIBRARY SERVICES

Contact: Chris Freeman, City Librarian; E-Mail: chris.freeman@ci.stockton.ca.us; Phone: (209) 937-8362

61. **Title: State Funding for Public Library Services**

Issue: The Public Library Fund Act authorizes the Legislature to appropriate an amount up to 10% of a target “foundation” level of services. However, the Public Library Fund for State appropriations has never reached the targeted level; therefore, libraries’ ability to provide a collection of materials that reflects the ongoing and current needs of the community has been negatively impacted.

Legislative Platform: Support legislative efforts and/or budgetary proposals which would sustain or increase the current level of funding, and oppose further budget reductions to the Public Library Fund.

Background: The Public Library Fund Act, established in 1983, provides direct State aid to California public libraries for basic public library services, including new materials. The funds are appropriated annually in the State Budget. This Act authorizes the Legislature to appropriate an amount up to 10% of a target “foundation” level of library services based on a per capita cost each year. This foundation level is adjusted annually. The State appropriation has never reached the target level. The Public Library Fund was reduced by \$7.0 million in 2007-08, and experienced an additional reduction of \$1.4 million in 2008-09. The 2009-10 State Budget maintained funding for Public Library Services at the 2008-09 funding level, \$12.9 million statewide, in comparison to the \$108.1 million required by statute to fully fund the Public Library Fund program. The continued lack of funding has resulted in an overall reduction in the Library’s ability to provide needed library services to the residents of San Joaquin County.



LIBRARY ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ LIBRARY SERVICES

Contact: Chris Freeman, City Librarian; E-Mail: chris.freeman@ci.stockton.ca.us; Phone: (209) 937-8362

62. Title: California Library Literacy Services

Issue: The California Library Literacy Services, including Adult Literacy Services Program, continues to experience reductions in State funding.

Legislative Platform: Support legislative efforts and/or budgetary proposals which would sustain the current level of California Library Literacy Services program funding, and oppose further budget reductions to the program.

Background: For the past 25 years, California's public libraries have provided literacy services to low-literate adults and their families, services helping Californians of all ages reach their literacy goals. In addition to services for adults, California Library Literacy Services (CLLS) also extends support for literacy through other programs, including Families for Literacy, English Language and Literacy Intensive, and Mobile Library Literacy Services. The State Library provides oversight and technical assistance in support of CLLS. In 2008-09, the program reached 21,590 adult learners and 55,224 children through 105 public library jurisdictions. These adults were able to achieve life changing goals such as getting a driver's license, writing a resume, or reading a book to their child for the first time.

The Stockton-San Joaquin County Library's CLLS program includes Adult Literacy Services. In 2007-08, the Library's allocation for Adult Literacy Services was \$61,928. In 2008-09, the allocation was reduced by 10% to \$55,735. In 2009-10, the allocation was \$52,762, a reduction of 14.8% since 2007-08. These reductions are further compounded by the ever increasing demand for adult literacy services in San Joaquin County, a region of historical above average unemployment rates in California.



Legislative/Regulatory Policy Guidelines ~ Sacramento-San Joaquin Delta and Bay Delta

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

Significant portions of San Joaquin County are within the Delta. Therefore, the County will continue to constructively participate in all local, regional, state, and federal activities and processes regarding the Delta. In summary, San Joaquin County seeks to:

- 1) Protect its governmental prerogatives in the areas of its local land use authority, tax and related revenues, public health and safety, economic development, and agricultural stability;
- 2) Protect its ability to govern, as an elected body, from proposed usurpation through governance by a non-elected appointed board or council. And, any and all councils, commissions, or boards established to “govern” the Delta must include voting membership for elected representatives from San Joaquin County;
- 3) Work with the State’s representatives implementing the Delta Vision Strategic Plan, Bay Delta Conservation Plan, the Delta Stewardship Council Interim Plan and Delta Plan, the Delta Protection Commission’s Land Use Resources Management Plan and Economic Sustainability Plan, the Delta Conservancy’s Strategic Plan, and the development and implementation of other future planning documents to ensure that those Plans do not conflict with County land use planning and economic development, including agriculture.

On November 4, 2008, the San Joaquin County Board of Supervisors adopted policies and principles with respect to Bay Delta activities (R-08-649, Appendix D – Pages 118-120). These policies and principles supplement the principles adopted by the Board through a Resolution Opposing the Delta Vision Blue Ribbon Task Force Recommendations for the Sacramento-San Joaquin River Delta R-08-269 (Appendix E – Pages 120-123) and in the recently amended Multi-County Resolution on Water and Delta-related issues R-10-409 (Appendix B – Pages 113-114). San Joaquin County seeks the State’s support as follows:

- 1) Actions associated with the Delta ecosystem and water supply reliability for areas outside of the Delta must not redirect unmitigated adverse environmental, economic, or social impacts to the County.
- 2) Actions and activities associated with the Delta must honor and adhere to water rights, priorities, and area-of-origin protections. The County opposes water user fees, taxes, and other assessments that would burden water users in the areas of origin for the cost of mitigation efforts in the Delta, or to provide a water supply for those outside of the Delta.
- 3) Water conveyance facilities routed through the County must have no adverse effect on the existing and future agricultural operations in the County. Other adverse impacts of water conveyance facilities routed through the County must be fully mitigated. The County must be fully involved in routing and operational issues of water conveyance facilities located within the County.



Legislative/Regulatory Policy Guidelines ~ Sacramento-San Joaquin Delta and Bay Delta

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

Legislative/Regulatory Policy Guideline ~ San Joaquin Delta and Bay Delta (*continued*)

- 4) Financial resources must be committed by the State to maintain and enhance vital transportation and flood control infrastructure within those areas of the Delta that are within the County. Financial resources also need to be committed to improve emergency response within the Delta.
- 5) Any solution to the problems being addressed in the Delta must account for the multiple causes of the Delta's decline, and not simply focus on one or even a limited number of them.



Legislative/Regulatory Policy Guidelines ~ Water Resources

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

- 1) Support legislation, regulatory reform, funding, and/or budgetary proposals which would address groundwater overdraft, water quality and supply issues in San Joaquin County.
- 2) Support legislation and/or regulatory reform which would serve to restore the San Joaquin River in-stream flows to the Delta in accordance with adopted resolutions and water resources planning documents in the County.
- 3) Advocate and support legislation or regulatory efforts which would provide for the use of surface water to recharge critically over-drafted groundwater basins, and to define and streamline State regulatory permitting processes for aquifer storage and recovery.
- 4) Seek and support State policy and planning which would provide for comprehensive flood protection projects, including the development of additional surface water storage facilities as defined under adopted Integrated Regional Water Management Plans.
- 5) Support legislation which would provide new water supplies in the State to be developed through greater conservation, recycling, conjunctive use of ground and surface water, desalination of brackish and ocean waters, additional local water storage facilities, water reclamation, and improved management of flood waters.
- 6) Support legislation which would provide for local and regional water resource management activities to develop and utilize local regulatory storage and other projects for improved conjunctive use, recharge capability, and groundwater storage and use.
- 7) Seek and support legislation which would facilitate recovery from flood, seismic, and other potential emergencies in the San Joaquin Delta levee system.



PUBLIC WORKS ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

63. Title: Groundwater Management and Conjunctive Use

Issue: The Eastern San Joaquin Groundwater Basin has been designated by the State as being in “critical overdraft”. Groundwater levels continue to decline and saline groundwater intrusion threatens portions of the Basin.

Legislative Platform:

- 1. Seek, advocate, and support legislation and/or budgetary proposals which would:**
 - a. Provide increased funding for local conjunctive use projects and groundwater quality and monitoring within San Joaquin County, including projects providing a regional benefit; and,**
 - b. State bond funding for groundwater management and conjunctive use activities and projects as developed under the State Integrated Regional Water Management Planning program.**
- 2. Support legislative or regulatory efforts to streamline State regulatory permitting processes for aquifer storage, recovery, and other groundwater recharge projects.**

Background: The California Water Plan Update of 2009 estimates the rate of statewide groundwater overdraft at approximately two million acre-feet per year. Increased scarcity of surface water resources and continued reliance on groundwater to sustain population growth and agricultural production will push groundwater basins to the limit. Areas in groundwater overdraft have generally experienced declines in groundwater levels, degradation of groundwater quality, saline intrusion, deterioration of hydraulically-connected surface water features, and inelastic land subsidence. Groundwater overdraft continues to affect urban, rural, and especially disadvantaged communities both financially and environmentally.

The California Water Plan Update estimates that through increased conjunctive water management, up to two million acre-feet of water per year could be added to State supplies. Conjunctive water management (or conjunctive use) is defined as the coordinated optimization of surface and groundwater supplies. By using more surface water when available, and actively recharging groundwater basins with wet-year water increases, groundwater storage helps to eliminate groundwater overdraft. Conjunctive use helps to diversify communities’ water portfolios and to increase water supply reliability and flexibility. The legislature recognizes the need for increased groundwater management by local governments and requires agencies to adopt groundwater management plans to be eligible for State groundwater funding. The San Joaquin County Flood Control and Water Conservation District and Department of Water Resources have signed a Memorandum of Understanding to assist financially and technically with groundwater management, groundwater monitoring, and conjunctive use opportunities in eastern San Joaquin County.



PUBLIC WORKS ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

Groundwater Management and Conjunctive Use (*continued*):

The San Joaquin County Flood Control and Water Conservation District, Northeastern San Joaquin County Groundwater Banking Authority (GBA) in partnership with the Department of Water Resources and the U. S. Geological Services studied the extent and migration of saline groundwater and the mechanics of groundwater recharge in eastern San Joaquin County. The GBA consists of the cities of Stockton and Lodi, California Water Service Company, Stockton East Water District, North San Joaquin Water Conservation District, Central San Joaquin Water Conservation District, Woodbridge Irrigation District, South Delta Water Agency, Central Delta Water Agency, San Joaquin Farm Bureau Federation, and the San Joaquin County Flood Control and Water Conservation District.

The information gained from the study has greatly enhanced the local understanding of the recharge mechanisms, transport dynamics, and geo-chemical processes of the underlying basin, which has improved the technical validity of project actions proposed in the Eastern San Joaquin Integrated Conjunctive Use program. San Joaquin County views this five-year, multi-million dollar collaborative study as a highly successful State, local, and federal partnership that applies cutting-edge groundwater science to contemporary integrated regional water resources planning.



PUBLIC WORKS~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

64. **Title:** **Integrated Regional Water Management Plan Implementation – Eliminate or Modify Competitive Grant Funding Process and Procedures**

Issue: The Integrated Regional Water Management (IRWM) grant application and screening procedures wastes hundreds of thousands of local agency dollars unnecessarily through an onerous and wasteful competitive funding process.

Legislative Platform: **Support legislation and/or administrative efforts which would modify the existing competitive IRWM planning grant funding application process so that grant funds could be promptly assigned to IRWM regional planning areas and Regional Acceptance Process-qualified agencies for planning and project development throughout the State.**

Background: Finding enough water to sustain California's growing population, industrial and agricultural production, and unique natural environment continues to be a top priority for the State. Surface water resources are stretched to the limit. Problems are further exacerbated by reductions in groundwater availability.

The concept of Integrated Regional Water Management (IRWM) planning is to develop regional collaborative solutions to water supply, water quality, flood control, and environmental challenges. Local agencies are encouraged to work closely with other stakeholders to pursue projects and funding that not only meet the needs of a single agency, but serve the region as well. Propositions 50 and 84, the multi-billion dollar water bonds, have set aside millions for local agencies under a competitive IRWM grant application process. For example, in order to qualify for this funding, the 11-member Northeastern San Joaquin County Groundwater Banking Authority (GBA) and other regional agencies in the State have prepared and adopted IRWM planning documents that detail local and regional project implementation plans and have also participated in a Regional Acceptance Process conducted by Department of Water Resources (DWR). The State has since qualified the GBA, but it must now compete in this statewide competitive grant process in order to provide additional qualifications for projects already outlined under DWR-approved IRWM plans.

In August 2010, Proposition 84 planning and implementation grant application guidelines were released allocating \$20 and \$100 million, respectively, through DWR. To be eligible for this funding, many regional water agencies will spend hundreds of thousands of dollars to develop applications in order to compete against other qualified agencies for the available funds. Instead of this competitive process, grant funds should be assigned when available to qualified IRWM regions, divided by the hydrologic regions in the State. The IRWM regional agencies could then allocate funding based on the adopted project and program schedules developed as part of the IRWM planning process. This process would streamline the grant funding process, allowing for more of the funding to go directly to local and regional water resource infrastructure projects to help sustain the State's water supply demands.



Legislative/Regulatory Policy Guidelines ~ Flood Protection

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

- 1) Seek, advocate, and support legislation and/or budgetary proposals which would require coordinated planning and funding levels for comprehensive levee evaluations and flood protection, and improvements to existing flood protection/levee systems (project and non-project levees) to achieve enhanced urban flood protection statewide.
- 2) Aggressively oppose legislative efforts to shift State and/or federal flood control liability or obligations to local agencies.

While it is necessary for local agencies to act responsibly when approving development in and near existing floodplains, it is inappropriate to subject local agencies, which approve development in a manner consistent with existing law, to liability for flood damages due to conditions over which the agencies have no control.

- 3) Support legislation or regulatory changes which would mandate coordination between State and federal agencies relative to flood protection and floodplain management regulations.
- 4) Oppose legislation or regulatory efforts which would impose arbitrary increases in flood protection standards without sufficient feasibility studies, including financial impacts and identification of funding sources for local implementation.
- 5) Oppose legislation or regulatory efforts which would result in a duplication of efforts between local floodplain administrators and the State Reclamation Board with regard to the evaluation of community development projects.
- 6) Oppose arbitrary imposition of enhanced flood protection standards which are stricter only for the Delta, and inconsistent with other statewide standards.
- 7) Advocate and support efforts to ensure that the State Flood Management Plan for the Central Valley addresses global change.
- 8) Support legislation or regulatory efforts which would streamline the permit process for the removal of silt from flood control and Delta waterways, and provide the required funding.



PUBLIC WORKS ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

65. **Title: Coordination of State and Federal Levee Infrastructure Inspection Efforts**

Issue: Levee inspections by the U.S. Army Corps of Engineers (USACE) are not coordinated with State and local maintaining agencies resulting in redundancy and inefficiencies in the inspection process.

Legislative Platform: Support legislative, regulatory efforts, and/or administrative processes which would improve coordination between Federal and State levee inspection programs to eliminate redundancies and accelerate correction of problems by requiring: a) joint Federal, State, and local inspections; b) single inspection criteria to be applied; c) coordination of all efforts to secure the permits necessary to do the desired correction work; and d) recognition of time requirements needed to complete the desired correction work.

Background: Levees are repeatedly inspected by Federal, State, and local maintenance agencies at various times utilizing diverse standards. The absence of coordination between inspection agencies often results in inefficiencies in the inspection process. Furthermore, the USACE and the State have different standards for vegetation, encroachments, system-wide treatments, and reporting. When corrections are completed by local maintenance agencies, the corrections are recognized by the State and USACE months after the work is completed.



PUBLIC WORKS ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

66. **Title:** 2007 Flood Protection Legislative Package

Issue: Unrealistic deadlines in the 2007 Flood Legislative bills.

Legislative Platform: Seek and support legislation and/or regulatory changes which would revise mandated deadlines in the 2007 Flood Protection Legislative package to reflect realistic completion dates.

Background: In 2007, the State Legislature passed a total of six bills which are collectively referred to as the 2007 California Flood Protection Legislative Package. The bills are:

- AB 156 – Changes various provisions of the Water Code related to operation of the State-federal flood control projects in the Central Valley.
- SB 5 – Requires the Department of Water Resources and the Central Valley Flood Protection Board to prepare and adopt a Central Valley Flood Protection Plan by 2012, and establishes flood protection requirements for local land-use decisions consistent with the Central Valley Protection Plan.
- AB 162 – Requires cities and counties to address flood-related matters in the land use, conservation, safety, and housing elements of their general plans.
- SB 17 – Reforms and renames the Reclamation Board to improve proficiency, and requires development of a State Plan of Flood Control for the Central Valley.
- AB 70 – Provides, generally, that a city or county may be required to contribute a fair and reasonable share of the increased flood liability caused by its unreasonable approval of developments following the failure of a State flood control project.
- AB 5 – Makes clarifying and technical changes to the preceding bills.

These bills impose numerous requirements and restrictions on local governments in regard to land use planning, zoning, development, and flood safety public outreach. Most of the mandates are defined dependent upon the State's Central Valley Flood Protection Plan (CVFPP), with the assumption that the Plan will be completed by January 2012.

Based on the status of local flood protection infrastructure as described in the CVFPP, development can be completely halted until there is sufficient progress on upgrading flood protection facilities. The problem with this timing issue is two-fold. First, a comprehensive CVFPP that accurately portrays floodplain and existing flood control infrastructure status is not likely to be completed by January 1, 2012. Secondly, the effort to improve facilities so that they provide a 200-year level of protection cannot conform to the law without meaningful engineering data that an accurate CVFPP would furnish. Finally, should the legislative deadlines not be revised, the negative economic impacts resulting from curtailed development would be widespread.



PUBLIC WORKS ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

67. **Title: Exemption from Proposition 218 Requirements**

Issue: Storm water, flood control, and street lighting are not exempt from the requirements of Proposition 218.

Legislative Platform: Seek and support regulatory reform, a State proposition, or bond, which would exempt flood control, storm water, and street lighting fees from Proposition 218 (1996) requirements.

Background: Proposition 218, the “Right to Vote on Taxes Act”, approved in November 1996, requires that new and increased local taxes and fees be approved by voters/property owners.

While Proposition 218 has specific exemptions for water, sanitary sewer, and refuse collection rates, it does not exempt rates for storm water, flood control, and street lighting. The State Attorney General issued an opinion March 5, 1998 (Opinion 97-1104), which states that storm drainage fees are not exempt and these rates are subject to voter approval. Consequently, for over a decade, counties have not had the ability to increase fees to offset the annual increase of street lighting, storm water, and flood control.

In many counties, the street lighting and storm drainage fees are primarily for the maintenance and operation of the facilities, and are similar to the fees for the maintenance and operation of water and sanitary sewer systems. In some counties, requests for increases in assessments through the balloting process have failed, resulting in a reduction in the level of street lighting and storm water services for specified areas.

After passage of Proposition 218, the federal Clean Water Act placed more responsibility on local governments to monitor and treat storm water and urban runoff. Run offs often wash pollution and debris into storm drains, and eventually into creeks, rivers, bays, and oceans, damaging aquatic habitat, and have attributed to beach closures and advisories. Storm water pollution can contaminate drinking water and endanger public health.

Regulatory reform exempting storm water, flood control, and street lighting from Proposition 218 or a Constitutional Amendment authorizing local government to create an additional resource is needed to fund storm water and urban runoff management programs and street lighting services.



Legislative/Regulatory Policy Guidelines ~ Transportation

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

- 1) Seek, advocate, and support legislative action which would serve to ensure a stable source of transportation funding to counties, protect and secure local transportation funds from being eliminated, delayed or diverted away from counties, provide flexibility in administering local transportation programs and services, and increase funding for local transportation projects.
- 2) Continue to advocate that California receive its fair share of contributions from the Federal Highway Trust Fund.
- 3) Advocate for cities and counties to share equitably in the growth of federal revenues available to California for the network of local roads which are experiencing increased traffic and functioning as secondary highways.
- 4) Continue to support legislation and/or budgetary proposals which would provide dedicated funding to address local transportation needs.
- 5) Seek and support federal reauthorization of SAFETY-LU or a new federal transportation bill, which would include adequate funding.



TRANSPORTATION ~ Legislative Projects

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

68. Title: Top Ten Transportation Projects

All the San Joaquin County Top Ten Projects are of regional significance focusing on roadway safety and improvements that serve to advance economic vitality in the California Central Valley Region.

#	PROJECT	FUNDING REQUEST	DESCRIPTION
1	State Route 4 Corridor Improvements	\$5M (Planning/ Environmental)	Planning and engineering studies, right-of-way acquisition, and project design to widen SR 4 from 2 to 4 lanes. Project limits include 1 major bridge at Middle River. Project length is approximately 16 miles.
2	Lower Sacramento Road Corridor Improvements	\$2.46M	Widen existing 2-lane road to 4 lanes. Approximately 3 miles of this corridor remains to be widened. Several minor structures are located within the remaining areas to be widened.
3	Interstate 5/French Camp (Arch-Sperry) Interchange	\$10M	A City of Stockton project supported by San Joaquin County. Reconfigure the existing interchange to handle future General Plan traffic volumes and facilitate a connection to the pending Sperry Road extension. Work includes relocation of existing ramps and frontage roads.
4	Arch-Sperry Expressway	\$1.5M	A City of Stockton project supported by San Joaquin County. Facilitate a connection between the pending Interstate 5/French Camp Road interchange (west) and existing Sperry Road (east). Work includes construction of 4 lanes, 5 bridge crossings, 3 railroads, 2 major roadways, and 1 waterway. Project length is approximately 1 mile.
5	State Route 12/88 Improvements (Lockeford Bypass)	\$5M (Construction.)	Provide 4 lanes (2 lanes east-bound and 2 lanes west-bound) from SR 12/88 west to SR 12/88 east. Ultimate alternatives selected may include multiple minor structures. Project length is approximately 9 miles.
6	Eleventh Street Corridor Improvements	\$9.5M	Construct median and intersection improvements through this 4-mile corridor. The cost estimate allows for the construction of a roundabout at each of the intersections in the corridor.
7	Lower Sacramento Road Railroad Crossing Improvements	\$15M	Improve safety and traffic operations at the Lower Sacramento Road railroad crossing near Woodson.
8	Byron Highway (State Route 239)	\$1M	Widen the corridor to 4 lanes and 2 potential overpass projects at Mountain House Parkway and Central Parkway.
9	Howard Road/Tracy Boulevard Widening Improvements	\$1M	Widen Howard Road and Tracy Boulevard from 2 to 4 lanes, and construct miscellaneous geometric and intersection improvements. Project limits include 4 bridges. Project length is approximately 17 miles.
10	Turner Road Improvements	\$1M	Widen the shoulder along Turner Road and add turn lanes at intersections. Project limits include 1 minor structure and 1 at-grade railroad crossing. Project length is approximately 4.5 miles.



TRANSPORTATION ~ Legislative Issue/Projects

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

69. **Title: Local Road and Bridge Maintenance Backlog**

Legislative Platform/Project Appropriations Requests:

Seek, advocate, and support legislation and budgetary appropriations to address backlog of local road and bridge maintenance projects.

Background: The County's growing population and growth as a hub for warehousing and goods movement has added more cars and heavy trucks on the streets, the movement placing increased stress on the bridges and roadways. Local roads represent over 80% of the State's maintained miles and are functioning as the secondary highway system in California. The lack of, or deferral of, road maintenance funding has made it difficult to deliver projects crucial to the local roadway system.

Currently in San Joaquin County, the backlog of deferred road maintenance includes an estimated:

\$215 million in pavement maintenance

\$175 million in bridge maintenance

\$225 million in safety improvements

This shortfall reflects funds needed in order to maintain the current local roads and bridges in good condition. This shortfall does not include system expansions such as those required to address existing congestion or population growth. Continued delay of this work will result in further declining road conditions and increasing the County's roadway maintenance backlog.

(Project Literature Available)



Legislative/Regulatory Policy Guidelines ~ Solid Waste

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

- 1) Support legislative and administrative efforts which would require an economic evaluation and finding of a positive benefit-to-cost ratio before new regulations are implemented.
- 2) Oppose legislation or changes to current regulations which would allow the processing of radioactive and semi-hazardous wastes at Class III landfills.
- 3) Advocate and support legislation which would provide for the development and implementation of waste diversion, alternative disposal technology, and recycling programs which provide local benefits.
- 4) Support legislation which would provide incentives for development of “landfill gas to energy” and “waste to energy”, and streamline related permitting processes.
- 5) Oppose legislation which would impose new solid waste disposal requirements on local government unless the funding mechanisms needed for implementation are provided.
- 6) Oppose legislation or regulatory reform requiring municipal landfills (Class III) to accept semi-hazardous wastes, including medical or radioactive waste products.
- 7) Support legislation which would provide: a) local control of where locally produced wastes are disposed, for the purposes of assuring waste diversion mandates are met, and b) adequate funding for the development and operation of local waste diversion and disposal facilities.
- 8) Support legislation which would require that State and federal facilities comply with State-imposed waste diversion mandates, or provide local jurisdictions relief from diversion mandates for waste over which they have no control.
- 9) Oppose legislation which would increase State disposal fee surcharges on local landfills.
- 10) Oppose legislation which would ban landfill disposal of new categories of products, unless an alternative disposal plan and related programs and infrastructure are in place (“ban without a plan”).
- 11) Support legislation which would require development of balanced sustainable plans for community growth that incorporate waste diversion principles and enhanced use of “green” technologies.
- 12) Support legislation and/or new regulations which would promote the development of cost-effective programs to increase the use of rubberized asphalt.
- 13) Oppose legislation and/or regulatory changes which would increase post-closure requirements for landfills.



PUBLIC WORKS ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

70. Title: **Illegal Dumping**

Issue: Illegal dumping is a significant problem in San Joaquin County. Illegal dumping has resulted in increased costs to the County for cleaning up illegally disposed waste.

Legislative Platform: Advocate, and support legislation which would address illegal disposal of waste including the establishment of a statewide Illegal Dumping Prevention Program in coordination with existing cleanup programs administered by the California Integrated Waste Management Board. The proposed illegal dumping prevention program should include:

1. **Funding for illegal dumping enforcement and related judicial processes;**
2. **Public outreach, education, and training; and,**
3. **Support statewide standardization of acceptable evidence and prosecution.**

Background: According to the California Integrated Waste Management Board website, illegal dumping of waste is one of the most pervasive problems for cities and counties now and for at least the past 16 years. Illegal dumping on county roadways in San Joaquin County is a significant problem. In addition to being unsightly, it increases health and safety hazards and requires significant resources in response to illegal dumping. The economic impacts of illegal dumping to local governments are significant. San Joaquin County alone expended in excess of \$1 million on illegal dumping in the past year. Unlike most county and city programs, illegal dumping usually does not fall into a specific program area. As a result, it does not receive adequate funding.

In November 2004, San Joaquin County adopted an ordinance to increase the fines and punishments for illegal dumping of waste in the County up to the maximum allowable by State law. The local ordinance included high-profile signage and initial efforts to establish a random camera enforcement program at high-frequency dumping locations. In November 2007, the San Joaquin County Board of Supervisors established an Illegal Dumping Prevention/Enforcement Task Force to research and to recommend a plan for focusing on illegal dumping prevention, apprehension, and prosecution of illegal dumpers. At this time, there is no funding mechanism for illegal dumping enforcement.



PUBLIC WORKS ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ PUBLIC WORKS

Contact: Thomas M. Gau, Interim Director, E-Mail: tgau@sjgov.org; Ph. (209) 468-3101

71. **Title:** Extended Producer Responsibility for Product Disposal

Issue: Currently, local governments are required to manage various universal and other waste products at time of disposal, resulting in significant annual costs to counties.

Legislative Platform: Advocate and support legislative and regulatory efforts to address end-of-life costs and management of problematic discarded products and materials.

Background: California local governments are required to collect and manage banned and often expensive discarded products and materials. To date, legislative and voluntary initiatives in California that involve producers in the design and end-of-life management of products have focused on one product or product category at a time. The result has been a patchwork of product-specific (e.g. lighting, computers, tires) or substance-specific (e.g. mercury, lead, brominated flame retardants) legislation for the disposal of problematic products, typically with no financial support for end-of-life management.

California's list of hazardous products banned from land disposal continues to grow, and other problematic products, such as tires, mixed-material, and bulky packaging are especially difficult to recycle and ever more prevalent. The costs to manage discarded products will increase substantially in the short-term unless policy changes are made.

San Joaquin County estimates that it would cost \$4 million to handle 50% of one year's generation of common problematic products.

The California Integrated Waste Management Board has adopted a framework approach to implement Extended Producer Responsibility in California in order to guide proposals to seek statutory changes. The framework establishes a government role in setting targets, developing appropriate regulations, establishing reporting and tracking requirements, and selecting products for new product stewardship programs.

San Joaquin County strongly supports Extended Producer Responsibility framework legislation that would establish transparent and fair principles and procedures to manage universal and other waste products for which improved design and management infrastructure are in the public interest, and that would shift waste management costs from local government to the producer of the product, which would give producers an incentive to redesign products to reduce their health and environmental impacts.



PURCHASING ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ PURCHASING AND SUPPORT SERVICES
Contact: David Louis, Director; E-Mail: dlouis@sjgov.org; Ph. (209) 468-2852

72. Title: Construction Contracts

Issue: Minor repair and maintenance projects are currently required to go through a time consuming process due to antiquated maximum limits of \$6,500 for labor and \$3,500 for material.

Legislative Platform: Pursue legislation to increase the Public Contract Code limits for minor repair and maintenance projects from \$6,500 to \$20,000 for labor and from \$3,500 to \$11,000 for materials.

Background: In 1982, Public Contract Code Section 20122 established a maximum limit of \$6,500, exclusive of materials, before a contract is required for the repair or maintenance of public buildings. Section 20133 was added at the same time allowing for the purchase of materials up to \$3,500 without bid for similar work. Section 20133 was repealed in 1990. Identical language is now found in Section 20131(b).

Also in 1982, Public Contract Code Section 20131 was added allowing purchasing agents to purchase materials, furnishings, and supplies used in the construction or repair of public works estimated as costing not more than \$6,500 without the formality of obtaining bids, letting contracts, and preparing specifications.

As a result of these antiquated limits, many minor maintenance projects are required to go through a time consuming bid process.

Increasing the limit in Section 20122 to \$20,000 and increasing the limits in Section 20131(a) to \$20,000, and 20131(b) to \$11,000, and including an inflationary index is recommended as a much more efficient means of completing minor maintenance through the procurement process. The increased limits would give counties over 500,000 in population, the needed flexibility to efficiently manage minor repairs and maintenance of public buildings. Counties would be able to reduce the time from bidding to repair, from 30 days to as few as 5 days.



PURCHASING ~ Legislative Issues

COUNTY OF SAN JOAQUIN ~ PURCHASING AND SUPPORT SERVICES
Contact: David Louis, Director; E-Mail: dlouis@sjgov.org; Ph. (209) 468-2852

73. **Title:** California Labor Code 1771

Issue: Currently, public agencies are unable to proceed with acquiring needed minor public work projects without the requirement to pay prevailing wage for any project costing over \$1,000.

Legislative Platform: Pursue and support legislation which would amend California Labor Code Section 1771 changing the dollar limitation from \$1,000 to \$10,000 before payment of prevailing wage is required.

Background: Current California Labor Code 1771 states that “*except for public works projects of one thousand dollars (\$1,000) or less, not less than the general prevailing rate of per diem wages for work of a similar character in the locality in which the public work is performed, and not less than the general prevailing wage of per diem wages for holiday and overtime work fixed as provided in this chapter, shall be paid to all workers employed on public works.*” The limit of \$1,000 has not been increased in spite of significantly reduced buying power from the initial wage establishment to current date. The intent of establishment of project cost greater than \$1,000 to have prevailing wage applied has been severely eroded due to inflation and increased costs of public works construction and repair, reducing the intended relative amount of services and materials that can be authorized without prevailing wage. The contractual burden and cost associated with payment of prevailing wage for small projects results in less scope of work able to be performed and/or fewer projects that can be accomplished due to unreasonably high labor rates required for these small projects.



APPENDIX ~ A

SAN JOAQUIN COUNTY'S "BETTER WAY" - Solutions for the Sacramento-San Joaquin Delta

San Joaquin County proposes that there is a "Better Way" to support a vision for a vibrant and sustainable Sacramento-San Joaquin Delta in the near and distant future. San Joaquin County's vision for a Better Way begins with the recognition that the Delta is a vibrant ecosystem which supports diverse fish and wildlife species and passionate recreational enthusiasts. We must also recognize the proud tradition of the Delta in agriculture and maritime commerce. Miles of utility lines, roads and other infrastructure traverse through the Delta and support urban communities far and near. The unique splendor of the estuary, its history, and the lifelines that traverse through it makes the Delta a special place for all Californians especially to those who live, work and play here.

Spreading the Message...

California Partnership for the San Joaquin Valley

San Joaquin ~ Stanislaus ~ Merced ~ Madera ~ Fresno ~ Kings ~ Tulare ~ Kern

Since 2005, California Partnership for the San Joaquin Valley has focused on improving the region's economic vitality and quality of life for the region's 4 million residents. The Partnership's efforts are broad and encompass several work groups which specialize in areas such as transportation, education, energy, and water. The Partnership's Water Work Group had recently presented a resolution to the Partnership Board of Directors. Despite the polar nature of the Peripheral Canal issue, the eight San Joaquin Valley Counties found that they have much more in common with regards to a sustainable water supply of adequate quality and a commitment to sustained flood protection efforts. On October 22, 2009, the historic resolution was passed unanimously by the Partnership Board of Directors.

"Let's build on the 90% we can agree upon and stop fighting over the 10% we can't."

~ Fritz Grupe,
Deputy Chairman
California Partnership for the San Joaquin Valley





APPENDIX ~ A (*continued*)

SAN JOAQUIN COUNTY'S "BETTER WAY" - Solutions for the Sacramento-San Joaquin Delta

In June 2008, the Counties of Contra Costa, Sacramento, San Joaquin, Solano, and Yolo recognized the need for a coalition to advocate for the common interests of the 5-Delta Counties with the adoption of a multi-county resolution. The Delta Counties developed a joint resolution which outlines 11 basic principles of mutual interest concerning water quantity, water quality, Delta ecosystem, water rights, local economies, governance, levee maintenance, through-Delta conveyance, improved Statewide water demand management, and maximum recycling and reuse. The Delta Counties Coalition will continue to meet and advocate in accordance with the adopted principles.

The Sacramento-San Joaquin Delta is the largest estuary in the western United States. The Delta is also home to two major shipping ports, four major highways, various railroads, water pipelines, power transmission and natural gas storage facilities; and more than 750 plant and animal species, many of which are endangered. Water diverted from the Delta is used to support 28 million Californians and 7 million acres of farmland. **Two thirds of the Delta lies in San Joaquin County** while the remainder of the Delta overlies the Counties of Contra Costa, Sacramento, Solano and Yolo.



Thinking Outside the Box . . .

A Water Plan For The 21st Century: Regional Self-Sufficiency – It is no coincidence that increased exports out of the Delta has caused the drastic decline in the health of the Estuary. As communities and farms throughout California struggle to find new and reliable water supplies, sustainability is a concept that must be made a priority to ensure that future generations may continue to enjoy the riches of California. Self-sustaining water regions throughout California – the concept is not new. What if we reactivate historical floodplains to lessen flood peaks, enhance wildlife habitat, and replenishes depleted groundwater basins? What if we built new reservoirs to increase flood control and water storage potentials? What if we recycled or desalted as much water as we could?

"You can't operate the Delta like a sponge, soaking in the spills from our reservoirs and then wringing it dry to quench our thirsts."

~ Tom Zuckerman,
Delta Advocate



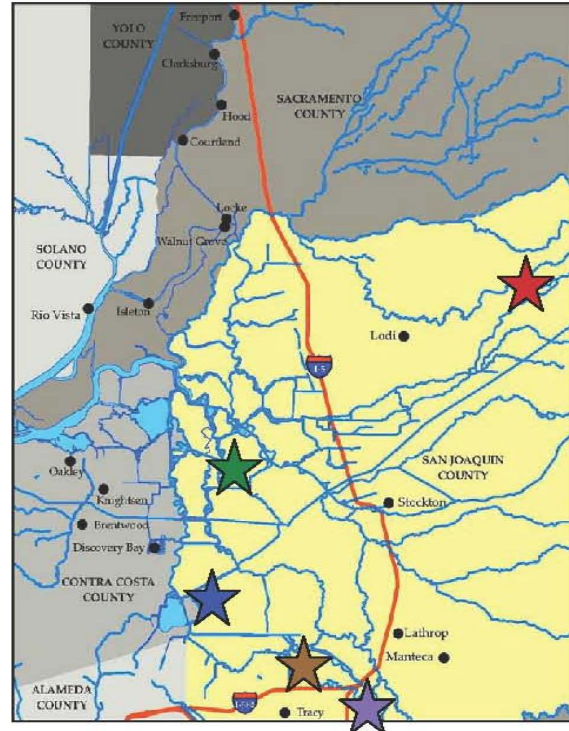


APPENDIX ~ A (continued)

SAN JOAQUIN COUNTY'S "BETTER WAY" - Solutions for the Sacramento-San Joaquin Delta

MORE WATER Project - Flood water is a liability and is only available in certain months during wet years. How do we turn this liability into a resource? The MORE WATER Project proposes to divert flood water off the Mokelumne River in Wet years during the months of December to June. The water will be diverted into the proposed Duck Creek Reservoir, an off-stream reservoir, for use during the irrigation season. The use of surface water in-lieu of groundwater will help to combat conditions of overdraft in Eastern San Joaquin County. Conjunctive use is the key to turning straw into gold.

South Delta Bypass - A south delta flood bypass and habitat restoration area in the vicinity of Paradise Cut could reduce the flood risk in the lower San Joaquin River for the residential areas of Lathrop, Manteca, and Stockton.



Delta Management is about Water Quality not Quantity...

Thinking about alternative ways to manage the Delta, we must recognize that fish, including salmon and Delta Smelt, prefer a certain water quality which can fluctuate tremendously throughout the Delta and is also dependant on seasonal runoff and export pump operations. Fish have not done well in the Delta because it has historically been primarily managed as a water supply switch yard. What if we could manipulate the flow in Delta channels to mimic preferable water quality conditions in certain parts of the Delta away from the export pumps? This scenario could potentially provide an opportunity for salmonid and Delta Smelt populations to recover with less severe Delta export restrictions.



APPENDIX ~ A (*continued*)

SAN JOAQUIN COUNTY'S "BETTER WAY" - Solutions for the Sacramento-San Joaquin Delta

Delta Corridors Project – The concept of the Delta Corridors Project is to avoid mixing salinity with fresh water near the export pumps. The proposal is to reconnect Old River with the San Joaquin River to provide more nutrients often needed by fish and to redirect the Delta's fresh water pool through Middle River to the export pumps. A total of 12 flood gates, barriers and/or pumping facilities would need to be constructed throughout the Delta.

Two-Gate Project – Delta Smelt like turbid water typical of high runoff conditions in the winter and spring months. Physical flow barriers at Old River and Connection Slough could keep the more turbid Sacramento River flows of the spring winter months and therefore the Delta Smelt in the western sand central portions of the Delta thus enabling less severe export restrictions. Project proponents are proposing a 5-year study where temporary operable gates would be installed at a total cost of \$80 million. Boater interests and safety remain a major concern for local entities.

Act Now...

Levee Subventions – "An ounce of prevention is worth a pound in cure." Levee maintenance entities have for years accomplished the herculean task of maintaining the levee systems in the Delta with very limited funding sources. A renewed investment in levee improvements, emergency management, and a more coordinated approach to flood protection would allow flood managers to actually reduce the risks of levee breaks instead of fretting over the consequences.

Delta Recirculation – The Lower San Joaquin River continues to be a major source of imported salinity to the South Delta. The concept of Delta recirculation is to freshen Lower San Joaquin River flows with water from the Delta-Mendota Canal. Recirculation improves water quality entering South Delta and the export pumps. Improved salinity concentrations in the Lower San Joaquin River also could potentially reduce the Bureau of Reclamation's reliance on New Melones Reservoir, a major source of surface water for Eastern San Joaquin County, to meet Delta water quality objectives.





APPENDIX ~ B

Adopted: July 13, 2010

R-10-409 Amended and Restated Multi-County Resolution on Water and Delta Related Issues

WHEREAS, the Sacramento-San Joaquin River Delta is at risk from many factors, and in addressing these threats the State may make large-scale changes to the Delta's legal boundaries and ecosystem, land use authority within the Delta, water conveyance through and around the Delta, water rights, management Statewide and many other aspects related to the Delta; and,

WHEREAS, the COUNTIES believe there is value in developing a coalition on issues concerning the Sacramento-San Joaquin River Delta and greater Bay/Delta Estuary; and,

WHEREAS, the COUNTIES wish to collectively articulate the issues and interests from the perspective of the Delta region itself, from the people who call the Delta home, and perhaps best understand the tremendous resource the Delta represents; and,

WHEREAS, the COUNTIES have identified a need for joint action and advocacy in the areas of mutual interest on Delta-related issues; and,

WHEREAS, the COUNTIES wish to educate and maintain positive working relationships with regional, State and Federal governmental agencies and the public on Delta-related issues, and,

WHEREAS, through this Resolution, the COUNTIES have adopted a statement of basic principles describing their joint interests which may be refined over time.

NOW THEREFORE, the COUNTIES agree that:

The COUNTIES adopt this Resolution for the purpose of articulating mutual interests on Delta issues. Furthermore, the COUNTIES resolve to work together to better understand Delta-related issues from a regional perspective and to use their unified voice to advocate on behalf of local government in available forums at the Federal and State levels. Our mutual interests are as follows.

Management of the Sacramento-San Joaquin River Delta and greater Bay/Delta Estuary must:

1. Protect and improve water quality and water quantity in the Delta region and maintain appropriate Delta outflow for a healthy estuary;
2. Protect the existing water right priority system and legislative protections established for the Delta;
3. Respect and safeguard Delta Counties' responsibilities related to land use, water resources, flood management, tax revenues, public health and safety, economic development, agricultural stability, recreation, and environmental protection in any new Delta governance structures;



APPENDIX ~ B

Adopted: July 13, 2010

R-10-409 Amended and Restated Multi-County Resolution on Water and Delta Related Issues

4. Represent and include local government in any new governance structures for the Delta;
5. Protect the economic viability of agriculture and the ongoing vitality of communities in the Delta;
6. Support rehabilitation, improvement, and maintenance of levees throughout the Delta;
7. Support the Delta pool concept, in which the common resource provides quality freshwater supply to all Delta users, requiring mutual responsibility to maintain, restore, and protect the common resource;
8. Support immediate improvements to through-Delta conveyance;
9. Require that any water conveyance plan for the Delta be aligned with the principles established by this Resolution and supported by clearly demonstrated improvement of the entire State's water management;
10. Protect and restore the Delta ecosystem, including adequate water supply and quality to support it in perpetuity; and
11. Include the study of storage options and implementation of conservation, recycling, reuse, and regional self-sufficiency as part of a Statewide improved flood management and water supply system.
12. Support those conservation actions that are aligned with the principles established by this Resolution and that are in accordance with habitat plans and programs of the Delta Counties.



APPENDIX ~ C

Adopted: October 22, 2009

The California Partnership for San Joaquin Valley – Resolution in Support of the Partnership-Sponsored Integrated Regional Water Management Plan Framework

1. **WHEREAS**, the California Partnership for the San Joaquin Valley ("Partnership") was established by Executive Order S-22-06 to focus attention on one of the most vital, yet challenged regions of the State and implement changes that would improve the economic well-being of the Valley and the quality of life of its residents. The Partnership has crafted a Strategic Action Proposal that will achieve those goals and has been charged by Governor Schwarzenegger to implement that Strategic Action Proposal; and
2. **WHEREAS**, the growing population and expanding economy of the San Joaquin Valley require an adequate water supply of sufficient quality that is reliable for all sectors, including the environment. Current water supplies may be vulnerable to sudden disruption and reoccurring droughts. Groundwater supplies have been drawn down faster than they have been replenished; and current infrastructure is insufficient to address water storage and conveyance needs anticipated under current and future demand patterns and protecting the fragile Sacramento-San Joaquin Delta ecosystem. Each of these challenges must be addressed; and
3. **WHEREAS**, the Strategic Action Proposal's recommendations for Water Quality, Supply and Reliability focus on; a) developing an Integrated Regional Water Management Plan for the San Joaquin Valley that incorporates inter-regional cooperation between the San Joaquin and Tulare hydrologic regions; b) incorporating major levee enhancements in the Sacramento-San Joaquin Delta and San Joaquin Valley to safeguard and enhance regional water quality and water supply as well as provide for flood control; c) augmenting surface water and groundwater banking programs and recycled water projects; d) improving water quality and expanding inland saline water management; e) expanding environmental restoration and conservation strategies; and f) expanding agricultural and urban water use and energy efficiency programs; and
4. **WHEREAS**, implementation of the Water Supply, Quality and Reliability recommendations require development of a convergence of interest among the eight counties of the San Joaquin Valley; and
5. **WHEREAS**, this resolution takes no position on an isolated conveyance (peripheral canal) around and/or through the Sacramento-San Joaquin Delta; and
6. **WHEREAS**, a major goal of the Partnership is to build bridges of understanding and shared vision between interests and regions of the San Joaquin Valley and California that meld together to provide for the economic well being and quality of life for all its citizens; and
7. **WHEREAS**, the Partnership Water Policy Working Group has been engaged in a structured, collaborative dialogue since September 2007 to bring the interests and regions together to develop a shared vision for reliable water supply for all the San Joaquin Valley that protects water quality and reliability; and



APPENDIX ~ C (continued)

The California Partnership for San Joaquin Valley – Resolution in Support of the Partnership-Sponsored Integrated Regional Water Management Plan Framework

8. WHEREAS, the California Water Institute and Water Plan Advisory Committee have been engaged in a 2-year collaborative process to prepare a San Joaquin Valley Integrated Regional Water Management Plan Framework that effectively addresses the key elements contained in the Partnership Strategic Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the California Partnership for the San Joaquin Valley unanimously supports the Integrated Regional Water Management Plan Framework and encourages local, State and Federal resource agencies, as well as Central Valley Cities, Counties, and the public to embrace and implement concepts that address current and future sources, uses and management of water, including;

- a) Necessary infrastructure to capture, control, store and move water consistent with the law and water rights.
- b) Employment of best management practices to ensure that conservation, recycling, reuse, groundwater reclamation and desalination represent the maximum yet realistic portion of water supplies.
- c) Ensuring the safety and quality of current and future water supplies.
- d) Protection and restoration of aquatic ecosystems.
- e) Preventing and minimizing damaging floods.
- f) Encouraging regional self sufficiency for water supplies.
- g) Equitable responsibility among beneficiaries for funding the elements of a successful water management strategy, and
- h) Developing priorities with a commitment to complete the long-range strategy within reasonable timeframes.



APPENDIX ~ D

Adopted: November 4, 2008

R-08-649: Resolution With Respect to Delta Actions and Activities Concerning the Delta Vision and the Bay Delta Conservation Plan

WHEREAS, the San Francisco Bay/Sacramento-San Joaquin Delta (Delta) is a massive estuary at the confluence of the Sacramento and San Joaquin rivers in which numerous islands exist that have been rich agricultural lands since the conversion to irrigated agriculture at the conclusion of the California gold rush. These islands and waterways provide habitat for many species of plants and animals, including several listed as either threatened or endangered under the State and Federal endangered species acts; and

WHEREAS, the Delta is the source of irrigation water for approximately seven million acres of agricultural land and a source of municipal and industrial water supply for two-thirds of California's residents. The Delta is the key conveyance point for California's two largest water projects, the Central Valley Project (CVP) and the State Water Project (SWP). The CVP and SWP operate massive pumps that transport water from the Delta to Central and Southern California; and

WHEREAS, Delta water suffers from salt water degradation; agricultural activities and wildlife, including fish species, are threatened; and Delta levees are in need of improvement; and

WHEREAS, these conditions have prompted contentious battles in numerous administrative, legislative, and judicial proceedings between water users within the Delta and those who use water exported from the Delta. Some of the most protracted conflicts have occurred in the context of the administrative proceedings (and subsequent litigation) for the Delta water quality control plan, which is essentially the water quality framework established pursuant to the federal Clean Water Act and California's Port-Cologne Act. The Delta water quality control plan has been the source of active and unabated administrative or judicial proceedings since the mid 1970s; and

WHEREAS, the Governor's Delta Blue Ribbon Task Force (Delta Task Force) was created by executive order in September 2006 and charged with developing "a durable vision for sustainable management for the Delta;" and

WHEREAS, in December 2007 the Delta Task Force released its final Delta Vision setting forth 12 integrated and linked recommendations for long-term management and suggesting several near-term actions to address immediate needs; and

WHEREAS, in October, 2008, the Delta Task Force released a final draft of the Delta Vision Strategic Plan; and

WHEREAS, a parallel State process is underway to develop a Bay Delta Conservation Plan to support the construction of a peripheral canal in the Delta; and



APPENDIX ~ D (*continued*)

R-08-649: Resolution With Respect to Delta Actions and Activities Concerning the Delta Vision and the Bay Delta Conservation Plan

WHEREAS, significant portions of San Joaquin County (County) are within the Delta and, therefore, the County's interests are directly involved with all of these processes and the potential exists to directly and adversely impact areas of the County that lie both within and outside of the Delta; and

WHEREAS, while the County is and has been willing to constructively participate in all of the processes noted above, it must be guided by policies and principles which protect County interests;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of San Joaquin County adopts the following policies and principles with respect to Bay Delta activities including the adoption and implementation of Delta Vision Strategic Plan and the Bay Delta Conservation Plan:

1. Actions associated with the Delta ecosystem and water supply reliability for areas outside of the Delta must not redirect unmitigated adverse environmental, economic, or social impacts to the County.
2. Actions and activities associated with the Delta must honor and adhere to water rights priorities and area-of-origin protections. The County opposes water user fees that would tax water users in the areas of origin for the cost of mitigation efforts in the Delta or to provide a water supply for those outside of the Delta.
3. Water conveyance facilities routed through the County must have no adverse effect on the existing and future agricultural operations in the County. Other adverse impacts of water conveyance facilities routed through the County must be fully mitigated. The County must be fully involved in routing and operational issues of water conveyance facilities located within the County.
4. The County will protect its governmental prerogatives in the areas of its local land use authority, tax and related revenues, public health and safety, economic development, and agricultural stability.
5. The County will protect its ability to govern, as an elected body, from proposed usurpation through governance by a non-elected, appointed board or council. Any councils, commissions, or boards established to "govern" the Delta must include voting membership for elected representatives from San Joaquin County, and elected representatives from the Delta counties must be a majority on any of these bodies.
6. The County will work with the State's representatives implementing the Delta Vision Strategic Plan and the Bay Delta Conservation Plan to ensure that those Plans do not



APPENDIX ~ D (*continued*)

R-08-649: Resolution With Respect to Delta Actions and Activities Concerning the Delta Vision and the Bay Delta Conservation Plan

conflict with County land use planning and economic development, including agriculture.

7. Financial resources must be committed by the State to maintain and enhance vital transportation and flood control infrastructure within those areas of the Delta that are within the County. Financial resources also need to be committed to improved emergency response within the Delta.
8. Any solution to the problems being addressed in the Delta must account for the multiple causes of the Delta's decline, and not simply focus on one or even a limited number of them.
9. These policies and principles supplement the principles adopted by this Board in R-08-269: Resolution Opposing The Delta Vision Blue Ribbon Task Force Recommendations for the Sacramento-San Joaquin River Delta; and in R-08-363: Multi-County Resolution on water and Delta related issues.



APPENDIX ~ E

Adopted: May 13, 2008

R-08-269: Resolution Opposing the Delta Vision Blue Ribbon Task Force Recommendations for the Sacramento-San Joaquin River Delta

WHEREAS, on September 28, 2006 under Executive Order S-17-06, Governor Arnold Schwarzenegger established the Delta Vision Committee, a Blue Ribbon Task Force and Stakeholder Coordination Group to help develop a durable vision for sustainable management of the Delta with the goal of managing the Delta over the long term to restore and maintain identified functions and values that are determined to be important to the environmental quality of the Delta and the economic and social well being of the people of the State; and,

WHEREAS, the planning process has progressed to the point where, on November 30, 2007, the Task Force released their Delta Vision Report (Report) entitled, "Our Vision for the California Delta." In the report it describes both short- and long-term recommendations that propose changes to a wide array of issues affecting the Delta including water supply, water quality, flood control, land use, habitat, and local governance; and,

WHEREAS, while this planning effort together with the several Report recommendations has outlined ideas that may allow the Delta to meet future beneficial needs in a sustainable way, it also supports and calls for the studies, modeling, investigations, and potential development of an isolated water conveyance facility, Peripheral Canal singularly or as a part of a dual conveyance system; and,

WHEREAS, the construction and operation of a Peripheral Canal or a similar facility would require the taking of prime agricultural land and possibly urban areas for the construction of the canal itself and the loss of additional acreage from seepage from that canal, will cause severance damage to additional prime agricultural land, will sever and impair utilities and local road systems, will create significant new flood dangers to agricultural lands and urban areas within the City of Stockton and San Joaquin County, will adversely affect the water rights of water users within San Joaquin County, will circumvent the Delta common pool, and will seriously impair Delta water quality and an adequate supply for all beneficial uses, and the protection of endangered fish populations, wildlife, and other recreational resources within the County; and,

WHEREAS, given the fact that the Report acknowledges on page 13 that there is not currently sufficient information to determine whether an isolated facility, dual conveyance system or through-Delta conveyance is the best solution for the Delta, the recommendation on page 14 of the Report that an "assessment of a dual conveyance system proceed as the preferred direction" cannot be supported; and,

WHEREAS, San Joaquin County is concerned that the Seventh Principle of the Report, which provides that a "revitalized Delta ecosystem may require reduced diversions, or changes in patterns of diversion upstream, within and exported from the Delta," does not specifically consider and respect California's water right priority system and statutory protections for watershed protection areas and areas of origin; and,



APPENDIX ~ E (*continued*)

R-08-269: Resolution Opposing the Delta Vision Blue Ribbon Task Force Recommendations for the Sacramento-San Joaquin River Delta

WHEREAS, San Joaquin County is concerned that the Report considers upstream diversions and diversions within the Delta for local use as a problem to be addressed when these uses must be included within the Delta ecosystem that the State must strive to protect the County from the adverse impacts of Delta exports; and,

WHEREAS, San Joaquin County is concerned that the Report focuses on the Public Trust Doctrine as principles of State law to be recognized, while ignoring other equally important principles of State law, including, but not limited to, the water right priority system, and the protection of areas of origin and watershed protection areas; and,

WHEREAS, other more practical alternatives exist as outlined under a locally-supported proposal for greater regional self-sufficiency than a Peripheral Canal that can be constructed more rapidly at substantially less cost and will not create the destruction and problems that would be created by an isolated water conveyance facility; and,

WHEREAS, the State of California Water Plan has also promoted the need for more integrated and regionally-focused water resource solutions including greater efficiency in the use of available surface supplies, expansion of conjunctive use programs, better management of groundwater resources, desalination, conservation and recycling to establish greater self-sufficiency in areas of the State that rely on imported water supplies; and,

WHEREAS, the Blue Ribbon Task Force has apparently pre-supposed the need for a Peripheral Canal, isolated or dual conveyance facility in the Delta despite the lack of consideration for other more viable alternatives and without sound science and technical analysis needed for an informed decision. County representatives have worked cooperatively with Delta interests and other local water agencies to inform the Delta Vision process of other more viable alternatives with only limited success; and,

WHEREAS, on April 16, 2008, the 19-member agency San Joaquin County Flood Control and Water Conservation District Advisory Water Commission voted unanimously to recommend approval of this resolution.

NOW, THEREFORE, BE IT RESOLVED that the San Joaquin County Board of Supervisors does not support the Blue Ribbon Task Force's Delta Vision Report recommendations and the continued strategic planning process so long as this effort supports and promotes the development of a Peripheral Canal or any other isolated water conveyance facility in the Delta; and hereby urges the following:



APPENDIX ~ E (*continued*)

R-08-269: Resolution Opposing the Delta Vision Blue Ribbon Task Force Recommendations for the Sacramento-San Joaquin River Delta

1. That the Sacramento-San Joaquin River Delta, not California Delta as listed in the Report, be sustained as a unique and valued area, warranting continued investment, preservation, maintenance and special legal protections wherein the State must adopt explicitly in policy that the over-arching goal is the continuous and simultaneous improvement in health of the Delta, the Bay/Delta Estuary and other Northern California tributaries through improved water supply, reliability, water quality, and flood protection by sustaining priorities for the Delta, areas of origin and other watershed protection areas in California.

2. That the priority for meeting the needs in the Delta and Northern California tributaries from which water is exported should be acknowledged and forthrightly honored by both the Central Valley Project and State Water Project to comply with the San Joaquin River, Watershed and Delta Protection Statutes and the continuation of the Delta as a common pool to the maximum extent possible for all local beneficial uses and export as described in Water Code Section 12200 et seq.

3. That in order for the recommendations in the Report to be consistent with the technical findings acknowledged in the Report, the Task Force should also recommend assessment of Through-Delta conveyance.

4. That regardless of what Delta improvements are ultimately supported by the State, any Delta improvements must acknowledge that water users and interests within San Joaquin County are entitled to priority water use and protection from exports under existing California law, and insure that State actions are consistent with those rights and protections.

5. That the foundation for recommendations by the Report for any new water resource policy must: 1) recognize the priority for the water needs in the Delta and other areas of origin and watershed protection areas; 2) provide for the protection of California's water rights priority system; 3) provide for Delta salinity control; and 4) recognize the established fundamentals of California water law wherein the California State Constitution Article X, Section 2 prohibits waste, unreasonable use, and unreasonable method of use of water resources and it further provides that the "conservation of such waters is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and for the public welfare."

6. That future water supplies for the State of California be developed through greater regional self-sufficiency as prescribed by "A Water Plan for the 21st Century: Regional Self-Sufficiency" to include increased conservation, recycling, efficiency, conjunctive use, desalination, surface and groundwater storage and reclamation.



APPENDIX ~ E (*continued*)

R-08-269: Resolution Opposing the Delta Vision Blue Ribbon Task Force Recommendations for the Sacramento-San Joaquin River Delta

7. That the State set a priority to support self-sufficiency through improved Integrated Regional Water Management planning and implementation activities throughout the State to develop and utilize local water storage for the capture and management of available flood waters or other projects for improved conjunctive use, recharge, banking and groundwater storage in California.

8. That Delta levees be strengthened and operable gates or other facilities installed at strategic locations to improve future Delta sustainability, urban flood protection, ecosystem integrity, agricultural health and facilitate recovery from seismic or other emergency to optimize through-Delta conveyance and work in cooperation with other agencies to develop additional supplies to address the needs for the entire State.

9. That the primary and secondary boundaries of the Delta remain as established under California law and that any new governance proposal in the Report must first recognize and support: 1) the vested private property rights of land owners and the constitutionally recognized land use controls of local governments that encompass the Delta; 2) provide for the protection of California's water rights priority system; and 3) provide for the protection of watershed protection and area of origin rights.

NOW, THEREFORE, BE IT FURTHER RESOLVED that in conjunction with these declarations, the San Joaquin County Board of Supervisors further urges recognition of the following:

1. That the failure of the State Water Project to develop the promised 5 million acre-feet of supplemental water supply for California from North Coast rivers, as listed in Department of Water Resources Bulletin 76, limits the export of only surplus water from the Delta to periods and times when senior water rights, areas of origin and other beneficial uses are not adversely impacted.

2. That the San Joaquin River should also be recognized as a unique and valued watershed to be restored and protected as a vital element of a healthy Delta to provide for the reestablishment of sufficient in-stream flows for all beneficial uses and fishery habitat from the Friant Dam to the Delta.

3. That a long-term sustainable drainage solution in San Joaquin Valley that incorporates ocean outfall must be implemented so agricultural tail water and groundwater accretions high in salinity from lands in the Westside Service Area, Grasslands and wildlife refuges does not drain into the San Joaquin River. This solution should result in the preservation of our valued agriculture economy in the Valley and in greater regional water supply, improved water quality and sustainability through the conservation of hundreds of thousands of acre-feet of water released annually from the Stanislaus River or other Eastside tributaries to comply with the Vernalis and South Delta Salinity Standards.



APPENDIX ~ F

Adopted: September 18, 2007

R-07-534: Resolution Opposing the Development of a Peripheral Canal or Isolated Water Conveyance Facility by California Water Interest

WHEREAS, in 1982, the San Joaquin County Board of Supervisors approved a Resolution opposing the authorization, funding and construction of the proposed Peripheral Canal, or similar isolated water transfer facility to carry Sacramento River water around the Delta to the State and Federal pumps, as authorized by then Senate Bill 200; and,

WHEREAS, that position was re-asserted by additional actions taken by the Board in 1992, and again in 1998, under the CALFED Program; and,

WHEREAS, the State Water Project has not developed the five million acre-feet of water from North Coast watersheds, which was planned to supplement water supplies in the Delta for in-basin and export use; and,

WHEREAS, excessive exports of water from the Delta occur at times and amounts which cause injury to in-Delta water users and the environment, including endangered species; and,

WHEREAS, on September 28, 2006, Governor Arnold Schwarzenegger established the Delta Vision Committee, a Blue Ribbon Task Force and a Stakeholder Coordination Group to help develop a Delta vision and strategic plan. This visioning process has progressed to the point where the Coordination Group recently submitted a Preliminary Recommendations Report that includes two primary options, the Flexible Delta and the Resilient Adaptive Delta. While this effort has outlined possible approaches that may allow the Delta to meet future beneficial needs, it also revives and calls for the studies, modeling, investigations, and potential development of an isolated water conveyance facility such as the Peripheral Canal, singularly or as a part of a dual conveyance system; and,

WHEREAS, the construction and operation of a Peripheral Canal, or a similar facility would require the taking of prime agricultural land and possibly urban areas for the construction of the canal itself, and the loss of additional acreage from seepage from that canal will cause severance damage to additional prime agricultural land; will sever and impair utilities and local road systems; will create significant new flood dangers to agricultural lands and urban areas within the City of Stockton and San Joaquin County; will adversely affect the water rights of water users within San Joaquin County; will circumvent the Delta common pool; and will seriously impair Delta water quality and an adequate supply for all beneficial uses; and the protection of fish, wildlife, and other recreational resources within this County; and,

WHEREAS, there are other more viable alternatives to a Peripheral Canal, which would continue the transfer of water from the Sacramento River through the existing channels of the Sacramento-San Joaquin Delta to Clifton Court Forebay that can be constructed much more rapidly and at substantially less cost, and will not create all the damage and problems that would be created by the construction of an isolated water conveyance facility; and,



APPENDIX ~ F (*continued*)

R-07-534: Resolution Opposing the Development of a Peripheral Canal or Isolated Water Conveyance Facility by California Water Interest

WHEREAS, the State of California itself, through the California Water Plan Update 2005, has stressed the need for more integrated regionally focused water resource solutions, including greater conjunctive use, desalinization, conservation, recycling, and improved flood plain management to establish greater regional self sufficiency in areas of the State that rely on imported water supplies; and,

NOW, THEREFORE, BE IT RESOLVED that the San Joaquin County Board of Supervisors opposes the development of a Peripheral Canal, or any other isolated water conveyance facility in the Delta, and hereby urges the following:

1. That State water interests pursue regional solutions and limit exports from the Delta to water which is truly surplus to all present and future beneficial needs including environmental needs of the Delta and other areas of origin.
2. That the Delta be maintained as a common pool of good quality water for local and export water use.
3. That new water supplies in the State of California be developed through greater conservation, recycling, conjunctive use of ground and surface water, desalinization of brackish and ocean waters, local water storage, water reclamation and improved management of flood waters for recharge of overdrafted groundwater basins.
4. That local and regional water resource management activities be supported to develop and utilize local regulatory storage and other projects for improved conjunctive use, recharge capability and groundwater storage.
5. That Delta levees strengthened and gates and other facilities installed at strategic locations to improve Delta sustainability and facilitate recovery from flood, seismic and other emergencies.
6. That emergency response plan be developed, financed and implemented to provide improved State and local capability to respond to flood, seismic and other emergencies in the Delta.



APPENDIX ~ G

Adopted: August 7, 2007

R-07-451: Resolution Regarding the Northern California Women's Facility

WHEREAS, Assembly Bill 900 authorized the California Department of Corrections and Rehabilitation (CDCR) to construct, establish and operate reentry facilities throughout the State that will house up to a total of 16,000 inmates within one year of release; and,

WHEREAS, such facilities shall be secure facilities of up to 500 beds each; and,

WHEREAS, legislation requires that reentry facilities provide programming to inmates and parole violators tailored to the specific problems faced by this population when reintegrating into society; and,

WHEREAS, in locations where reentry facilities are established, the CDCR shall develop a collaborative partnership with local government, local law enforcement, and community service providers; and,

WHEREAS, the Northern California Women's Facility (NCWF) is currently unoccupied and could be used by the State as a reentry facility as described in AB 900; and,

WHEREAS, utilization of the NCWF as a reentry facility will promote collaborative partnership between the County and CDCR; and,

WHEREAS, the NCWF, when operating had a maximum capacity of 755, and AB 900 limits reentry facilities to 500 beds, there may be an opportunity to utilize excess capacity for local jail relief.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of San Joaquin County supports and requests the use of the Northern California Women's Facility as a reentry facility as identified in AB 900, with the following conditions:

1. The State will invoke priority funding for San Joaquin County under AB 900;
2. The State will recognize and work with County staff to mitigate traffic, water and sewer impacts due to use of the NCWF;
3. Such facility will only be used for inmates within one year of release from State custody;
4. Such facility will be used for inmates who are to be released within San Joaquin County;
5. Such release may also consider inmates to be released into the San Joaquin region, specifically Calaveras and Amador counties;
6. California Department of Corrections and Rehabilitation will provide expanded programming, including job preparation, health care, and mental health services to such inmates in the reentry facility; and
7. To the extent possible, the California Department of Corrections and Rehabilitation will collaborate with the County to consider use of any additional capacity in the NCWF for local jail relief.