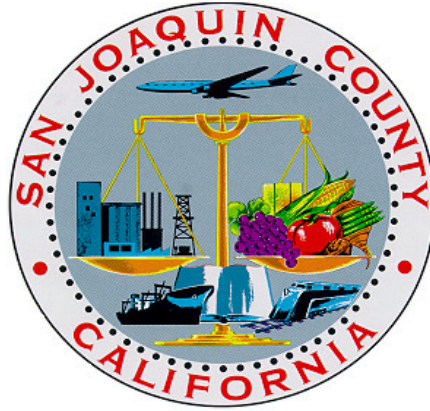


# County of San Joaquin



**Adopted**

**2013 and 2014**

**Federal Legislative/Regulatory**

**Platform**

**and**

**Policy Guidelines**

January 29, 2013

# County of San Joaquin

## Board of Supervisors



*Ken Vogel.....Chairman,  
District 4*



*Bob Elliott.....Vice-Chairman,  
District 5*



*Carlos Villapudua.....Supervisor,  
District 1*



*Frank Ruhstaller.....Supervisor,  
District 2*



*Steve J. Bestolarides.....Supervisor,  
District 3*



**County of San Joaquin**  
**Adopted 2013 and 2014 Federal Legislative/Regulatory**  
**Platform**  
**and**  
**Policy Guidelines**

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## County of San Joaquin

# Adopted 2013 and 2014 Federal Legislative/Regulatory Platform & Policy Guidelines

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LOIS M. SAHYOUN  
Clerk of the Board

## BOARD OF SUPERVISORS

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Chairman  
Third District

January 29, 2013

The Honorable President Barack Obama  
Hon. Dianne Feinstein, and Hon. Barbara Boxer, United States Senators  
Hon. Jerry McNerney and Hon. Jeff Denham, U.S. House of Representatives

Dear Mr. President, Senators, and Representatives:

The San Joaquin County Board of Supervisors is pleased to share with you the County's federal policy priorities for 2013 and 2014, and requests your assistance in achieving our goals. On behalf of my fellow Supervisors, I also would like to thank you for your continuing commitment to the enduring partnership between the County and federal government. Our ability to serve the needs of our common constituents is vitally enhanced by the federal resources we have received for health care, agriculture, transportation, criminal justice, and water resource development. This partnership has been severely tested as the nation struggles through a protracted economic recovery. The County has appreciated the Federal programs designed to maintain employment and expand infrastructure construction activity and provide a social safety net. More assistance will be needed over the next two years to address the persistent high rates of unemployment.

This policy platform represents the views of thousands of County residents, County personnel, and others who have met with Members of the Board over the past year to raise these issues and to express their interest in maintaining the high quality of service which is the hallmark of our County. San Joaquin County has been particularly impacted by the economic downturn, with mortgage foreclosures and unemployment rates far above national averages. Assistance from the state has also been sharply reduced. Our ability to meet the basic and essential needs of our citizens will depend in large measure on additional resources from the federal government.

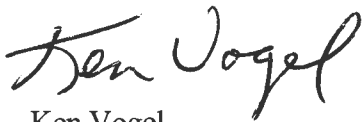
San Joaquin County is located at a vital crossroads in California. The water supply for 30 million Californians flows through the County on its way to the Bay Area and Southern California. This water resource is dependent on the fragile and important Delta of the Sacramento-San Joaquin Rivers, much of which is located in our County. Harm to the Delta would affect the economic health of the entire state. San Joaquin County is also a crossroads for the major north-south corridors of commerce – highways, rail, pipelines, and communication facilities. These essential regional infrastructures, as well as the safety and economic welfare of our residents, are protected by over a thousand miles of vulnerable levees. One of our highest priorities continues to be completion of a comprehensive flood protection and levee improvement plan. This plan is an important priority not just for our County, but for the entire State of California.

January 29, 2013

For the past 150 years, we have provided health care to our citizens at the San Joaquin General Hospital (SJGH). This hospital has been a source of pride for the County but also a continuous fiscal challenge. Passage of the Patient Protection and Affordable Care Act presents both new opportunities as well as new challenges for SJGH. We will need your strong support for implementation actions that will assist our public hospital in meeting its unique and critical obligations to the residents of our County. We also remain very enthusiastic about plans by the U.S. Department of Veteran Affairs to improve services for our regional veteran population through the expansion of the current outpatient clinic and the construction of new health and long-term care facilities near SJGH. A particularly important priority for the Hospital is to maintain its existing medical services relationship with the VA.

We look forward to meeting with you to discuss these issues in greater detail. We also welcome the opportunity to work with you to ensure that County residents receive the full value of their combined tax dollars for essential governmental services to address their health, welfare, transportation, safety, and resource requirements. Thank you again for your continuing support for San Joaquin County.

Sincerely,



Ken Vogel,  
Chairman, Board of Supervisors  
San Joaquin County, State of California

Enclosures

- c: San Joaquin County's State Delegation  
Ed Alves, Mayor, and Council Members, City of Escalon  
Sonny Dhaliwal, Mayor, and Council Members, City of Lathrop  
Alan Nakanishi, Mayor, and Council Member, City of Lodi  
Willie W. Weatherford, Mayor, and Council Members, City of Manteca  
Dean Uecker, Mayor, and Council Members, City of Ripon  
Anthony Silva, Mayor, and Council Members, City of Stockton  
Brent H. Ives, Mayor, and Council Members, City of Tracy  
Manuel Lopez, County Administrator  
San Joaquin County Department Heads  
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Roger Gwinn, The Ferguson Group, Federal Legislative Advocate  
Mark Limbaugh, The Ferguson Group, Federal Legislative Advocate  
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## LEGISLATIVE PRIORITIES ~ Flood Protection

COUNTY OF SAN JOAQUIN ~ DEPARTMENT OF PUBLIC WORKS  
Contact: Thomas M. Gau, Director; E-Mail: [tgau@sjgov.org](mailto:tgau@sjgov.org); Ph. (209) 468-3100

### 1. **Title: Improved Flood Protection**

**Issue:** California's Central Valley levee systems which protects lives, property, and critical infrastructure, have been neglected for decades. As a result, higher standards of flood protection have been established which require improvements to and increased maintenance of levees.

#### **Legislative Platform:**

1. **Seek, advocate, and support legislation, regulations and administrative efforts to:**
  - 1) **Fund and facilitate completion of the Lower San Joaquin River Feasibility Study and the needed levee system infrastructure; and 2) Fund levee maintenance, including repair and restoration after a flood event.**
2. **Seek, advocate, and support legislation, budgetary proposals, and regulations which would:**
  - i. **Provide 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 project and non-project levees.**
  - ii. **Provide funding assistance of \$1 million for the Lower San Joaquin River Feasibility Study.**
  - iii. **Maintain the Lower San Joaquin River Feasibility Study in "Active" status in the U.S. Army Corps of Engineers' new process for feasibility studies.**
3. **Seek federal support for inclusion of the following language into a new Federal Water Resources Development Act or other federal legislation which would:**
  - 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 their 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. **Allow local agencies to obtain Section 104 or 221 credit earlier in the feasibility study process than currently allowed, generally consistent with the prior U.S. Army Corp of Engineers, Section 104 policy;**
  - iv. **Direct the U.S. Army Corps of Engineers to restore PL 84-99 eligibility to provide funding for the rehabilitaiton of levees following a flood event;**
  - v. **Prevent U.S. Army Corps of Engineers from revoking Federal Emergency Management Agency levee certifications previously issued and restore those previously revoked; and**



## LEGISLATIVE PRIORITIES ~ Flood Protection

COUNTY OF SAN JOAQUIN ~ DEPARTMENT OF PUBLIC WORKS  
Contact: Thomas M. Gau, Director; E-Mail: [tgau@sjgov.org](mailto:tgau@sjgov.org); Ph. (209) 468-3100

### Improved Flood Protection (*continued*)

- vi. **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.**
- vii. **Provide additional opportunities for funding levee maintenance, including repair and reconstruction after a flood event.**

**Appropriations Request:** \$1.0 million

**Total Study Cost:** Projected at \$14.9 million – Multi-year Project

**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 the 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. In partnership with local and state flood management agencies, the USACE administers the preparation of the Lower San Joaquin River Feasibility Study (map on Page 13) to identify options for improved flood protection for existing urban areas. A completed feasibility study is a USACE prerequisite to constructing improvements needed to comply with SB 5 flood protection mandates. The Feasibility Study includes an analysis of alternatives to provide improved flood protection and associated ecosystem restoration. It has become difficult to raise sufficient local monies to fund levee maintenance in compliance with USACE requirements to remain eligible for levee rehabilitation funding under the Public Law 84-99 program. Increased opportunities are therefore needed for local agencies to obtain funding for levee maintenance, including repair and reconstruction after a flood event. Either new funding programs need to be established, or existing programs modified, to provide increased levee maintenance funding.



## LEGISLATIVE PRIORITIES ~ Flood Protection

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### **Improved Flood Protection (*continued*)**

#### ***Cost-Share Agreement for Feasibility Study***

In 2006, SJC and the San Joaquin Area Flood Control Agency (SJAFCA) 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 SJAFCA in July 2010. The Agreement was amended in 2012, to allow flexibility for advancing non-Federal funds.

#### ***“Non-Project” Levees***

The USACE and the State are not involved in the operation and maintenance of non-project levees. However, many of these levees are still subject to the State’s 200-year protection requirement. Since many levees in SJC are non-project levees, SJC could be faced with a significant unfunded State mandate. Also, because a large number of non-project levees in SJC protect urban areas, the development, re-development, and critical infrastructure improvements could come to a standstill if funding for both project and non-project levees is not appropriated. Therefore, future planning efforts by the State to implement the Central Valley Flood Protection Plan should incorporate the improvement needs of both project and non-project levees that protect urban areas.

#### ***Federal Water Resources Development Act (WRDA)***

SJC is also seeking that a new Federal WRDA 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 as well as previously incurred costs of constructing flood protection improvements. 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 existing Federal projects.

#### ***Restoration of PL 84-99 Disaster Assistance***

Another concern regarding flood protection in SJC is that the USACE has rescinded eligibility for levee rehabilitation and repair funding for some of the levees in the County under the PL84-99 program. Consequently, in the event of a flood in the areas protected by the affected levees, no funding would be provided by the USACE to assist with levee repair.



## LEGISLATIVE PRIORITIES ~ Flood Protection

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### **Improved Flood Protection (*continued*)**

#### ***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 more than ten years ago. Loss of these certifications could lead to the issuance of new Federal Emergency Management Agency (FEMA) floodplain maps reflecting large urban areas of SJC being included in FEMA flood zones. Potentially, this could impact as many as 400,000 SJC residents. SJC strongly urges the USACE to reconsider this new policy, and in the short-term, suspend 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 immediately adjacent to levees (2009). Levee owners and operators are concerned that this new policy does not adequately consider that levee vegetation is viewed by many resource agencies as providing critical habitat to listed, threatened and endangered species. Due to Endangered Species Act requirements, it may be impossible for many levee owners 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 urges that implementation of the levee vegetation removal policy be postponed until the impacts can be fully evaluated, and the policy is scientifically validated and properly vetted.

***(See Page 13 for Project Map; Project Literature Available)***

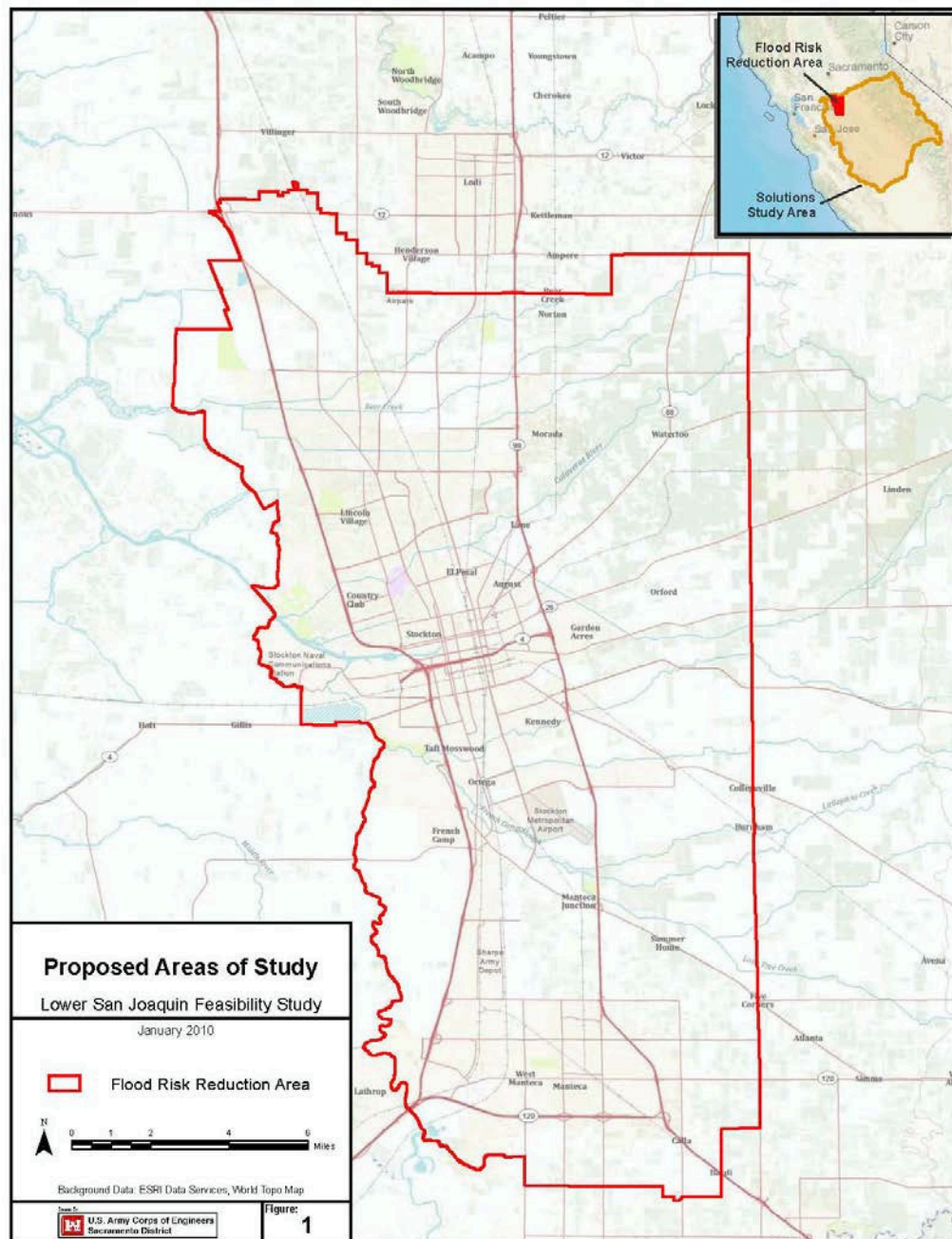




## LEGISLATIVE PRIORITIES ~ Flood Protection

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### Improved Flood Protection (*continued*)





## LEGISLATIVE PRIORITIES ~ Delta

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Contact: Thomas M. Gau, Director; E-Mail: [tgau@sjgov.org](mailto:tgau@sjgov.org); Ph. (209) 468-3100

### 2. Title: Sacramento-San Joaquin Delta

**Issue:** To date, the Delta Stewardship Council has produced a final draft Delta Plan. In addition, the Bay Delta Conservation Plan process has produced a draft Bay Delta Conservation Plan which is: a) inconsistent with the best interests of the Sacramento-San Joaquin Delta within San Joaquin County (SJC); b) is inconsistent with the co-equal goals of the Delta Reform Act of 2009 and the policy of the State to reduce reliance on the Delta for future California water needs; and c) is destructive to the economy, habitat, water rights, water quality, land-use governance, and way of life in SJC. Furthermore, the proposed new course of the Bay Delta Conservation Plan as outlined by the State of California (“State and Federal Principals Joint Recommendations Regarding Key Elements of the Bay Delta Conservation Plan” as presented on July 16, 2012 does not rectify that inconsistency.

#### **Legislative Platform:**

1. **Seek legislative and administrative support for advancement of the following regarding the Delta Stewardship Council’s Delta Plan and the Bay Delta Conservation Plan:**
  - a. **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 SJC;**
  - b. **Actions and activities associated with the Delta must honor and adhere to water rights, priorities, and area-of-origin protections. San Joaquin County opposes water user fees that would tax water users in the areas of origin and/or general taxpayers for the cost of mitigation efforts in the Delta, or to provide a water supply for those outside of the Delta;**
  - c. **Water conveyance facilities routed through San Joaquin 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;**
  - d. **The Delta Stewardship Council’s definition of Covered Actions must continue to be narrowly defined as set forth in the Delta Reform Act as opposed to being broadly interpreted by the Council. Legislative solutions may be necessary to clarify ambiguous statutory provisions regarding Covered Actions;**
  - e. **Implementation of the Delta Stewardship Council Delta Plan and future development and implementation of other planning documents must ensure that those documents do not conflict with County land use planning, economic development, agriculture, and recreational opportunities;**
  - f. **Financial resources must be committed by the State to maintain and enhance vital transportation and flood control infrastructure in areas of the Delta within the San**



## LEGISLATIVE PRIORITIES ~ Delta

COUNTY OF SAN JOAQUIN ~ DEPARTMENT OF PUBLIC WORKS  
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### Sacramento-San Joaquin Delta (*continued*)

#### Legislative Platform (*continued*)

Joaquin County. Financial resources also need to be committed to improve emergency response within the Delta; and

- g. The set of strategies to address problems in the Delta must be comprehensive, accounting for the multitude of causes of the Delta’s decline and not simply focusing on one or a limited number of causes.
2. Support legislative and administrative efforts, including budget proposals which would provide:
    - a. Funding for near-term projects which do no harm to San Joaquin County and its constituents and help further the long-term sustainability of the Delta and its unique economy and environment; and
    - b. Funding to continue the Delta Counties Coalition, Coalition to Support Delta Projects, and the joint Delta Counties Coalition/California San Joaquin Valley Partnership efforts or other similar efforts/coalitions, to identify and/or prioritize viable near-term projects which further the co-equal goals of improving statewide water supply reliability and restoring and enhancing the Delta ecosystem in a manner that protects and enhances the unique cultural, recreational, natural resource, and agricultural values of the Delta as an evolving place.
3. Seek legislative and administrative support in:
    - c. Protecting the County’s governmental prerogatives in the areas of its local land use authority, tax and related revenues, public health and safety, economic development, and agricultural stability.
    - d. Protecting the County’s ability to govern, as an elected body, from proposed usurpation through governance by a non-elected, appointed board or council. Any and all councils, commissions, or boards established to “govern” the Delta must include voting membership of elected representatives from San Joaquin County.
    - e. Working with the State’s representatives implementing the Bay Delta Conservation Plan, the Delta Stewardship Council Interim Delta Plan and Delta 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, or any other County interests.



## LEGISLATIVE PRIORITIES ~ Delta

COUNTY OF SAN JOAQUIN ~ DEPARTMENT OF PUBLIC WORKS  
Contact: Thomas M. Gau, Director; E-Mail: [tgau@sjgov.org](mailto:tgau@sjgov.org); Ph. (209) 468-3100

### Sacramento-San Joaquin Delta (*continued*)

#### Legislative Platform (*continued*)

- 4. 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 SJC'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.**

**Background:** Nearly two-thirds of the Sacramento-San Joaquin River Delta (Delta) comprises approximately one-third of the County area. In total, Delta agricultural production is valued at approximately \$795 million annually, which in turn results in over \$1 billion in additional economic benefit. The Delta is also a critical thoroughfare for infrastructure such as highways; natural gas storage and transmission; and water supply conveyance. The Delta's maze of navigable waterways supports maritime commerce and the transportation of goods; boating and recreation; and numerous fish and wildlife species; and is a source for local drinking water.

SJC is unquestionably tied to the long-term economic, social, and environmental viability of the Delta. Current proposals, including the Delta Stewardship Council's Delta Plan (DP) and the proposed isolated conveyance facility as recommended by the Bay Delta Conservation Plan (BDCP), could have significant adverse effects on communities in the Delta and within the Delta watershed. Examples that conflict with the long-term economic, social, and environmental viability of the Delta and, therefore, the County as a whole include:

- ✓ Limiting the sovereignty of local agencies to make land use decisions;
- ✓ The diminution of water rights to the detriment of senior water right holders and the area of origin;
- ✓ The conversion of over 100,000 acres of agriculture in the Delta shallow water habitat in-lieu of direct mitigation for export pumping and endangered species takings; and,
- ✓ Potential for continued deterioration in Delta water quality and quantity, resulting in impacts to agriculture, wildlife, recreation and commerce in the Delta.

Since the passage of the 2009 Comprehensive Water Package, including the Delta Reform Act of 2009 (SBX7\_1), the need for the County's efforts to react to and influence the processes, policies and projects created or proposed by the Comprehensive Water Package have increased greatly. Consistent with the Board of Supervisors' policy direction, County staff has worked to represent the County's position, defend the County's interests, and constructively participate in many of the ongoing State and federal activities surrounding the Delta. The County has engaged with local, State and federal agencies, public entities, State and federal legislators, environmental groups, and private businesses on several fronts to ensure that the County's position and interests would be represented in any action or policy affecting the Delta.



## LEGISLATIVE PRIORITIES ~ Delta

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Contact: Thomas M. Gau, Director; E-Mail: [tgau@sjgov.org](mailto:tgau@sjgov.org); Ph. (209) 468-3100

### **Sacramento-San Joaquin Delta (*continued*)**

#### **Background: (*continued*)**

San Joaquin County also worked to support several coalition building and consensus based efforts including the Delta Counties Coalition, the Coalition to Support Delta Projects, and the joint Delta Counties Coalition/California Partnership for the San Joaquin Valley (SJV Partnership) (12-County Water Work Group). (See Appendix B, Pages 88-99, Joint Delta Counties/SJV Partnership Resolutions) These efforts are currently focused on identifying and securing funding for near-term “no regrets” projects that benefit the region.

#### **Bay Delta Conservation Plan:**

Consistent with SJC’s continued commitment to collaborate with the State and Federal governments and other appropriate agencies in developing regional water supply solutions, and in light of the proposals contained in the Draft Bay Delta Conservation Plan and the revised Plan reported by the Department of Natural Resources on June 26, 2012 to construct a major isolated water conveyance system (9,000 cubic feet per second) in the Delta, on July 24, 2012 the San Joaquin County Board of Supervisors declared opposition to the draft BDCP Plan and to the revised BDCP and adopted Principles Regarding the BDCP. The County seeks legislative and administrative support for the advancement of these principles (See Appendix A, Pages 84-87):

- A. San Joaquin County seeks full, fair, and effective participation in the BDCP development and implementation process. San Joaquin County must be a voting member of a governance body developing, approving and implementing the BDCP.
- B. Consistent with conclusions and recommendations in the Delta Protection Commission’s peer reviewed and adopted Economic Sustainability Plan for the Sacramento-San Joaquin Delta (January 2012), San Joaquin County maintains that through-Delta conveyance is currently the only viable alternative in meeting the co-equal goals of water supply reliability and ecosystem restoration in the Delta.
- C. Through-Delta flow standards (including quantity and quality) shall be established based on peer-reviewed best science and made legally enforceable before the adoption of the BDCP. Mitigation for in-Delta flow reductions and adverse water quality impacts due to export operations shall be included in the BDCP and shall not compromise area of origin protections or senior water rights.
- D. All reasonable Delta management alternatives that reflect the entire spectrum of options available to meet the co-equal goals established by the Delta Reform Act, and which reduce reliance on the Delta as a water resource for areas outside the Delta in accordance with the policy of the State of California, shall be included in the BDCP analysis and shall be subjected to a peer-reviewed “cost- benefit” analysis. The DWR handbook shall be used for such analyses (see [http://www.water.ca.gov/pubs/planning/economic\\_analysis\\_guidebook/econguidebook.pdf](http://www.water.ca.gov/pubs/planning/economic_analysis_guidebook/econguidebook.pdf)).





## LEGISLATIVE PRIORITIES ~ Delta

COUNTY OF SAN JOAQUIN ~ DEPARTMENT OF PUBLIC WORKS  
Contact: Thomas M. Gau, Director; E-Mail: [tgau@sjgov.org](mailto:tgau@sjgov.org); Ph. (209) 468-3100

### Sacramento-San Joaquin Delta (*continued*)

#### Bay Delta Conservation Plan (*continued*)

E. All BDCP proposals and actions, and BDCP implementation, shall preserve, protect, and enhance the Delta economy and agriculture, and there shall be complete financial mitigation of all direct and indirect negative impacts on the Delta economy and agriculture caused by any and all BDCP actions and implementations.

F. Water storage projects, including groundwater storage and storage projects associated with water reuse projects, providing for the development of five-million acre-feet of new stored water shall be constructed and fully developed as part of the BDCP.

G. All pending San Joaquin County water rights and water resource projects shall be perfected and/or built before implementation of the BDCP.

H. Flood control and levee maintenance programs and projects in San Joaquin County shall be included in the BDCP, in a manner satisfactory to the County, as a prerequisite to the issuance of any permits under the BDCP.

I. Adequate funding for the projects and studies in San Joaquin County must be addressed and provided through the BDCP process (Attachment A – San Joaquin County – Preliminary List of Projects – Complete list of will be provided upon request).

J. BDCP must be consistent with locally developed Habitat Conservation Plans/Natural Communities Conservation Plans (HCP/NCCPs). If conflicts exist between locally developed HCP/NCCPs and the BDCP, the BDCP staff must work collaboratively with local HCP/NCCP staffs to resolve the conflicts. BDCP must not interfere with local HCP/NCCPs' ability to attain their habitat target goals or objectives. When conflicts arise the local HCP/NCCPs will take priority for the resolution of the conflict as long as it does not undermine the BDCP overall habitat goal. Additionally, acquisitions of lands within the jurisdiction of the local HCP/NCCP plan area will be coordinated (and potentially directed) with the local plan staff. BDCP shall not invoke eminent domain authority for restoration or mitigation land within San Joaquin County.

K. BDCP must be subject to the full extent of State and federal environmental review. San Joaquin County cannot support any streamlining or exemptions from either the California Environmental Quality Act (CEQA) or National Environmental Protection Act (NEPA).

L. BDCP must recognize the linkage between the Delta and the terrestrial lands (habitat and agricultural), and recognize that any project that emerges from the BDCP could impact the entire



## LEGISLATIVE PRIORITIES ~ Delta

COUNTY OF SAN JOAQUIN ~ DEPARTMENT OF PUBLIC WORKS  
Contact: Thomas M. Gau, Director; E-Mail: [tgau@sjgov.org](mailto:tgau@sjgov.org); Ph. (209) 468-3100

### **Sacramento-San Joaquin Delta (*continued*)**

#### **Bay Delta Conservation Plan “L.” (*continued*)**

Bay-Delta estuary, not just the immediate Delta area in which the project is located. The environmental analysis of the project(s) must examine for potential impacts throughout the entire estuary, including, but not limited to, impacts on flow from the Delta, water quality, aquatic/terrestrial species, habitat and the agricultural economy of San Joaquin County within the estuary.



## LEGISLATIVE PRIORITIES ~ Airport

COUNTY OF SAN JOAQUIN ~ STOCKTON METROPOLITAN AIRPORT

Contact: Patrick Carreno, Airport Director; E-Mail: [pcarreno@sjgov.org](mailto:pcarreno@sjgov.org); Ph. (209) 468-4700

### 3. **Title:** Stockton Metropolitan Airport Capital Improvement Projects

**Legislative Project Appropriations Request:** Seek, advocate, and support a \$2.385 million budgetary appropriation to the Federal Aviation Administration for capital improvement projects.

**Appropriations Request:** \$2.385 million

**Total Project Cost:** Approximately \$2.65 million

1. Reconstruction of Terminal Aircraft Parking Ramp - \$1.9 million
2. Rehabilitation of Runway Lighting System - \$750,000

**Background:** The Stockton Metropolitan Airport (Airport), located in the San Joaquin Valley, is uniquely poised to become a major commercial service, air cargo, and agricultural goods export hub for northern and central California. The Airport is a foreign trade zone and is conveniently located and easily accessible by two major north-south arterials in California – Interstate 5 and U.S. Highway 99. The soon-to-be widened and improved influx roadways create an ideal passenger and cargo air-transport center for the recreational traveler, the business commuter, the agricultural producer, and central valley residents. (See aerial view of the Airport, Page 21)

The Airport, in addition to providing facilities for general aviation activities to support local business and recreational flying, provides passenger air service. Contrary to most of the other airports throughout the nation, passenger enplanements at the Airport have increased over the past year and are expected to continue to increase.

Planning for the additional air carrier traffic along with general airport maintenance requires a sizable Capital Improvement Program. In order to ensure that the Airport is able to maximize the use of limited funding opportunities requires applying for and accepting Federal Aviation Administration through the Airport Improvement Program grants. The Airport's appropriatons request of \$2.385 million consist of two projects vital to the enhancement of airport safety and capacity. The first project is reconstruction of the terminal commercial aircraft parking ramp from asphalt to concrete; and the second project is an enhancement to the airfield, specifically, replacement of the primary Runway 11L/29R lighting system. Together both projects total \$2.65 million, and are included in the Airport's 2012-13 Capital Improvement Program.



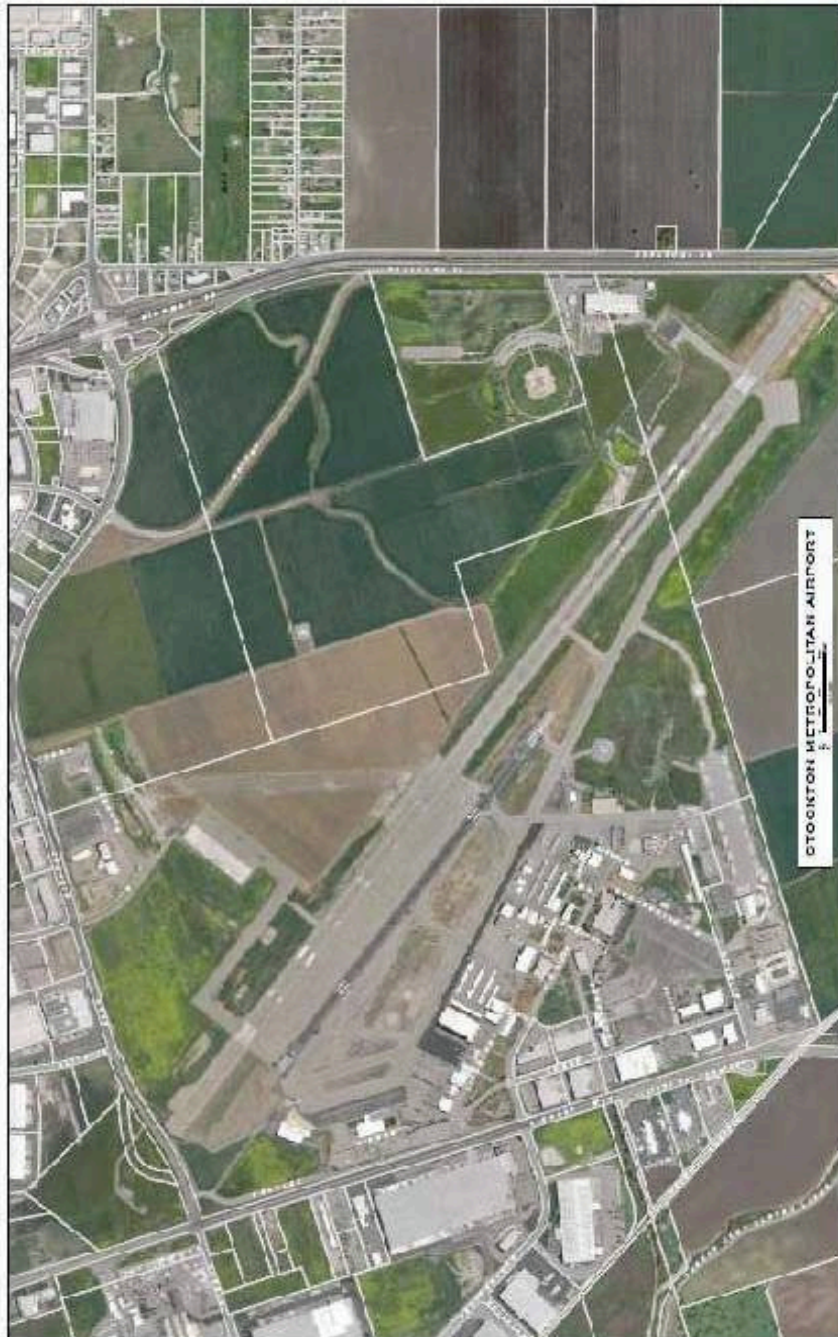


## LEGISLATIVE PRIORITIES ~ Airport

COUNTY OF SAN JOAQUIN ~ STOCKTON METROPOLITAN AIRPORT

Contact: Patrick Carreno, Airport Director; E-Mail: [pcarreno@sjgov.org](mailto:pcarreno@sjgov.org); Ph. (209) 468-4700

### Stockton Metropolitan Airport Capital Improvement Project (*continued*)





## LEGISLATIVE PRIORITIES ~ Transportation

COUNTY OF SAN JOAQUIN ~ DEPARTMENT OF PUBLIC WORKS  
Contact: Thomas M. Gau, Director; E-Mail: [tgau@sjgov.org](mailto:tgau@sjgov.org); Ph. (209) 468-3100

#### 4. **Title:** State Route 4 Corridor Improvements Project

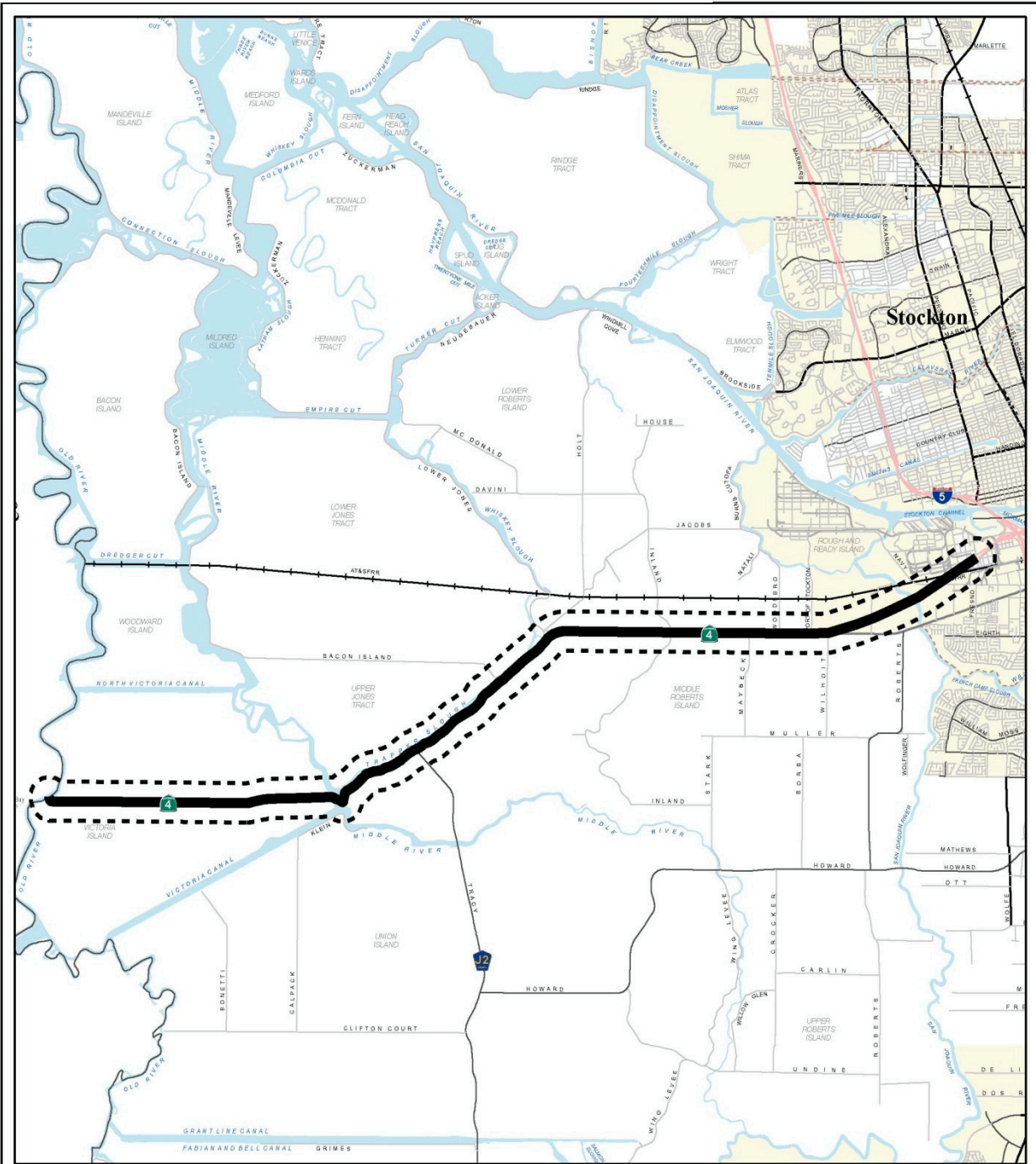
**Legislative Project Appropriations Request:** Seek, advocate, and support a \$5.0 million budgetary appropriation to provide funding assistance for the State Route 4 Corridor Improvements Project.

**Appropriations Request:** \$5.0 million  
**Total Project Cost:** \$20.0 million

**Background:** State Route (SR) 4 is a state highway in California, routed from Interstate 80 in the San Francisco Bay Area to SR 89 in the Sierra Nevada. SR 4 begins in the City of Hercules (Bay Area) at which point it becomes a full freeway (the California Delta Highway) passing the cities of Concord, Pittsburg, and Antioch. After Antioch, the freeway becomes SR 160, and SR 4 separates to become a suburban and rural road passing through the Bay Area's outermost eastern suburbs (cities of Oakley and Brentwood). SR 4 continues to the City of Stockton, in San Joaquin County, where it briefly joins Interstate 5, then enters a separate freeway routing almost directly through downtown Stockton. SR 4 then runs concurrently with SR 99 before heading eastward into the Sierra, and ends at SR 89 on the California – Nevada border.

Currently, SR 4 in San Joaquin County is a two-lane rural road overburdened with automobile and truck traffic, causing congestion as well as operational and safety problems. In the event of a flood in the Delta, such as the one that occurred on Jones Tract in June 2004, SR 4 would be used as an evacuation route. The Project would widen SR 4 from a two-lane road to four lanes. The improvements to SR 4 in and near San Joaquin County would provide much needed commuting capacity for San Joaquin County and eastern Contra Costa County commuters, as well as safety and operational improvements to the corridor.

*(See Page 23 for Vicinity Map, Project Literature Available)*



**Legend:** Project City Limits



## STATE ROUTE 4 CORRIDOR IMPROVEMENTS

**SAN JOAQUIN COUNTY**  
 Department of Public Works, 1810 E. Hazelton Ave., Stockton, CA 95205  
 The County of San Joaquin does not warrant the accuracy, completeness, or suitability for any particular purpose.  
 The information on this map is not intended to replace engineering, financial or primary records research.







## **County of San Joaquin**

### **Federal Legislative Platform**

#### **General Legislative Policy Guidelines**

##### **Administration**

- 1) Support economic stimulus/jobs proposals which would assist the County in providing vital local government services to its residents, as well as funding for economic developing, including infrastructure projects essential to the sustainability of communities.
- 2) Advocate for maximum federal financial support and local flexibility in the administration of Federally-mandated programs.
- 3) Support legislation and/or budgetary proposals which would prevent the scheduled “sequestration”, or similar across-the-board funding reductions, from occurring in January, 2013 or anytime thereafter.
- 4) Support funding to cover the costs of unfunded federal mandates on state and local governments, as well as legislation to reduce burdensome and unnecessary regulatory and administrative requirements of federal programs.
- 5) Advocate for, and support maximum flexibility, simplification, and financial support in federal legislative and regulatory requirements.
- 6) Maintain close relationships with San Joaquin County’s legislative delegation to foster more effective advocacy and understanding of San Joaquin County’s issues.
- 7) Seek federal reimbursement for the County’s costs associated with services to undocumented immigrants, including incarceration, public safety, and medical services.
- 8) Oppose legislation that would permit states to pass penalties imposed on them by the federal government onto local agencies unless the penalties were incurred by the local agencies.
- 9) Support legislative and administrative efforts to ensure protection of the deductibility of state and local taxes, as well as interest on tax exempt bonds, and oppose proposals to reduce or eliminate federal exemption for interest on municipal bonds.
- 10) 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 concurrence of the County Administrator. If consideration by the Board of Supervisors is not feasible, the County Administrator will notify the Board.

## **General Legislative Policy Guidelines (*continued*)**

### **Administration of Justice**

- 11) Support federal funding and equitable distribution of funding for local public safety efforts, including law enforcement, drug courts, juvenile justice, delinquency prevention and intervention, counter-terrorism programs, and construction and operation of incarceration facilities.
- 12) Support legislation and budgetary proposals to provide programs to address gang violence in San Joaquin County.

### **Agriculture**

- 13) Support legislation and budgetary proposals which would provide funding assistance to local agencies for the development of strategies for prevention, preparedness, and combat Agro-terrorism and dangers posed by invasive species, imported pests, and other threats posed to our agricultural economy.

### **Capital Projects:**

- 14) Support legislation or budgetary proposal which would provide funding assistance to local governments for renewable energy projects.

### **Emergency Services ~ Flood Response**

- 15) Seek, advocate, and support regional coordination of federal, state, and local agencies' efforts to patrol levees to identify and respond to threats to levee integrity.
- 16) Encourage federal and state agencies to facilitate the development of systems for the centralization and dispatch of materials/supplies needed to prevent a levee failure or to minimize flooding in the event of a levee failure.
- 17) Encourage the Federal Emergency Management Agency to work with the State of California to remove regulatory and other administrative rules which currently impede local, state, and federal agencies in responding to a levee issue.

### **Employment and Economic Development**

- 18) Seek, advocate, and support the reinstatement of critical unemployment and mass layoff statistical information gathering which was excluded by the Bureau of Labor Statistics in Federal Fiscal Year 2006.

### **Health Care**

- 19) Advocate for federal health care and public health funding formulas that equitably reflect the Central Valley of California's demographics, population characteristics, and health burdens.
- 20) Seek to preserve and expand Medicare, Medicaid, and other federal funding for health care programs, while aggressively opposing funding reductions in these programs.
- 21) Oppose legislation or regulations which would result in unfunded federal mandates, and/or decrease in funding of safety-net health care services provided by county government.

## **General Legislative Policy Guidelines (*continued*)**

### **Health Care (*continued*):**

- 22) Support legislative efforts and budgetary proposals, which would create new and expanded health-related training/educational programs in the Central Valley to address critical shortages of licensed and/or ancillary health care staff, including physicians, nurses, and public health staff.
- 23) Support funding for health-training loans, grants, and scholarship programs, such as those provided for in the Public Health Service Act (Nurse Reinvestment Act of 2002), including nursing faculty; an increase in funding for workforce outreach, development in schools and the community.
- 24) Support budgetary proposals for local health department programs which would: a) address prevention of chronic health conditions, b) support and enhance local disease control and prevention, c) provide a sustainable disease control and outbreak response infrastructure that would include epidemiology, surveillance, investigation, and response, and d) support emergency, bio-terrorism, and pandemic influenza preparedness, response, and infrastructure development to address public health threats and emergencies.
- 25) Seek and support legislation and budgetary proposals for the enhancement of local health care information technology infrastructure to improve patient safety as well as the quality and efficiency of the local health care delivery system.
- 26) Advocate in support of policies, which promote healthy eating, and increase access to opportunities for physical activity.
- 27) Seek and support legislation and budgetary proposals for the enhancement of public health information technology infrastructure in order to improve surveillance, emergency response and population health.
- 28) Support legislation and/or budgetary proposals which would: a) provide increased funding for maternal, child, and adolescent health programs, b) protect children from environmental risks to their health, such as unintentional injuries, lead poisoning, and air quality, and c) ensure that women and adolescents have access to the unique prevention and health care services needed.
- 29) Support maximization of the Federal Medical Assistance Program (FMAP) and direct payments to counties.
- 30) Seek to preserve the Affordable Care Act Prevention and Public Health Funds. Advocate for allocation of funds (rather than competitive grants) to local governmental health departments in a manner that includes consideration of health disparities and burden of disease in jurisdiction.
- 31) Support the County's efforts to establish Federally Qualified Health Centers (FQHC); ensure appropriate and equitable treatment of County affiliated FQHC's regarding payments, reporting and operational requirements.

### **Human Services**

- 32) Support simplification, flexibility, and lessening of federal benefits restrictions pertaining to the requirements of income maintenance and social services programs.

## **General Legislative Policy Guidelines (*continued*)**

### **Human Services (*continued*):**

- 33) Support legislation and/or budgetary proposals which would provide critical volunteer services, including the Corporation for National and Community Services program and the Retired and Senior Volunteer Program.
- 34) Oppose efforts to reduce federal funding for the Low Income Home Energy Assistance Program, particularly to maintain utility services for low income households.

### **Public Works**

- 35) Support maximum federal funding participation directly to local agencies for various infrastructure projects critical to the economic vitality of San Joaquin County.

### **Flood Protection**

- 36) Advocate and support legislation which would require coordinated planning and funding levels to provide comprehensive levee evaluations and improvements (including project and non-project levees) to achieve enhanced urban flood protection statewide.
- 37) Aggressively oppose legislative efforts to shift federal and/or state flood control liability or obligations to local agencies.
- 38) 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.
- 39) Support legislation and/or regulations which would reduce local impacts related to Federal Emergency Management Agency Flood Insurance Rate floodplain mapping changes.
- 40) Support legislation or regulatory changes which would mandate coordination between state and Federal agencies relative to flood protection and floodplain management regulations.
- 41) Support legislative, regulatory, and administrative proposals 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 be applied; c) coordination to secure the necessary permits; and d) recognition of time requirements needed to completed the desired correction work.
- 42) Oppose legislative 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.
- 43) Oppose legislation or regulatory changes which would result in a duplication of efforts between local, state, and federal floodplain administrators with regard to the evaluation of community development projects.
- 44) Support legislative, regulatory, and budgetary efforts to provide additional surface water storage projects that would provide improved flood control, water supply, and environmental uses.

## **General Legislative Policy Guidelines (*continued*)**

### **Public Works (*continued*)**

45) Oppose amendments to the National Flood Insurance Program reauthorization to mandate flood insurance coverage in “residual risk” areas.

### **Transportation**

46) Seek, advocate, and support legislation and/or budgetary appropriations which would provide increased federal and state roadway funding levels to local agencies.

47) Advocate for California’s fair share of contributions from the Federal Highway Trust Fund.

48) Advocate for counties and cities to share equitably in the growth of federal revenues available to California for the network of local roads.

49) Continue to support legislation and/or budgetary proposals which would provide dedicated funding to address local transportation needs, including bridge maintenance projects.

### **Water**

50) Support legislation and/or regulatory reform which would address groundwater overdraft issues in the Northeastern region of San Joaquin County.

51) Support legislation and/or regulatory reform which would serve to restore the San Joaquin River in-stream flows to the Delta in accordance with the San Joaquin County Water Management Plan and the Northeastern San Joaquin Groundwater Basin Groundwater Management Plan.

52) Advocate and support legislative or regulatory efforts which would provide for the use of surface water to recharge critically over-drafted groundwater basins.

53) Support in concept the designation of a National Heritage Area (NHA) for the Sacramento-San Joaquin Delta provided such designation will not limit, impact, or prohibit present and future agricultural resources and activities, flood protection facilities, and other public infrastructure, and considers them as important resources to be preserved, maintained, restored, managed, protected, promoted, and encouraged within the boundaries of the NHA, and will provide on-going federal funding for the protection, preservation, maintenance, restoration, and management of the Delta, and that the NHA Plan would be written by and managed by the Delta Protection Commission.

### **Regulatory Reform**

54) Support regulatory changes which would require an economic evaluation and finding of a positive benefit-to-cost ratio before new regulations are implemented.

### **Solid Waste**

55) Support legislation which would provide for extended producer responsibility or funding for the development and implementation of product recycling programs.

56) Support legislation which would provide incentives for development of “landfill gas to energy”, “waste to energy”, and streamline the permitting process.

57) Oppose legislation which would impose new solid waste disposal requirements on local government unless the funding mechanisms needed to implement the requirements are provided.



## **General Legislative Policy Guidelines (*continued*)**

### **Public Works (*continued*)**

- 58) Oppose legislation or regulatory reform requiring municipal landfills (Class III) to accept semi-hazardous wastes, including medical or radioactive waste products.
- 59) Support legislation which would provide: a) local control of where locally produced wastes are disposed, for the purpose of assuring waste diversion mandates are met, and b) adequate funding for that legislation.
- 60) 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.
- 61) Support legislation and/or regulations which would establish transparent and fair principles and procedures to manage end-of-life costs of universal and other waste products.

### **Veteran Services**

- 62) Continue to advocate in support of funding for the construction and opening/operation of the new Veteran Affairs (VA) expanded health care facilities and Community Living Center adjacent to the San Joaquin General Hospital campus in French Camp.
- 63) Support congressional efforts to expand Veterans Affairs health care benefits to include Priority 8 veterans.
- 64) Aggressively seek to maintain the ability of County public hospital to continue partnering with the VA in providing services to veterans and their families. Oppose any new VA regulations, such as the draft Request for Proposal from the VA (Draft RFP VA 791-12-R-0009, Medical – Surgical Services, Patient Centered Community Care) to establish a standardized healthcare contracting system, which would prevent public hospitals from being able to continue working with VA regional offices.



## LEGISLATIVE PRIORITIES ~ Water

COUNTY OF SAN JOAQUIN ~ DEPARTMENT OF PUBLIC WORKS  
Contact: Thomas M. Gau, Director; E-Mail: [tgau@sjgov.org](mailto:tgau@sjgov.org); Ph. (209) 468-3100

### 5. **Title:** New Water Supplies for San Joaquin County – Mokelumne River Regional Water Storage and Conjunctive Use Project (MORE Water Project)

#### **Legislative Project Appropriations Request:**

1. **Seek and support a \$1.0 million budgetary appropriation to provide funding assistance for the MORE Water Project (Project authorized by Public Law 109-338 on October 12, 2006).**
2. **Seek inclusion of report language included in the Senate Energy & 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.**

**Appropriations Request:** \$1.0 million  
**Total Project Cost:** Not yet determined

**Background:** The Mokelumne River Regional Water Storage and Conjunctive Use Project (MORE WATER Project) seeks to divert un-appropriated flows from the Mokelumne River to provide a source of surface water for groundwater recharge which can then be used in future drought years. The MORE WATER Project provides additional storage capability, improves water supply reliability for project participants both locally and regionally.

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. 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.

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.



## LEGISLATIVE PRIORITIES ~ Water

COUNTY OF SAN JOAQUIN ~ DEPARTMENT OF PUBLIC WORKS  
Contact: Thomas M. Gau, Director; E-Mail: [tgau@sjgov.org](mailto:tgau@sjgov.org); Ph. (209) 468-3100

### **New Water Supplies for San Joaquin County – MORE Water Project (*continued*)**

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 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 203-109<sup>th</sup> 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.”



## LEGISLATIVE PRIORITIES ~ Water

COUNTY OF SAN JOAQUIN ~ DEPARTMENT OF PUBLIC WORKS  
Contact: Thomas M. Gau, Director; E-Mail: [tgau@sjgov.org](mailto:tgau@sjgov.org); Ph. (209) 468-3100

### **New Water Supplies for San Joaquin County – MORE Water Project (*continued*)**

- ✓ 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.”
  - 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



## LEGISLATIVE PRIORITIES ~ Water

COUNTY OF SAN JOAQUIN ~ DEPARTMENT OF PUBLIC WORKS  
Contact: Thomas M. Gau, Director; E-Mail: [tgau@sjgov.org](mailto:tgau@sjgov.org); Ph. (209) 468-3100

### **New Water Supplies for San Joaquin County – MORE Water Project *(continued)***

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.

*(See Page 34 for Project Map; Project Literature Available)*

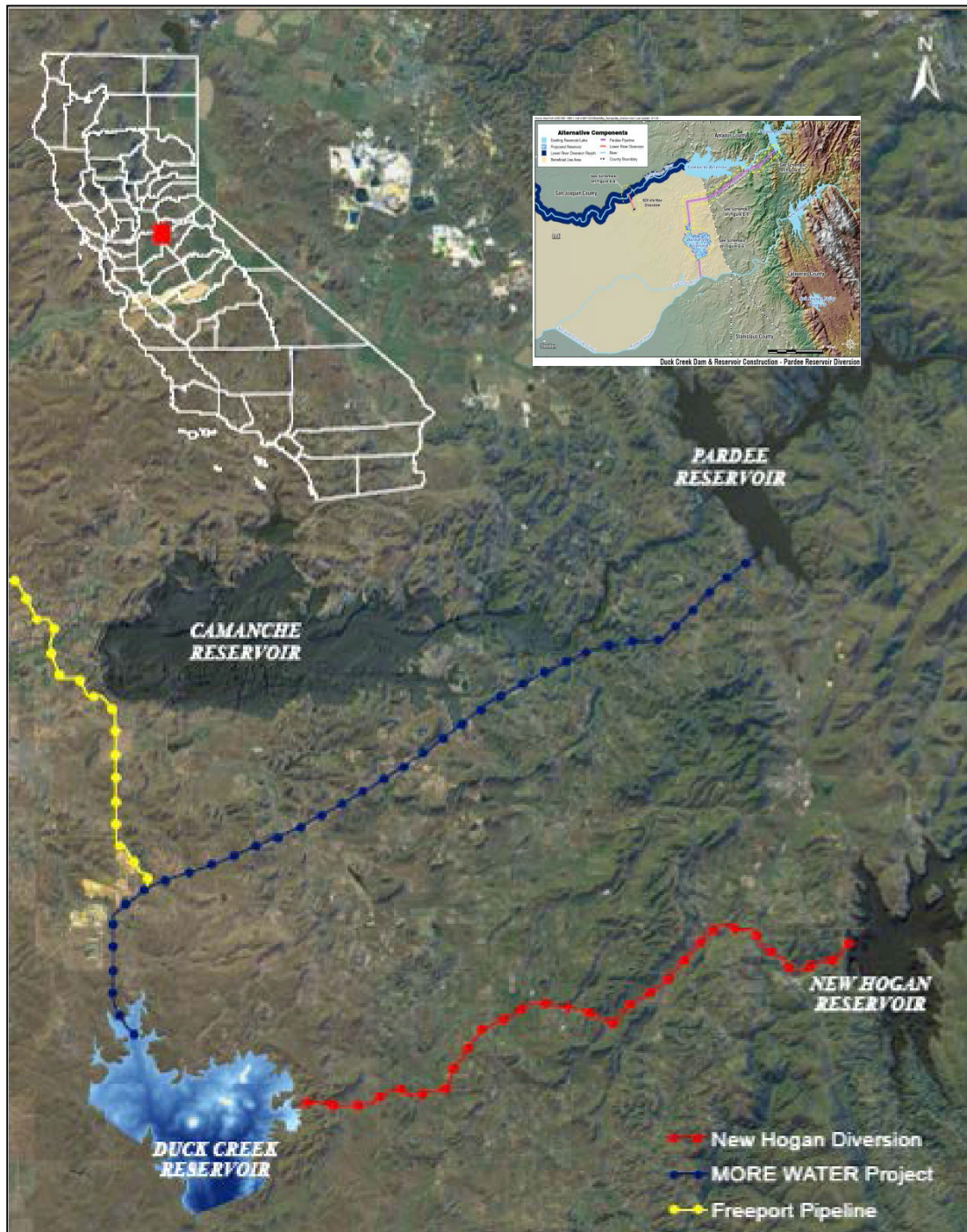




## LEGISLATIVE PRIORITIES ~ Water

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Contact: Thomas M. Gau, Director; E-Mail: [tgau@sjgov.org](mailto:tgau@sjgov.org); Ph. (209) 468-3100

### New Water Supplies for San Joaquin County – MORE Water Project (*continued*)





## LEGISLATIVE PROJECTS ~ Public Safety

COUNTY OF SAN JOAQUIN ~ ADMINISTRATION OF JUSTICE

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

Contact: Jerry Becker, ISD Director; E-Mail: [jbecker@sjgov.org](mailto:jbecker@sjgov.org); Ph: (209) 468-3960

### 6. **Title:** Public Safety Interoperability Communication System Project

**Legislative Project Appropriations Request:** Seek, advocate, and support a \$9.16 million budgetary appropriation to provide funding assistance for the San Joaquin County's regional Public Safety Communication Project.

**Appropriations Request:** \$9.16 million

**Total Project Cost:** \$20.5 million

**Background:** San Joaquin County (SJC) is seeking federal and state assistance to develop and implement Phase 5, the final phase of the Public Safety Interoperability Communication System to provide emergency communications interoperability for all public safety agencies within the County. The communications systems within the County operate in a narrowband digital mode in compliance with the Federal Commission mandate that all public safety agencies operate in narrowband mode by January 2013. This recent migration of all public safety entities to a common digital platform now allows the agencies to effectively communicate with each other during emergencies.

Phase 5 of the Project will consolidate the region's frequency resources to a trunked technology to provide interoperability and is consistent with the San Joaquin County Radio Communications Master 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 Chief's, Office of Emergency Services, and other County public safety agencies. All of these agencies have adopted the Radio Master 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 on-going public safety operations, this project was designed with the intent that it would be implemented in five phases.

*(Project Literature Available)*



## LEGISLATIVE PROJECTS ~ Agricultural Center

COUNTY OF SAN JOAQUIN ~ FACILITIES MANAGEMENT

Contact: Gabriel Karam, Director; E-Mail: [gkaram@sjgov.org](mailto:gkaram@sjgov.org) (209) 468-2181

### 7. **Title:** San Joaquin County Agricultural Center Solar Energy Project

**Legislative Project Appropriations Request: Seek, advocate, and support a \$2.5 million budgetary appropriation to provide funding assistance for Phase II of the County's Agricultural Center Solar Energy Project.**

**Appropriations Request:** \$2.5 million

**Total Project Cost:** \$31.0 million

**Background:** San Joaquin County (SJC) has constructed a new Agricultural Center to consolidate the Agricultural Commissioner, University of California (UC) Cooperative Extension, and the Office of Emergency Services. The Agricultural Commissioner's Office enforces the provisions of the California Food and Agricultural Code for the protection of public health, safety, and welfare, and to promote and protect the County's agricultural industry. The UC Cooperative Extension functions under a cooperative agreement between the UC, Division of Agricultural and Natural Resources, and SJC. The Office of Emergency Services is responsible for the planning and management of emergency and disaster situations.

The Agricultural Center Solar Energy Project includes the procurement and installation of a solar electric generating system designed to eventually produce approximately 85% of the new Agricultural Center's electrical usage. In 2008, the County received a \$490,000 federal grant which was utilized for Phase I of the Solar Energy Project. Phase I was completed in 2009, and is anticipated to offset approximately 15% of the Agricultural Center's expected electric usage. The County's request for \$2.5 million is for Phase II of the Project which, together with Phase I, is anticipated to offset close to 100% of the Agricultural Center's expected electric usage. Phase I was designed to accommodate expansion of the solar electric generating system. Therefore, Phase II is "ready-to-go", only pending funding. In addition, National Environmental Policy Act and California Environmental Quality Act environmental clearances have already been secured for both Phase I and Phase II.





## LEGISLATIVE PROJECTS ~ Law & Justice

COUNTY OF SAN JOAQUIN ~ ADMINISTRATION OF JUSTICE  
Stephanie L. James, Chief Probation Officer; E-Mail: [sjames@sjgov.org](mailto:sjames@sjgov.org); Ph. (209) 468-4077

### 8. **Title:** New Juvenile Camp Replacement Project

**Legislative Project Appropriations Request:** Seek, advocate, and support a \$5.0 million budgetary appropriation to provide funding assistance for the construction of a new juvenile camp.

**Appropriations Request:** \$5.0 million  
**Total Project Cost:** \$12.8 million

**Background:** San Joaquin County (SJC) continues to experience a high juvenile crime rate. To address this continuing problem, the County has introduced a number of collaborative juvenile crime prevention and intervention strategies using evidence-based programs. The camp program allows SJC to keep juvenile offenders in the local community who might otherwise be placed in expensive out-of-county or out-of-state offender programs.

The existing SJC Juvenile Camp is available only for males. The Juvenile Camp Project would increase the Camp's capacity from the current 45 to 60 beds, and allow the inclusion of females in the program. SJC 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.

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)*



## LEGISLATIVE PROJECTS ~ Health Care

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

### Overview

San Joaquin County's Health Care Services Agency (HCSA) and San Joaquin General Hospital (SJGH) are the safety-net providers for San Joaquin County (SJC). Due to fiscal constraints, the Agency and SJGH underinvested in information technology. The data infrastructure has become less efficient in tracking the treatment of patients, maintaining accounts, and assuring appropriate revenue tracking. A strategic plan for information technology services has been developed to guide SJC's priorities given limited funding. These efforts have resulted in the adoption of an electronic health record for SJGH that meets federal meaningful-use requirements, adoption of wireless technology, telemedicine linkages, and the distribution of digital radiology images to community partners and correctional facilities. Unfortunately, annual operating budgets continue to have very limited capacities to fund improvements to SJC's health information technology systems. Consequently, State and federal government assistance toward technology improvements is essential in maintaining the viability of the SJC as a cost-effective safety-net provider.

#### 9. **Title:** Health Care Information Technology (IT) Infrastructure Project

**Legislative Project Appropriations Request: Seek, advocate, and support a \$1.0 million budgetary appropriations to fund the Information Technology Infrastructure Project.**

**Appropriations Request:** \$1.0 million

**Total Project Cost:** \$2.25 million

*Health Information Exchange (HIE) - \$500,000:* SJC Safety Net Partnership (SNP) will develop and implement a HIE among safety-net providers in SJC. The SNP consists of the SJC HCSA, Behavioral Health Services, SJGH, the Health Plan of San Joaquin and Community Medical Centers, Inc. Individually, and collectively, the SNP provides critical access to a wide array of medical and behavioral health services for the majority of safety-net patients in SJC. The SNP also serves the majority of Medi-Cal, uninsured and under-insured individuals in the County. In SJC, which has fewer resources than the more urban counterparts, health information technology has historically been underfunded. This has resulted in the development of organizationally unique but often incompatible systems that currently lack the necessary infrastructure to share patient information. An enhanced and coordinated shared information technology and collaboration to develop a HIE will improve quality and yield greater cost efficiencies than that which can be obtained as individual organizations. The HIE provides a platform for sharing relevant clinical information between the entities. In turn, this will lead to better access, better outcomes, and a healthier community.



## LEGISLATIVE PROJECTS ~ Health Care

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

### Information Technology (IT) Infrastructure Project (*continued*)

*IT Infrastructure Enhancements - \$500,000:* New internal data needs are stressing the network backbone in terms of available bandwidth and reasonable redundancy to accommodate system maintenance with minimal interruption to clinical system access. Funding is needed to upgrade capability in high traffic segments - improving response time for all network users, support the delivery of diagnostic imagery in addition to the current radiology reports to remote physicians, and introduce routing redundancy in the network to provide business continuity in the event of scheduled network maintenance or individual component failures.

*Emergency Department Information System (EDIS) - \$600,000:* An EDIS is a specialized application that complements an underlying electronic medical record. Emergency Departments by their very nature are chaotic, non-linear systems where nurses and physicians generally have less time for detailed keyboard entry than other medical departments. An EDIS helps to overcome much of the time challenge by providing decision support templates for common conditions dealt with in the Emergency Department, reducing keyboard entry normally associated with traditional Computerized Physician Order Entry components of an electronic medical record and providing status board indicators tracking patient care, clinical order and diagnostic test result stages. Since SJGH is moving to be accredited as a formal trauma center, an EDIS would be an important support tool for achieving the operational and reporting efficiencies associated with such a designation.

*Obstetric Department Information System (ODIS) - \$400,000:* Emergency Department Information System and the Neonatal Intensive Care Unit (NICU) are key service lines for SJGH and important resources for SJC residents. An ODIS is a specialized application that complements an underlying electronic medical record. There are very specific charting provisions and compliance mandates that are critical to the delivery of superior care in an Obstetrics and Gynaecology (OB/Gyn) or NICU setting that are not part of the “meaningful-use” criteria required of a certified Electronic Health Record (EHR). An ODIS provides a consistent structured approach to address these specialized requirements as well as providing convenient linkage between the medical records of a mother and her baby(s). It simplifies information availability for the care team and helps abstract relevant EHR data gathered over multiple visits during a pregnancy – prenatal consultation, OB/Gyn clinic visits, family maternity in-patient delivery, post-delivery follow-up and well-baby clinic visits.



## LEGISLATIVE PROJECTS ~ Health Care

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

### **Information Technology (IT) Infrastructure Project (*continued*)**

*Data Loss Prevention and Information Security Monitoring - \$250,000:* The introduction of an electronic medical record is certainly simplifying clinician access to critical patient information when and where they need it. This movement away from paper records also elevates the potential risk of a data breach as a compromised system could provide access to literally thousands of patient records. Two technologies have been identified to help mitigate this risk, one for front-end access management and one for back-end detection of unusual network behavior. The first technology will allow us to evaluate the effective permissions a specific user or security group has been granted through Active Directory Using. This first technology will allow us to only provide the access permissions needed by staff to do their job and will help reduce staff being granted access to information that is outside their scope of operation. The second technology will allow us to be alerted to workstations or servers that are behaving in a manner that is not consistent with their role. This would serve to identify systems that have been compromised or an internal user that is engaging in activity outside their scope of operation. Implementing these two new technologies will provide for a tightening of existing access management credentials and help detect inappropriate system activity that could lead to a serious data breach.



## LEGISLATIVE PROJECTS ~ Health Care

COUNTY OF SAN JOAQUIN ~ PUBLIC HEALTH SERVICES

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

### 10. Title: Public Health Laboratory Project

**Legislative Project Appropriations Request:** Seek, advocate, and support a \$2.0 million budgetary appropriation to provide funding assistance for a new local public health laboratory.

**Appropriations Request:** \$2.0 million  
**Total Project Cost:** Approximately \$10.5 million

**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 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)*

### 11. Title: Public Health Facility Expansion Project

**Legislative Project Appropriations Request:** Seek, advocate, and support a \$5.0 million budgetary appropriation to provide funding assistance for new public health facilities.

**Appropriations Request:** \$5.0 million  
**Total Project Cost:** Approximately \$17.6 million

**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.



## LEGISLATIVE PROJECTS ~ Health Care

COUNTY OF SAN JOAQUIN ~ SAN JOAQUIN GENERAL HOSPITAL

Contact: David Culberson, Chief Executive Officer; E-Mail: [dculberson@sjgh.org](mailto:dculberson@sjgh.org); Ph. (209) 468-6042

### 12. **Title:** San Joaquin General Hospital Facility Capital Replacement Project

**Legislative Project Appropriations Request:** Seek, advocate, and support \$25 million budgetary appropriation to provide funding assistance for replacement and capital improvements for San Joaquin General Hospital.

**Appropriations Request:** \$25.0 million

**Total Project Cost:** Approximately \$45.0 million

**Background:** The “Old Towers” Building at San Joaquin General Hospital (SJGH) 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, amongst 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.





## LEGISLATIVE PROJECTS ~ Health Care

COUNTY OF SAN JOAQUIN ~ BEHAVIORAL HEALTH SERVICES  
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### 13. **Title:** Adolescent Substance Abuse Treatment Facility Project

**Legislative Project Appropriations Request:** Seek, advocate, and support a \$2.5 million budgetary appropriations to provide funding assistance for the construction of an Adolescent Substance Abuse Treatment Facility.

**Appropriations Request:** \$2.5 million

**Total Project Cost:** Approximately \$5.5 million

**Background:** For several years, San Joaquin County (SJC) 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 SJC youth 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.

SJC Behavioral Health Services staff and members of the Mental Health and Substance Abuse Board have identified a high need for a residential substance abuse treatment facility for adolescents ages 14 to 18. Research shows that alcohol, marijuana and prescription medication are the most commonly abused drugs among teens. An estimated 4.6% of teenagers require substance abuse treatment (SAMHSA 2011), yet very few treatment programs are available to them.

It is estimated that approximately 3,360 SJC teens have serious substance abuse treatment problems and are in need of treatment. Currently the only available option for treatment for this vulnerable population is outpatient services, a service type that requires the individual in treatment to be highly motivated and to have a stable home life. There are only two small licensed outpatient programs for adolescents in the County. No treatment is available for adolescents that require higher levels of care.



## LEGISLATIVE PROJECTS ~ General Services

COUNTY OF SAN JOAQUIN ~ FACILITIES MANAGEMENT  
Contact: Gabriel Karam, Director; E-Mail: [gkaram@sjgov.org](mailto:gkaram@sjgov.org) (209) 468-2181

### 14. **Title:** Renewable Energy Project at the San Joaquin County Jail

**Legislative Project Appropriations Request:** Seek, advocate, and support a \$10.0 million budgetary appropriation to provide funding assistance for the implementation of a renewable energy project at the San Joaquin County Jail.

**Appropriations Request:** \$10.0 million  
**Total Project Cost:** Approximately \$20.0 million

**Background:** San Joaquin County (SJC) is seeking federal funding assistance for the implementation of a renewable energy project at the County Jail. The proposed renewable energy project will lower the County's contribution to polluting greenhouse gas emissions and global warming, by creating clean, on-site power generation, lowering the County's dependence on California's utility grid, and providing the ability to directly match the size of the Project to meet the energy loads of the County.

The proposed Jail Renewable Energy Project consists of a one megawatt (MW) solar photovoltaic system to generate electricity on-site, and a one MW cogeneration system using fuel cells, reciprocating engines, or micro turbines to also produce electricity and hot water on site. The Project is projected to provide approximately 80% of the expected annual electric usage of the SJC Jail Complex. The Project is expected to generate \$1.0 million per year in energy savings, and to create green jobs locally.



## LEGISLATIVE PROJECTS ~ Top Ten Transportation Projects

COUNTY OF SAN JOAQUIN ~ DEPARTMENT OF PUBLIC WORKS  
 Contact: Thomas M. Gau, Director; E-Mail: [tgau@sjgov.org](mailto:tgau@sjgov.org); Ph. (209) 468-3100

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

#	PROJECT	FUNDING REQUEST	DESCRIPTION
1	<b>State Route 4 Corridor Improvements</b>	<b>\$5M</b>	Navy Drive to San Joaquin County Line: 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 approx. 16 miles.
2	<b>Eleventh Street Corridor Improvements</b>	<b>\$9.5M</b>	Interstate 5 to Tracy City Limit: 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.
3	<b>Lower Sacramento Road Railroad Crossing Improv.</b>	<b>\$15M</b>	Lower Sacramento Road railroad crossing south of Woodson Road: Improve safety and traffic operations at the Lower Sacramento Road railroad crossing near Woodson.
4	<b>State Route 12/88 Improvements (Lockeford Bypass)</b>	<b>\$5M</b> (Construction.)	SR 122/88 intersection southwest of Lockeford to State Route 12/88 intersection northeast of Clements: 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.
5	<b>Escalon Bellota Road</b>	<b>\$1M</b>	Escalon City limits to Mariposa Road: Widen from 2 to 3 lanes/5 lanes and add 8' shoulders.
6	<b>Byron Highway (State Route 239)</b>	<b>\$1M</b> (Construction.)	Grant Line Road to Contra Costa County: Widen the corridor to 4 lanes and 2 potential overpass projects at Mountain House Parkway and Central Parkway. TIER II - 2004 San Joaquin Council of Governments RTP Project List.
7	<b>Mariposa Road (Jack Tone road to Austin Road)</b>	<b>\$1M</b>	Widen from 2 to 3 lanes/5 lanes and add 8' shoulders.
8	<b>Mariposa Road (Escalon Bellota Road to Jack Tone Road)</b>	<b>\$1M</b>	Widen from 2 to 3 lanes/5 lanes and add 8' shoulders.
9	<b>Howard Road/Tracy Boulevard Widening Improvements</b>	<b>\$1M</b>	Widening from Tracy Boulevard to Matthews Road: 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	<b>Turner Road Improvements</b>	<b>\$1M</b>	Widening Safety Improvements from Interstate 5 to Lodi City Limits: 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.



## Legislative Issues ~ Administration of Justice

COUNTY OF SAN JOAQUIN ~ ADMINISTRATION OF JUSTICE

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

### **15. Title: Revise the Definition of Inmates Eligible for Reimbursement under the State Criminal Population Assistance Program**

**Issue:** The federal government recently re-interpreted the State Criminal Population Assistance Program enabling legislation to exclude pre-trial inmates. Counties have mostly pre-trial, rather than post-conviction inmates, thus losing substantial funding.

**Legislative Platform:** Seek and support legislative action which would:

- 1. Revise the definition of eligible inmates to include pre-trial as well as post-conviction for undocumented inmates; and,**
- 2. Increase State Criminal Alien Assistance Program funding to ensure reimbursement to states and counties for the cost of housing both pre-trial and post-conviction alien inmates.**

**Background:** The State Criminal Alien Assistance Program (SCAAP), through the Bureau of Justice Assistance, reimburses states and local governments for the cost of housing criminal undocumented persons. (It is important to note that states and counties are only reimbursed for a small fraction of these costs.) Until federal fiscal year 2002, local expense reimbursements were always made based on *all* (both accused as well as convicted) criminal undocumented persons bed-days. A routine federal legal review revealed that according to SCAAP statute limits, reimbursement was to be given for *convicted criminal aliens only*. Since counties house primarily pre-trial inmates, this change in reimbursement resulted in an enormous revenue loss to Sheriff's departments around the nation.



## Legislative Issues ~ Administration of Justice

COUNTY OF SAN JOAQUIN ~ ADMINISTRATION OF JUSTICE  
Contact: Steve Moore, Sheriff; E-Mail: [smoore@sjgov.org](mailto:smoore@sjgov.org); Ph. (209) 468-4311

### 16. **Title:** Federal Funding to Combat Illegal Drugs

**Issue:** There is a serious need to increase federal funding for the Byrne Memorial Justice Assistance Grant and similar federal programs to combat the production, trafficking, and sales of methamphetamine, and other illegal drugs and narcotics.

**Legislative Platform:** Seek and support legislation and/or budgetary appropriation which would:

1. Increase funding to local law enforcement agencies to combat the production, trafficking, and sales of methamphetamine and other illegal drugs;
2. Increase federal funding for the Byrne Memorial Justice Assistance Grant or similar programs targeted at combating illegal drug production and trafficking; and,
3. Provide local government broad latitude and flexibility in allowable expenditure categories of program funds.

**Background:** Production and trafficking of methamphetamine continues to be a significant issue in San Joaquin County in spite of the decreased seizures of large-scale clandestine laboratories. 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 San Joaquin County. 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 organization.



## Legislative Issues ~ Administration of Justice

COUNTY OF SAN JOAQUIN ~ ADMINISTRATION OF JUSTICE

Contact: Stephanie L. James, Chief Probation Officer; E-Mail: [sjames@sjgov.org](mailto:sjames@sjgov.org); Ph. (209) 468-4077

### 17. **Title:** Juvenile Delinquency

**Issue:** Gang-related youth issues are a major problem in San Joaquin County.

**Legislative Platform:** Seek and support budgetary appropriation and/or legislation similar to HR 1064 and S 132 (2009), which would provide resources to address juvenile delinquency, including gang-related youth issues.

**Background:** Gangs and gang involvement are major law enforcement issues in San Joaquin County. Prevention of gang involvement is a major focus in dealing with youth in this area. Support should be given to programs that provide additional local resources to support anti-gang and gang prevention programs.

HR 1064 and S 132 (2009) proposed to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law-abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to expand and improve gang prevention programs, and for other purposes.





## Legislative Issues ~ Agriculture

COUNTY OF SAN JOAQUIN ~ DEPARTMENT OF AGRICULTURE

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

### 18. Title: 2012 Farm Bill

**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 maintain or enhance funding of the Pierce's Disease/Glassy-winged Sharpshooter Program, and oppose efforts to reduce the current level of program funding.

**Background:** The Farm Bill funds a number of federal programs important to local agriculture and is renewed (reauthorized) by Congress every 5 - 7 years. The programs funded by the Farm Bill are administered by the United States Department of Agriculture (USDA). The 2008 Farm Bill had 15 titles, including Commodities, Conservation, Trade, Nutrition, Credit, Rural Development, Research, Forestry, Energy, Horticulture & Organic Agriculture, Livestock, Crop Insurance, Commodity Futures, Miscellaneous, and Trade & Taxes. The 2008 Farm Bill expired on September 30, 2012.

During most of the 2012 legislative year, Congress worked on crafting a new 5-year Farm Bill to replace the 2008 Farm Bill when it expires. The Senate passed its version S 3240 on June 21, 2012. The House Committee on Agriculture adopted its version, H.R. 6083 on July 11, 2012. To date, the House has not scheduled a floor vote on the Farm Bill.

There is a long list of provisions in the Farm Bill that are important to local agriculture. However, this platform will focus on a few that are in the 2012 versions of the proposed Senate and House Farm Bills and are of particular importance to local agriculture and the Agricultural Commissioner's Office.

- a) Continue the Plant Pest and Disease Program (Section 10201) and increase the funding level to \$71.5 million annually. This would result in an annual increase of \$11.5 million over the 2012 program authorization. Revenue provided by this provision funds the Agricultural Commissioner's Dog Team and Enhanced Pest Detection programs.
- b) Increase funding for the Specialty Crop Block Grant Program to \$70 million annually. This program has a successful track record of enhancing specialty crop competitiveness through grants awarded to states to support research, product quality enhancement, food safety, and other projects important to the specialty crop industry.
- c) Increase Farmers Market Promotion Program funding to \$20 million annually. This program provides competitive grants to improve and expand direct producer-to-consumer market opportunities including the development of local food system infrastructure. Presently, with



## Legislative Issues ~ Agriculture

COUNTY OF SAN JOAQUIN ~ DEPARTMENT OF AGRICULTURE

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

### **2012 Farm Bill (*continued*)**

#### **Background (*continued*)**

agricultural commissioner involvement, the California Department of Food and Agriculture is working on efforts to expand and encourage direct marketing opportunities.

- d) Continue funding conservation programs. These programs are critically important to local farmers for the role they play in funding projects that maintain farmland while preserving the environment. Of particular importance is the Environmental Quality Incentive Program (EQIP). The EQIP programs funds on-farm projects that aid in the preservation of the environment. Because of greater regulatory and societal demands on agriculture to implement farming practices that are environmentally friendly, funding for EQIP programs should be increased.
- e) Provide mandatory funding over 10 years for the Specialty Crop Research Initiative. This would ensure that funding will be available for long-term key research projects involving fruits, vegetables and other specialty crops. The Senate Bill ensures funding will be available for this program into the next farm bill.



## Legislative Issues ~ Agriculture

COUNTY OF SAN JOAQUIN ~ DEPARTMENT OF AGRICULTURE

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

### 19. **Title:** Light Brown Apple Moth Eradication

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

**Legislative Platform:** Support legislation and budgetary proposals to restore full funding for the Light Brown Apple Moth quarantine, and for related eradication activities, while opposing further decreases in funding for the program.

**Background:** The Light Brown Apple Moth (LBAM) was detected in California in 2007; the first 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. In addition to crop damage, international and domestic markets may impose costly export restrictions on host crops grown both inside and outside LBAM regulated areas.

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 the LBAM are handled cooperatively under a LBAM Quarantine Project consisting of local agricultural commissioners, the California Department of Agriculture (CDFA) and the U. S. Department of Agriculture (USDA).

Currently, there are five distinct LBAM quarantined areas San Joaquin County (SJC), thereby SJC is considered a partially infested county. To protect the agriculture in SJC from the spread of LBAM, the County Agricultural Commissioner maintains an active detection and regulatory program. The LBAM program is funded by the USDA through CDFA. Without this funding the LBAM program in SJC could not be sustained. In fiscal year 2011-12 the County received \$79,000 for the LBAM program. Loss of Federal funding or discontinuance of the LBAM quarantine could have significant negative impacts on the agricultural industry in SJC.

If the LBAM quarantine is eliminated, agricultural exports could suffer from quarantines imposed by foreign countries on California agricultural products. In addition, grower's costs would increase due to the need to protect their crops from LBAM damage.



## Legislative Issues ~ Agriculture

COUNTY OF SAN JOAQUIN ~ DEPARTMENT OF AGRICULTURE

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

### 20. **Title:** Pest Prevention and Surveillance

**Issue:** Severe funding reductions for early plant pest detection.

**Legislative Platform:** Seek, advocate, and support legislation and budget proposals which would restore and provide full funding for early plant pest detection and surveillance activities of state and county pest prevention programs.

**Background:** San Joaquin County (SJC) is the seventh largest agricultural county in the State of California and the seventh largest in the nation. As a result, agriculture is a major factor in the County's economy and way of life. Therefore, funding for early plant pest detection and surveillance is of priority importance to SJC.

Due to severe budget cuts at both the state and federal levels, funding has decreased significantly for local pest exclusion and pest detection programs. Most notable are the reductions in funding for the High Risk Pest Exclusion program and the Glassy-winged Sharpshooter Prevention program. As depicted in the table below, funding for High Risk Pest Exclusion program experienced a 89.2% decrease in funding from 2007-08 to 2012-13 resulting in significantly less protective programs, exposing the agricultural industry to significant risks of invasion of high risk pests.

Program	2007-08	2012-13	Amount Decrease	% Decrease
High Risk Pest Exclusion	\$235,136	\$25,466	\$209,670	89.2%

The SJC agricultural industry continues to battle invasive plant pests infestation. In 2009, the County experienced its first plant pest quarantine in 28 years with the detection of a Light Brown Apple Moth (LBAM) infestation. The only other plant pest quarantine established in SJC prior to the LBAM infestation was a medfly quarantine in 1981. Since then, the SJC Agricultural Commissioner's Office has detected additional LBAM infestations, a European grapevine moth infestation in 2010 and an Oriental Fruit Fly infestation in 2011. All these detections resulted in federal and state plant pest quarantines that seriously impacted the County's agricultural industry and economy.

The SJC Agricultural Commissioner's Office has two main programs aimed at preventing invasive pests, the Pest Exclusion Program and the Pest Detection Program. The Pest Exclusion Program is the first line of defense aimed at preventing pest entry into the state through plant and commodity inspections at their points of entry into the County. The Pest Detection Program is the second line of defense which maintains a countywide network of insect traps and other detection tools to serve as an early warning system against serious agricultural pests designed to detect the pest before it spreads. The earlier a foreign pest invasion can be detected the easier and less costly it is to eradicate.



## Legislative Issues ~ Agriculture

COUNTY OF SAN JOAQUIN ~ DEPARTMENT OF AGRICULTURE

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

### **Pest Prevention and Surveillance (*continued*)**

#### **Background (*continued*)**

New agriculture pest introductions significantly impact farmers as additional resources must be spent to control the pest and market the crops. Additionally, once an invasive pest becomes established in California, millions of dollars are spent on eradication costs and millions more are lost due to establishment of quarantines against infested areas by other states and countries. These quarantines at the most prohibit exportation of agricultural products from infested areas and at the least require costly treatments and inspections as a condition of export.



## Legislative Issues ~ Community Development

COUNTY OF SAN JOAQUIN ~ COMMUNITY DEVELOPMENT DEPARTMENT  
Contact: Kerry Sullivan, Director; E-Mail: [ksullivan@sjgov.org](mailto:ksullivan@sjgov.org); Ph. (209) 468-3140

### 21. **Title:** Housing Foreclosure Prevention and Mitigation

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

**Legislative Platform:** Support legislation or a budget proposal which would continue to provide local jurisdictions with federal funding for foreclosure prevention counseling programs, and for purchasing, redeveloping, and selling foreclosed properties to low income buyers.

**Background:** Since January 2007, San Joaquin County (SJC) 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 SJC 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.





## Legislative Issues ~ Community Development

COUNTY OF SAN JOAQUIN ~ COMMUNITY DEVELOPMENT DEPARTMENT  
Contact: Kerry Sullivan, Director; E-Mail: [ksullivan@sjgov.org](mailto:ksullivan@sjgov.org); Ph. (209) 468-3140

### 22. **Title:** Homelessness Prevention

**Issue:** San Joaquin County continues to experience high home foreclosures 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, 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 and 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 Issues ~ Employment & Economic Development

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

### 23. **Title:** Workforce Investment Act

**Issue:** Since inception of the Workforce Investment Act in July 2000, San Joaquin County has experienced a \$5.6 million reduction in Workforce Development funding, while experiencing unemployment rates that typically exceed California's and the national average.

**Legislative Platform:** Support legislation which would:

1. **Re-authorize the Workforce Investment Act;**
2. **Include additional funding; and,**
3. **Maintain local control under a business majority lead Workforce Investment Board service delivery system.**

**Background:** Between 2000 and 2012, California saw a reduction of 45% in Workforce Investment Act (WIA) funds, translating to a 40% (\$5.6 million) reduction in San Joaquin County (SJC). In addition, in 2012-13, WIA formula funding allocation from the U.S. Department of Labor to SJC was further reduced by an additional 14.9%. WIA is insufficiently funded to effectively facilitate the re-entry of displaced workers and meet the needs of the employer community. SJC's annual funding for displaced workers has been reduced by 46% (\$2.5 million). These reductions have resulted in the closure of several one-stop employment centers, a decrease in training resources for job seekers, and have hampered the County's ability to meet the needs of the employer community. Reductions in overall funding have also negatively impacted collaboration efforts between partner agencies, such as education programs, Temporary Assistance for Needy Families, and the business community. The reduction in WIA funding was temporarily offset with funding under the American Reinvestment and Recovery Act (ARRA); however, those ARRA funds were fully expended in 2010.

Under WIA, funding to SJC for the youth program has been reduced by more than 38%. These reductions in funding for youth programs have significantly decreased employment and training opportunities for youth. At the same time, juvenile delinquency, high school dropout rates, and gang activity have been steadily increasing. ARRA funding was provided for the County's 2009 Summer Youth Program, and the funding was fully expended.

With the continued increase in the rate of unemployment: Nationwide unemployment rate was 8.6%; California unemployment rate was 10.2%; and San Joaquin County's unemployment rate was 15%. Hence, the need to fully fund WIA and other employment and training programs in SJC is critical. Workforce preparation is critical to the economic well-being of this nation. Furthermore, if the United States is to maintain its competitive edge in the world economy, workforce development must be a priority.



## Legislative Issues ~ Employment & Economic Development

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

### 24. **Title:** Purchase of Property with Workforce Investment Act Funds

**Issue:** There are restrictions on the use of Workforce Investment Act funds for the construction and/or purchase of a property/building.

**Legislative Platform:** Seek and advocate in support of an amendment to:

1. **The Workforce Investment Act Program (20 CRF 667-260) to allow the use of Workforce Investment Act funds for the construction and/or purchase of a facility.**
2. **The Office of Management and Budget Circular A-87 to increase the depreciation rate from the current 2% to 5% per year.**

**Background:** With very limited exceptions, the purchase of property or construction of a building is prohibited for Workforce Investment Act (WIA) programs under 20 CRF 667-260. San Joaquin County (SJC) could purchase a building and charge the WIA program rent; however, the Office of Management and Budget Circular A-87 limits depreciation of a building to 2% per year. At this rate, it would take 50 years to fully recover the cost. This regulation makes it cost-prohibitive for the recipient of WIA federal funds to acquire a building in the hope of containing escalating lease costs. Consequently, federal programs, like the WIA One-Stop Service Delivery System, are faced with multiple lease agreements that continue to require a greater percentage of the program's budget. Prohibition on the use of WIA funds to construct a building or purchase property is counter-productive to program efficiency in the long-term. In addition, should SJC purchase the building, the 2% depreciation rate makes the acquisition of a building cost-prohibitive and risky.



## Legislative Issues ~ Emergency Services

COUNTY OF SAN JOAQUIN ~ EMERGENCY SERVICES

Contact: Mike Cockrell, Director; E-Mail: [mcockrell@sjgov.org](mailto:mcockrell@sjgov.org); Ph. (209) 953-6208

### 25. Title: Sacramento-San Joaquin Delta Flood Fight Emergency Fund

**Issue:** The Delta is the hub of California's major water supply systems. The lack of funds at the beginning of a flood emergency prevents prompt action once substantial costs are involved. The presence of federal highways, water transfer systems, migratory bird and fish habitat, and navigable waterways in the Delta makes protection of the levees, and the limiting of flood waters in the event of a levee breach, a major federal interest.

**Legislative Platform:** Seek and support legislative, budget appropriation, regulatory and/or administration action which would provide resources to California for a flood fight emergency fund to ensure that prompt emergency action is taken to prevent levee failure in the legal Sacramento-San Joaquin Delta.

**Background:** Emergency actions during a flood in the Sacramento-San Joaquin legal Delta to prevent levee failure, close levee breaks, dewater flooded areas, and otherwise limit the extent and duration of flood waters, are primarily engineering and construction activities. Existing mutual aid agreements between public agencies are not generally relevant in this situation since such engineering activity most often involves the direct purchase of materials and services from private vendors and not a sharing of publically-owned resources covered in those agreements. These purchases of materials, construction services, pumps, and other privately provided products require substantial funds that *must be committed by contract at the moment of need*.

In California, reclamation type districts are the typical public agencies with primary jurisdiction and responsibility for maintaining levees before and during a flood emergency. These districts are best placed, best motivated, and best capable of acting to prevent levee failure or contain flood waters in a crisis. This decentralized response system works well operationally and should be continued to ensure the best possible response to flooding threats when the integrity of multiple levees is threatened. Action by local agencies is preferred to potentially delayed action by more distant agencies.

However, local reclamation districts have limited ability to raise funds to maintain levees that also protect vital regional and community infrastructure. Owners and/or operators of much of the regional infrastructure protected by Delta levees do not contribute to the costs of levee maintenance or of emergency actions to threats to levee stability. The subsequent lack of cash flow at the beginning of a crisis prevents prompt action once substantial costs are involved by the jurisdictions best placed to act.

Other local, state, and federal agencies that could provide the needed response are often delayed in responding to a request for assistance by the same lack of readily available funds as well as by bureaucratic processes and requirements. The lack of clear eligibility for reimbursement under the federal Stafford Act for potentially large expenditures made outside of the agency, legal jurisdiction is an additional disincentive to action by most local and state agencies. The response of federal agencies can be further delayed or limited by overly stringent rules, policies, and regulations for action under PL84-99 and other authorities.



## Legislative Issues ~ Emergency Services

COUNTY OF SAN JOAQUIN ~ EMERGENCY SERVICES

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### **Sacramento-San Joaquin Delta Flood Fight Emergency Fund (*continued*)**

The correction of this situation and the assurance that the most prompt and effective action possible will occur to prevent levee failure or limit flood water extent is of vital importance. Preventing levee failure and effectively limiting flood extent and duration directly reduces impacts on American citizens, damage to private and public property, and subsequent expenditures under federal and state disaster assistance programs. The existence of a suitably controlled emergency fund would be the best way to provide this necessary assurance. This emergency fund, once established, would be used during a flood for direct emergency expenditures to ensure that prompt emergency action is taken to prevent levee failure, close levee breaks, dewater flooded areas, and otherwise physically limit the extent, depth, and duration of flood waters in the event of a levee failure. The emergency flood funds would be provided on the condition that the local agency will seek state and federal disaster assistance, and any reimbursements received for expenditures paid with emergency trust funds will be paid back to the trust fund. To the extent such actions are required for project levees, and the USACE exercises its authority to immediately take needed emergency action, the response by the local agency may not be necessary and the emergency trust fund will not be accessed.



## Legislative Issues ~ Emergency Services

COUNTY OF SAN JOAQUIN ~ EMERGENCY SERVICES

Contact: Contact: Mike Cockrell, Director; E-Mail: [mcockrell@sjgov.org](mailto:mcockrell@sjgov.org); Ph. (209) 953-6208

### 26. **Title:** Emergency Management Performance Grant Funding for Flood Preparedness

**Issue:** Emergency Management Performance Grant funding for flood preparedness activities and hazards has remained an important component of local emergency management programs, and continuation of this funding is essential to local government.

**Legislative Platform:** **Seek and support an increase in Emergency Management Performance Grant funding, retaining flexibility in the use of funds for non-terrorism specific threats.**

**Background:** The 1950 Civil Defense Act established a federal grant program intended to assist local governments to prepare for disasters. These matching grants (50% match) assist in funding local emergency management staff, communications equipment, and enhancements to local emergency operations centers. Eligible costs and funding levels have fluctuated over the years, and the program name has been changed to Emergency Management Performance Grant (EMPG) program. This basic 50% federal funding match assistance program for local preparedness activities has remained an important component of local emergency management programs for nearly 55 years.

Homeland Security Grant programs has far overshadowed the EMPG program in funding levels and attention. While these grants can be used for dual-use purposes there must be a terrorism element in eligible activities. Local governments are constrained by future audit requirements to keep activities credibly related to terrorism. The continuing changes in allowed activities, allocation formulas, and funding levels make these grants questionable sources of support for ongoing costs such as permanent emergency management staff.

In San Joaquin County, EMPG has been the only ongoing, reliable, and non-local source of funding for permanent emergency staff. The all-hazards orientation of the grant has made it a key resource for flood-related preparedness activities in the County. The potential for a catastrophic flood in the Central Valley is a major concern for local government and the community at large. This continuing and growing threat of staggering economic losses and potential loss of life from a major flood event in this area must receive ongoing preparedness work. As the region builds out and becomes increasingly populated, the potential loss exposure and threat to life will become a major factor in California's ability to ensure its citizens' quality of life.





## Legislative Issues ~ Emergency Services

COUNTY OF SAN JOAQUIN ~ EMERGENCY SERVICES

Contact: Contact: Mike Cockrell, Director; E-Mail: [mcockrell@sjgov.org](mailto:mcockrell@sjgov.org); Ph. (209) 953-6208

### 27. **Title:** Emergency Work Eligibility under Federal Emergency Management Assistance Regulations

**Issue:** Current Federal Emergency Management Assistance regulations limit emergency assistance/work eligible for disaster assistance/reimbursement. These limitations hinder the ability of counties and cities to commit funds and resources to assist levee failure prevention where the levee is legally maintained by an independent agency.

**Legislative Platform:** Change Paragraph (3a) of Section 206.223 of Chapter 1, Volume 1, of Title 44, Emergency Management and Assistance, to read as follows:

(a) General. To be eligible for financial assistance, an item of work must be:

1. Required as the result of the major disaster event;
2. Located within a designated disaster area; and,
3. The legal responsibility of an eligible applicant or served to prevent the catastrophic loss of life or property.

**Background:** The Robert T. Stafford Disaster Relief and Emergency Assistance Act (PL 93-288), as amended, establishes programs for the federal government to assist locally in disaster costs. Subsequent Federal Emergency Management Assistance (FEMA) regulations have defined the conditions under which costs are eligible for assistance. One such criterion is that the emergency work listed in Section 206.223 of Chapter 1 of Title 44 be the legal responsibility of the applicant. In 1997, the County of San Joaquin (SJC) provided assistance to local agencies in a joint effort to prevent levee failure. Because levee maintenance was not the legal responsibility of the County, FEMA inspectors disallowed assistance/reimbursement to the County. SJC was obliged to bill the levee-maintaining agencies for those costs.

In addition, changes to FEMA policies and practices now require local agencies responsible for maintaining levees to fully pay eligible disaster costs prior to the receipt of federal reimbursement. The local agencies responsible for maintaining levees in SJC are not able to pay for costs that counties and/or cities incur in assisting with the prevention of levee failure prior to the receipt of federal reimbursement. These changes in requirements could leave counties, cities, and state agencies with costs for which even partial federal reimbursement cannot be obtained.

While federal interpretation of regulations change, legitimate emergency efforts by any public entity aimed at directly preventing loss of life and property, even in cases where the action is not the legal responsibility of the entity, should be eligible for federal financial assistance, provided the other regulatory criteria are met.



## Legislative Issues ~ Emergency Services

COUNTY OF SAN JOAQUIN ~ EMERGENCY SERVICES

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### **Emergency Work Eligibility under FEMA Regulations (*continued*):**

Particularly in the California Central Valley, maintaining the ability to rapidly mobilize all available resources to prevent levee failure and subsequent catastrophic losses should be an objective of the highest priority. Elimination of potential barriers to rapid commitment of resources by public agencies that are in a position to act to prevent loss of life and property will advance this objective. Clarification of federal regulations and the removal of real and perceived barriers will serve to improve response to floods and other disasters.



## Legislative Issues ~ Environmental Health

COUNTY OF SAN JOAQUIN ~ ENVIRONMENTAL HEALTH

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

### 28. Title: Recruitment and Retention of Public Health Workers

**Issue:** 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.

Efforts similar to the U.S. Department of Health and Human Services' 2010 award of \$16.8 million to support 27 Public Health Training Centers throughout the U.S., and S. 1882 introduced by Hagel in the 110<sup>th</sup> Congress must continue in order to mitigate a critically anticipated workforce shortage of public health professionals. If S. 1882 would have been enacted, it would have provided payment for: 1) tuition and related educational expenses of the individual, 2) a stipend of not more than \$1,200 per month, and 3) up to \$35,000 in loan repayments for individuals who promise a level of employment in the public health sector for a prescribed number of years.



## Legislative Issues ~ Health Care

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

### 29. **Title: Medicaid and Medicare Funding Programs**

**Issue:** Proposals to reduce Medicaid and Medicare program funding include implementation of the Deficit Reduction Act of 2005, Center for Medicare and Medicaid Services rule changes, changes in the Upper Payment Limit, Medicare Recovery Audit Contractor Program, and other mechanisms.

#### **Legislative Platform:**

- 1. Aggressively oppose reductions in reimbursement from Medicaid and Medicare, including any restrictions in Federal financing of Medicaid, which would result in a shift or increase in cost to county safety-net healthcare systems.**
- 2. Oppose Medicaid reform efforts which would result in decreased access to health care, and/or shift costs or risks to counties.**
- 3. Maximize Federal Medical Assistance Program (FMAP) which provides matching funds for Medicaid, while ensuring that the enhanced funding is directed to counties.**
- 4. Support legislation and/or regulations which would add dental benefits to Medicare Coverage.**

**Background:** Medicaid and Medicare are the primary mechanisms for supporting the provision of health care coverage for the nation's low-income, disabled, and uninsured patients. Medicaid and Medicare are the primary sources of revenue supporting the safety-net health care systems that provide essential health care services in San Joaquin County (SJC). SJC's Health Care Services Agency and San Joaquin General Hospital are the health care safety-net provider for SJC. Maintaining and increasing revenues is critical to the financial viability of the County's safety-net health care system, especially for the County's public hospital, which is a vital part of our community's safety-net health care delivery system. San Joaquin General Hospital specializes in health care delivery programs not otherwise available in the community, serves a disproportionate share of Medicaid and uninsured patients, and relies on approximately \$87.3 million a year in Medicaid funding for its patient care revenues. Reductions in Medicaid funding could lead to significant reductions in critical health care programs and could have an adverse impact on the overall health and well-being of the low-income, disabled, and uninsured population in our community.

Dental care is excluded from Medicare coverage. Congress has not amended the dental exclusion since 1980, when it made an exception for inpatient hospital services when the dental procedure itself made hospitalization necessary. The low-income population, particularly seniors, cannot afford the out-of-pocket cost of dental care, and poor dental health can result in significant cost to the Medicare program.



## Legislative Issues ~ Health Care

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

### 30. **Title:** Health Care Funding Within the Medicaid Demonstration 1115 Waiver

**Issue:** The current 1115 Waiver has altered the manner in which counties, public hospitals, and county mental health services will be paid under the Medicaid program.

**Legislative Platform:** Support legislative and regulatory efforts which would:

1. Support the ability of counties to maximize their funding under any Medicaid Demonstration Waiver, including Coverage Initiatives and delivery system improvement, and direct the funding to counties and public hospitals.
2. Oppose regulations or legislation which would diminish or negatively impact safety-net hospital funding mechanisms, such as Certified Public Expenditures.
3. Maximize use of intergovernmental transfers for Managed Care.
4. Advocate that the public hospitals continue to receive the highest maximum amounts through the Delivery System Reform Incentive Pool.
5. Advocate for robust budget neutrality and ensure that budget neutrality does not extend to Coverage Initiatives programs.
6. Advocate for flexibility and local control of Coverage Initiatives, including services provided, determination of local network, and payment rates.
7. Advocate for additional Waiver funding for investment in public hospital delivery systems.
8. Advocate for minimal use of county generated funding for state administrative and service uses.
9. Advocate for county developed programs and public hospitals as providers as the basis for continued implementation of managed care programs for Medi-Cal Seniors and Persons with Disabilities.

**Background:** Medicaid 1115 Waiver payments are designed to reimburse hospitals that serve a majority of patients who are uninsured, under-insured, low income, or indigent. Approximately 75% of the patient base at San Joaquin General Hospital, the County's public hospital, is low-income. Therefore, a significant amount of the County's hospital funding is received through the Medicaid program. Waiver funds are an important and necessary component of hospital financing for the cost of providing health care to the low-income population in San Joaquin County.

The Waiver for 2010-15 deals not only with public hospital funding, but also allows for federal match for county funding for coverage of targeted populations for both medical and mental health care through Coverage Initiatives. There are significant concerns that regulatory and/or legislative efforts may be underway, which would limit the available funding, limit any future growth in the Waiver, or impact the ability of counties and their public hospitals and health systems to maximize this funding mechanism.



## Legislative Issues ~ Health Care

COUNTY OF SAN JOAQUIN ~ SAN JOAQUIN GENERAL HOSPITAL

Contact: David Culberson, Chief Executive Officer, E-Mail: [dculberson@sjgh.org](mailto:dculberson@sjgh.org); Ph. (209) 468-6042

### 31. **Title:** 340B Drug Purchasing Program

**Issue:** Inpatient drugs are currently excluded from the “best price” calculations which dictate savings that drug manufacturers pass on to Medicaid providers. The addition of inpatient medications would allow eligible providers such as San Joaquin General Hospital and Behavioral Health Services to obtain 15-25% discounted drug pricing through the 340B Drug Purchasing Program.

**Legislative Platform:** Seek legislative and administrative support to include inpatient drugs in the 340B Drug Purchasing Program.

**Background:** In 1992, Congress created the 340B drug-discount program, which allows certain hospitals and clinics that serve vulnerable populations to purchase outpatient drugs at the Medicaid “best price” from pharmaceutical companies that participate in the Medicaid program. Eligible providers negotiate additional discounts from manufacturers as part of the program, obtaining prices that are approximately 25 percent lower than those available from group purchasing organizations or other buying arrangements.

Both the Senate and House versions of the Medicare Prescription Drug Bill of 2009 included an exemption from the Medicaid “best price” calculation for inpatient drugs charged to 340B hospitals. If enacted, this provision would have allowed safety-net providers to negotiate better prices for inpatient drugs. While the provision would not have required pharmaceutical companies to provide the same 340B discounts that are available on outpatient purchases, major disincentives would be removed that have made it very difficult for drug manufacturers to offer lower prices for inpatient drugs to 340B hospitals. Without exclusion from the “best price” calculation, drug manufacturers would have to provide the same discount pricing to the entire Medicaid drug market, comprising nearly 15% of the market. If this legislation is enacted, pharmaceutical manufacturers could offer significant discounts without offering the same discount to this large market. With annual expenditures of over \$4 million for inpatient pharmaceuticals, San Joaquin General Hospital could possibly reduce drug-purchasing costs by over \$500,000 per year.



## Legislative Issues ~ Health Care

COUNTY OF SAN JOAQUIN ~ HEALTH CARE SERVICES AGENCY

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

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

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

#### **Legislative Platform:**

1. **Advocate and support legislation and budgetary efforts, which would expand health-related training programs for physicians, nurses and ancillary clinical and support staff.**
2. **Support funding for health training loans and scholarship programs, including reauthorization of the Public Health Service Act as amended by the Nurse Reinvestment Act of 2002, for the purpose of providing funding.**
3. **Support legislation which would provide incentives to encourage and attract health care and public health professionals to practice in California's Central Valley.**

**Background:** The healthcare 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 and occupational 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 healthcare industry.

All eight San Joaquin Valley counties have Medically Underserved Areas and Populations designations. These counties also experience shortages in dental, mental health, and primary care professionals, as determined by the United States Health Resources and Services Administration, Bureau of Health Professionals. Regionally, the Central Valley experienced greater shortages for all physicians, primary care physicians, and specialty physicians, than any other region in the state. Similar patterns can be observed for dentists, mental health practitioners and the spectrum of allied health professionals. For example:

- ✓ The ratio of dentists to residents is 48 per 100,000 in the Central Valley versus 80 per 100,000 in California.
- ✓ The ratio of mental and behavioral personnel is 94 per 100,000 in the Central Valley versus 327 per 100,000 in California.
- ✓ Only 19 child psychiatrists currently practice in the Central Valley, but the national standard is 14.8 per 100,000.





## Legislative Issues ~ Health Care

COUNTY OF SAN JOAQUIN ~BEHAVIORAL HEALTH SERVICES  
Contact: Victor Singh, Director; E-Mail: [vsingh@sjcbhs.org](mailto:vsingh@sjcbhs.org); Ph. (209) 468-2082

### 33. **Title:** Parity for Mental Health and Substance Abuse 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. The Affordable Care Act (ACA) requires that states select an essential health benefits package, which includes mental health and substance use disorders treatment; however, the level of coverage is dependent on the benefits package selected. 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 and/or seek and support legislation or regulatory changes for selection of an essential health benefits package that includes coverage for mental illness and substance use disorders 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) (Act). This 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 the Act is a major achievement, the parity measure does not actually require insurers to offer mental health benefits. The Act 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. Furthermore, the Patient Protection and Affordable Care Act (H.R. 3590) signed into law in March, 2010, includes the requirement that mental health and substance use disorder treatment be included in the benefits package effective January 2014; however, the level of coverage is not specified.

The Affordable Care Act includes the requirement that mental health and substance use disorder treatment be included in the benefits package effective January 2014; however, the level of coverage is not specified.



## Legislative Issues ~ Health Care

COUNTY OF SAN JOAQUIN ~ PUBLIC HEALTH SERVICES

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

### 34. **Title:** Funding for Public Health Emergency Services

**Issue:** Maintain, at adequate levels, fair and equitable funding for public health emergency services.

**Legislative Platform:** Aggressively pursue and support:

1. An increase in federal funding to prepare for and respond to the medical/health consequences of terrorism, disasters, or other public health emergencies;
2. The development of funding formulas that consider proximity of jurisdictions to high-profile targets and that are not based solely on the presence of such targets within jurisdictional boundaries; and,
3. Local flexibility in the administration of the public health emergency services with no fiscal penalties 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 bioterrorism, at the local level. Hurricane Katrina 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. San Joaquin County is at a severe disadvantage in its ability to obtain new funding sources to address these additional public health and safety issues.

Increases in federal funding are needed to augment local programs to be able 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 federal, state, and local agencies to effectively identify, prevent, and respond to the medical/health consequences of terrorism, disasters, or other public health emergencies. Funding formulas should consider proximity to high profile, high impact targets; nearby jurisdictions to such targets will likely be severely impacted through the provision of mutual aid to the impacted jurisdiction or by the influx of large numbers of people seeking shelter and/or treatment. Currently, staff within local health jurisdictions is often funded by categorical grants and are perceived to be ineligible for participation in emergency preparedness and response activities. Policies must be flexible to ensure a competent, trained workforce regardless of salary funding stream or program assignment.



## Legislative Issues ~ Health Care

COUNTY OF SAN JOAQUIN ~ PUBLIC HEALTH SERVICES

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

### 35. **Title:** Controlling Tuberculosis

**Issue:** There is a lack of funds for monitoring, controlling, and treating Tuberculosis.

**Legislative Platform:** Pursue and support legislation that would provide domestic and international funding for continued monitoring, controlling, and treating Tuberculosis.

**Background:** Tuberculosis (TB) was thought to be held in check, but has made resurgence in recent past. This resurgence is due not only to the lack of continued surveillance and control efforts, but also to increases in populations at risk (the homeless, people with compromised immune systems - especially AIDS, and people from countries where TB is a significant problem). San Joaquin County is one of the jurisdictions strongly impacted by the rise in TB activity. It is important that resources are available for surveillance and outbreak control and for providing treatment for those with active disease. California does not receive a share of federal funding consistent with the number of recent Hmong refugee arrivals or those expected from other countries over the next ten years. Support is needed for improved immigrant screening prior to arrival to the United States. San Joaquin County Public Health Services has a TB control program; and San Joaquin General Hospital treats cases of TB without adequate funding or any dedicated reimbursement.



## Legislative Issues ~ Health Care

COUNTY OF SAN JOAQUIN ~ BEHAVIORAL HEALTH SERVICES  
Contact: Victor Singh, Director; E-Mail: [vsingh@sjcbhs.org](mailto:vsingh@sjcbhs.org); (209) 468-2082

### 36. **Title: Exclusion of Psychiatric Health Facility from Institute for Mental Disease**

**Issue:** Behavioral Health Services had operated a 40-bed Psychiatric Health Facility (PHF) for several years that did not qualify for Medicaid payments because it exceeded the 16-bed limit. The facility reconfigured their bed capacity and the PHF now meets the 16 bed limit, but this size will not be adequate for future needs. .

**Legislative Platform: Support legislation or regulatory changes that would exclude the psychiatric health facility from the Institute of Mental Disease Exclusion for Medicaid funding and permit the psychiatric health facility to receive Medicaid payments.**

**Background:** Federal law prohibits Medicaid payments to those facilities determined to be an Institute for Mental Disease. This type of facility is defined as psychiatric inpatient or residential facility that has more than 16 beds, unless the facility is licensed as an acute psychiatric inpatient facility. The original intent of this law was to avoid Medicaid payments to state hospitals; however, this limitation severely restricts the development of non-medical alternatives to acute psychiatric inpatient facilities. The County Behavioral Health Services 40-bed PHF was redesigned and the beds reduced to 16. The PHF now qualifies for Medicaid payment; however, 16-beds will not meet the San Joaquin County's future needs. Through the PHF the County offers clinically based and cost-effective care which provides services similar to an acute psychiatric inpatient facility at approximately 50% of the cost. The eligibility for Medicaid payments to psychiatric health facilities, sized up to 40 beds would produce savings that could be reinvested in community programs serving the mentally ill.

### 37. **Title: Federal Substance Abuse Prevention and Treatment Block Grant**

**Issue:** There is an increased demand and need for methamphetamine treatment.

**Legislative Platform: Support legislative efforts to increase funding for the Federal Substance Abuse Prevention and Treatment Block Grant.**

**Background:** San Joaquin County (SJC) supports an increase in the Federal Substance Abuse Prevention and Treatment Block Grant funding specifically targeted to counties heavily impacted by methamphetamine addiction. SJC continues to experience significant increases in the number of individuals seeking treatment for methamphetamine addiction.



## Legislative Issues ~ Human Services

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

### 38. **Title: Temporary Assistance to Needy Families**

**Issue:** The new Temporary Assistance to Needy Families rules should focus on maintaining the federal, state, and local intergovernmental partnership to provide local agencies with the tools needed to move families from welfare to work rather than designing programs simply to meet burdensome administrative requirements.

**Legislative Platform: Support legislation and/or regulatory reform which would:**

1. **Provide maximum administrative flexibility to local jurisdictions and funding necessary to meet the new requirements;**
2. **Broaden the definition of allowable activities and exemptions; and,**
3. **Authorize credit for partial participation.**

**Background:** In 1996 Congress enacted the Personal Responsibility and Work Opportunity Reconciliation Act (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 called California's Work Opportunity and Responsibility to Kids, or CalWORKs, has been successful in moving families from welfare to work. Congress extended the original law on numerous occasions since the Act expired on September 30, 2002. TANF was reauthorized and became law as part of the Federal Deficit Reduction Act of 2005 and expired in September 2010. The 2010 expiration date has been extended through continuing resolutions passed by Congress; the most recent expiration date is March 2013.

TANF reauthorization affects CalWORKs policy and the livelihood of the low-income population for years to come. In an effort to administer TANF and other human services programs efficiently and effectively, it is essential that state and federal rules and requirements are aligned, and do not include burdensome administrative requirements for front-line TANF service providers. Following are some of San Joaquin County's major policy issues surrounding TANF: 1) Allow separate state programs to be excluded from the Work Participation Rate, 2) Allow partial participation credit, 3) Allow broader definition of activities that can be counted in Work Participation Rate, 4) Extend the time limit of activities that will move families toward being self-sufficient in the long-term, 5) Allow increased flexibility in counting and documenting work participation, and 6) Allow a broader definition of exemptions from participation (i.e., a federal exemption for temporarily disabled people).



## Legislative Issues ~ Human Services

COUNTY OF SAN JOAQUIN ~ HUMAN SERVICES AGENCY

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

### 39. **Title:** Child Welfare Services

**Issue:** States and counties have not been provided with adequate funding to be able to meet the federal outcomes 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.**
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.**
4. **Support legislation which would provide counties the resources needed in meeting mandated Child Welfare Services Outcome goals.**

**Background:** 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. In order for the federal mandated outcomes for children and families to be met, county government needs adequate resources to affect change.

Current funding levels do not adequately support these 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.



## Legislative Issues ~ Human Services

COUNTY OF SAN JOAQUIN ~ HUMAN SERVICES AGENCY

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

### 40. **Title:** Adult Protective Services

**Issue:** Funding for Adult Protective Services is static while the number of reports of elder abuse and neglect is on the rise.

#### **Legislative Platform:**

1. **Support legislation which would establish a comprehensive Adult Protective Services, which would include investigation and reporting, outreach, intervention, education, and other supportive services to seniors and dependent adults in need of protection.**
2. **Support budget appropriations which would provide for the coordination of Adult Protective Services with other resources, including care management, assisted living, in-home support services, and other essential services for seniors and dependent adults.**
3. **Support efforts to provide comprehensive training for professional staff providing protective services to seniors and dependent adults.**

**Background:** San Joaquin County attempts to provide a comprehensive investigation of all reports of elder abuse and neglect. State funding for Adult Protective Services (APS) has remained static while the demand for services as well as the cost of providing these services continues to increase. In addition, federal funding is available only for services provided by skilled medical professionals (such as registered nurses) and health-related services (such as applying for Medicaid) provided by social workers in APS. Because all APS services are performed by social workers, and the greatest amount of time spent working with victims is not directly health-related, federal funding does not support the vast majority of services provided by and through APS.

In addition, the lack of funding to meet the demand of elder abuse services creates an undue social services burden on law enforcement agencies that rely on APS to assist in the investigation of elder/dependent adult abuse/neglect. Reduced support to law enforcement by APS results in fewer complete investigations, which increases the risk of serious injury and/or death of abused elderly persons and dependent adults. Furthermore, the lack of funding support often results in increased costs for Medicare and Medicaid and other federally-funded programs.





## Legislative Issues ~ Human Services

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

### 41. **Title:** Community Services Block Grant Funding

**Issue:** Efforts continue to reduce Community Services Block Grant funding. Elimination or lack of an increase in Community Services Block Grant funding would have serious consequences to San Joaquin County and its low-income residents.

**Legislative Platform:** Support legislation and/or budgetary proposals which would maintain or increase Community Services Block Grant funding for safety-net services, including services provided by County community centers, and aggressively oppose budgetary proposals which would reduce this grant funding.

**Background:** In 2011-12, Community Services Block Grant (CSBG) funding for San Joaquin County (County) provided approximately 44% or \$886,842 of the total operating costs for the County's eight community centers. Insufficient funding to support critical community-based services has had serious consequences to the County and its low-income population. Further reductions in funding would result in drastic cuts and/or discontinuation of these vital services. The eight community centers provide a variety of services including emergency food and clothing assistance, wellness clinics and health access van, senior, adult, youth, and children's programs, job search programs, and information and referral.

An augmentation of CSBG funding would allow increased support for employment, health, education, shelter, and other essential services provided by the community centers for the low-income population of the County. The focus of these services is to decrease dependence on public assistance, reduce crime, improve the success of children/families, increase employment, and provide safety-net services to those unable to provide for their own basic needs.



## Legislative Issues ~ Human Services

COUNTY OF SAN JOAQUIN ~ HUMAN SERVICES AGENCY

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

### 42. **Title:** Race to the Top Funding for Children from Prenatal Stage to Age Five

**Issue:** Local First 5 funds continue to be threatened at the state level, jeopardizing continued federal Race to the Top funding.

#### **Legislative Platform:**

1. **Oppose legislation, regulations, and/or initiatives which would adversely impact local First 5 Commissions as it relates to funding, services, and programs (including the opposition of any legislation that increases the tobacco tax but does not contain language to replace any funds lost to the Children and Families Act/Trust fund for local services as currently funded by tobacco taxes, Prop 10 in 1998 and Prop 99). This also includes any redirection of the Race to the Top local funds and would include the provision to hold harmless the county in the event another federal tax on tobacco should occur.**
2. **Ensure continued support and effective delivery of federal services for vulnerable children prenatal to age five (5) in the areas of health, early education, and child safety. (policy statement)**

**Background:** First 5 California and 58 County Commissions enacted in 1998 work to improve the lives of children from the prenatal stage 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 budget and/or Legislature called for the redirection of some First 5 revenues raised through Proposition 10 (1998) to the State General Fund for existing state funded health and social services programs. The earlier efforts failed, however, AB 99 which passed in March 2011 threatened to take \$950 million from First 5 programs throughout the state and redirect it to the State general fund. Lawsuits were filed, with the judge ruling in the counties' favor.

In 2009, the federal tobacco tax was raised by 61 cents to help fund the the State Children's Health Insurance Program (SCHIP). In California, this is currently the Healthy Families Program. No backfill (a fiscal provision to replace any funds lost to Prop 10 due to the loss in revenue based on the increase of tobacco costs) was provided for Proposition 10 funds to replace the loss to the program.

Local First 5 funds have also been utilized to leverage other federal and State resources. Over the next few years San Joaquin County will be receiving almost \$1.7 million in federal Race to the Top funding to enhance the quality of our early childhood education programs. Funding reductions to the First 5 program could result in a corresponding reduction and/or elimination of federal Race to the Top funds and other leveraged resources.



## Legislative Issues ~ Human Services

COUNTY OF SAN JOAQUIN ~ HUMAN SERVICES AGENCY

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

### 43. **Title:** Older American Act

**Issue:** Federal funding for critical Older American Act programs is not made available to Local Area Agencies on Aging in the absence of a State Budget, and there is no federal funding dedicated to supporting the prevention, investigation or prosecution of elder abuse.

#### **Legislative Platform:**

- 1. Support legislation or administrative rules which would require state governments to pass-through Federal Older American Act funding to Local Area Agencies on Aging in the absence of a State Budget.**
- 2. Support legislation or regulatory changes which would fully fund mandated Older American Act programs provided by the states and counties governments.**

**Background:** Congress passed the Older American Act (OAA) in 1965. The purpose of the OAA was to serve elderly persons with the greatest social and economic need, giving particular attention to low-income minority individuals and providing services and programs that assist them in maintaining their independence as well as their dignity. OAA is considered to be the major vehicle for the organization and delivery of social and nutritional services to this group and its caregivers. Unfortunately, in the absence of a California State Budget, the state does not provide federal OAA funds for the continuation of OAA services provided by Local Area Agencies on Aging. If County funds are not provided to continue OAA programs during the absence of a State Budget, vital services to our vulnerable senior population would be discontinued. While counties are provided the funds upon the passage of a State Budget, the holding of OAA Federal funding to Local Area Agencies on Aging places an unnecessary burden on counties to either fund the continuation of services or discontinue the vital services.

As the number of older Americans continues to grow, so is the problem of elder abuse, neglect and exploitation. This, often invisible treatment, is among the gravest issues facing millions of American families.



## Legislative Issues ~ Library Services

COUNTY OF SAN JOAQUIN ~ LIBRARY SERVICES

Contact: Chris Freeman, City Librarian; E-Mail: [chris.freeman@stockton.gov](mailto:chris.freeman@stockton.gov); Phone: (209) 937-8364

### 44. **Title: E-Rate Funding for Libraries**

**Issue:** Continued reductions in E-Rate funding to schools and libraries would impair the library's ability to continue to provide the public with up-to-date technology.

**Legislative Platform:** Support legislative and administrative efforts and/or budgetary proposals which would maintain the current level of E-Rate Program funding to libraries, raise the funding cap, and continue simplification of the application and distribution process, while opposing efforts to reduce funding for the Program.

**Background:** E-Rate is the commonly used name for the Schools and Libraries Program of the Universal Service Fund, authorized as part of the Telecommunications Act of 1996. The E-Rate Program provides discounts to assist most schools and libraries in the United States to obtain affordable telecommunications and Internet access. Funded at \$2.25 billion annually, the E-Rate Program provides funding under four categories of service: telecommunications services, Internet access, internal connections, and basic maintenance of internal connections. E-Rate discounts for support depend on the level of poverty and the urban/rural status of the population served and range from 20% to 90% of the costs of eligible services, with the deepest discounts going to those communities with the greatest need based upon the local eligibility levels for participation in the National School Lunch Program.

The E-Rate Program has played a pivotal role in helping libraries connect their users to the Internet. More than 95% of the nation's libraries offer Internet access to the public, compared to 1996, when 28% of the library systems offered public access to the Internet in at least one branch. Without the E-Rate Program, libraries would not have access to critical resources such as online job information, government information and educational resources. As technologies evolve and budgets remain tight, libraries depend more and more on E-Rate discounts, and increased funding will be required in the future to meet library needs



## Legislative Issues ~ Transportation

COUNTY OF SAN JOAQUIN ~ DEPARTMENT OF PUBLIC WORKS  
Contact: Thomas M. Gau, Director; E-Mail: [tgau@sjgov.org](mailto:tgau@sjgov.org); Ph. (209) 468-3100

### 45. **Title:** Transportation Funding

**Issue:** County transportation financing needs exceed existing and foreseeable revenues, and additional funding is required to respond to the significantly growing transportation needs.

**Legislative Platform:** Advocate in support of an increase in the Highway Trust Fund and/or indexing of the federal gasoline tax.

**Background:** Local jurisdictions, cities, and counties have the sole responsibility of operating and managing over 80 percent of the maintained road miles in California. The local or secondary road network is a critical component to a seamless transportation system.

For the past 50 years, surface transportation programs have been funded by the Highway Trust Fund (HTF) (as opposed to the Treasury general fund). The primary revenue source for the HTF is the 18.4 cent per gallon tax on gasoline and a 24.4 cent per gallon tax on diesel fuel. Annually, California receives a share of these funds through the Federal Transportation program (currently MAP-21), which authorizes \$101.3 billion for highways, transit, and transportation safety projects nationwide for 2013 through 2014. For most of its history, the HTF has collected more revenue than had been expended. This situation has changed in the last few years. Most recently, an infusion of approximately \$18.8 billion from the U.S. Treasury and an additional \$2.4 billion from the Underground Storage Tank Trust Fund into the HTF was required to ensure solvency of the HTF through 2014.



## Legislative Issues ~ Transportation

COUNTY OF SAN JOAQUIN ~ DEPARTMENT OF PUBLIC WORKS  
Contact: Thomas M. Gau, Director; E-Mail: [tgau@sjgov.org](mailto:tgau@sjgov.org); Ph. (209) 468-3100

### 46. **Title:** Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21)

**Issue:** The MAP-21 will expire on September 30, 2014.

**Legislative Platform:** Seek, advocate, and support continued reauthorization of the MAP-21 or a new federal transportation bill which would include adequate funding and ensure that California receives a fair share of its contributions to the Highway Trust Fund.

**Background:** MAP-21, signed by President Obama on June 29, 2012, authorized an investment of approximately \$101.3 billion for federal highway, transit, and safety projects over a two-year period through September 30, 2014. The legislation included an amendment to transfer \$18.8 billion from the General Fund and \$2.4 billion from the Underground Storage Tank Trust Fund to restore the Highway Trust Fund balance in order to ensure the solvency of the Highway Account of the Trust Fund for the remainder of MAP-21. Congress is anticipated to begin efforts of drafting the reauthorization legislation in 2013.

Objectives for reauthorization of MAP-21, or a new transportation bill, should be aimed at providing for the most cost-effective use of federal transportation revenues to preserve and enhance the nation's transportation system while ensuring California receives a fair-share contribution from the federal Highway Trust Fund. In addition, new transportation legislation should include, as a basic objective, an increase in funding and direct subventions to local agencies for safety improvements and maintenance on local roadways. The new legislation should provide a more streamlined and flexible approach to allocating federal funds for highway, transit, local road, and bicycle/pedestrian improvements based on need, and by reducing the number of core programs to smaller flexible programs. Due to congestion on the State Highway System, the local federal aid network of roads is experiencing increased traffic, and is functioning as secondary highways. A safety and maintenance component similar to State Highway Operation and Protection is required for local agencies to address current and future transportation capacity and maintenance needs. The revision of federal regulations to emphasize the need for roadway infrastructure safety and maintenance funding remains a high priority.

San Joaquin County supports the reauthorization of MAP-21, or a new transportation bill, that would build upon successes of SAFETEA-LU, and focus on the following priorities: 1) Protect and enhance transportation revenues and expenditures, 2) Protect previous and future investments via system maintenance and preservation, 3) Increase safety on existing transportation systems, 4) Improve environmental stewardship and address climate change concerns, 5) Streamline the regulatory and project delivery process, and 6) Increase state regional, and local agency flexibility.



## Legislative Issues ~ Transportation

COUNTY OF SAN JOAQUIN ~ DEPARTMENT OF PUBLIC WORKS  
Contact: Thomas M. Gau, Director; E-Mail: [tgau@sjgov.org](mailto:tgau@sjgov.org); Ph. (209) 468-3100

### 47. **Title:** Local Road and Bridge Maintenance Backlog

**Issue:** County transportation financing needs exceed existing and foreseeable revenues, and additional funding is required to respond to the significantly growing transportation needs.

**Legislative Platform:** Seek, advocate, and support legislation and/or budget appropriations that would serve to address/provide funding for the backlog of local road and bridge maintenance projects.

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

- \$231 million in pavement maintenance;
- \$222 million in bridge maintenance; and
- \$225 million in safety improvements

This shortfall reflects funds needed in order to maintain the current local roads and bridges in good condition. The 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.





## Legislative Issues ~ Water Resources

COUNTY OF SAN JOAQUIN ~ DEPARTMENT OF PUBLIC WORKS  
Contact: Thomas M. Gau, Director; E-Mail: [tgau@sjgov.org](mailto:tgau@sjgov.org); Ph. (209) 468-3100

### 48. **Title:** Clean Water Act, Environmental Protection Agency Rule Making, Navigable Waters

**Issue:** The final version of the guidance regarding identification of waters protected by the Clean Water Act expands federal Clean Water Act jurisdiction over tributaries, including canals, culverts and ditches. Furthermore, there is a concern that the administration may seek to issue the Final Guidance, in effect creating a de facto rule, bypassing the formal rulemaking process and immediately creating additional project-related mitigation and permit costs.

#### **Legislative Platform:**

1. **Oppose legislative and/or administrative efforts, including the issuance of guidance or a formal rulemaking, to broaden the application of the Clean Water Act to include small isolated wetlands, ephemeral and intermittent streams, and other marginal waters that are not directly adjacent to "navigable waters."**
2. **Support legislative efforts to bar the Environmental Protection Agency and the U. S. Army Corps of Engineers from finalizing the proposed guidance described in the notice of availability and request for comments entitled "EPA and Army Corps of Engineers Guidance Regarding Identification of Waters Protected by the Clean Water Act."**

**Background:** In May 2011, the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (Corps) published for comment "Draft Guidance Regarding Identification of Waters Protected by the Clean Water Act" (Draft Guidance) that seeks to describe how the Agencies will identify waters subject to jurisdiction under the Clean Water Act (CWA) and implement the U.S. Supreme Court's decisions in *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers (SWANCC)* and *Rapanos v. United States* concerning the extent of waters covered by the Act. The final version of the guidance submitted to the Office of Management and Budget (OMB) for review on February 21, 2012, would expand federal CWA jurisdiction over tributaries, including canals, culverts and ditches. Specifically, the guidance seeks to advance a broad interpretation of Justice Anthony Kennedy's opinion in *Rapanos, et al. v. United States*, which held that waters sharing a "significant nexus" with jurisdictional waters can also be subject to CWA regulation.



## Legislative Issues ~ Water Resources

COUNTY OF SAN JOAQUIN ~ DEPARTMENT OF PUBLIC WORKS  
Contact: Thomas M. Gau, Director; E-Mail: [tgau@sjgov.org](mailto:tgau@sjgov.org); Ph. (209) 468-3100

### Clean Water Act, EPA Rule Making, Navigable Waters (*continued*)

#### **Background: (*continued*)**

In drafting the original CWA, Congress clearly recognized that not all waters should be subject to CWA jurisdiction. Congress distinguished between water bodies that are "jurisdictional" and those that are not by limiting the CWA's authority to "navigable waters." By definition, any move away from "navigable waters" to some broader definition could include virtually any wetlands, irrigation canals, roadside ditches, ephemeral pools, and other non-navigable waterways.

The potential implications of the Final Guidance could be significant as the CWA affects many aspects of public and private operations in San Joaquin County (County). Farming practices could be significantly impacted in attempting to improve marginal range land to irrigated pasture. For example, roadside or private irrigation ditches (some are jurisdictional, but many are not) could all become jurisdictional under the Final Guidance. Many routine but vital maintenance operations in small stream channels, dry washes and man-made water conveyances could be subjected to costly and time-consuming permitting processes, even though such operations have no real effect on water quality. As a consequence, residents could see their water and power rates increase with no improvement in reliability, and little or no enhancement of the environment.

In addition, California faces a major challenge in meeting the water and power needs of a growing population, while ensuring the vitality of its environmental resources. Issuance of the Final Guidance could make that task much more difficult.

Other potential impacts include the County's operations and maintenance of critical infrastructure such as roads, bridges, and utilities, which are often located in close proximity and/or drain in to ditches or channels. Any expansion of the definition could add significant time and expense to these efforts.

The House has been more supportive than the Senate of legislative attempts to address the issue. The House Appropriations Committee approved a provision attached to the annual appropriations bills for barring the EPA from expanding its CWA authority. In addition, the Full House approved a provision that bars the Corps from expending any funds to implement the final guidance. And, on June 7, 2012, the House Transportation and Infrastructure Committee voted to support a bill (H.R. 4965) intended to block the Obama Administration's effort to expand Federal pollution and wetlands-filling regulations under the CWA. S. 2245 is a similar bill by the Senate bill, To date, no action has occurred on that measure.



## APPENDIX ~ A

Adopted: July 24, 2012

R-12-278: Resolution Adopting A Position of Opposition to the State's Draft Bay Delta Conservation Plan Proposal to Construct a Major Isolated Water Conveyance System in the Delta, and Adoption a Statement of Principles Regarding the Bay Delta Conservation Plan

BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN JOAQUIN  
STATE OF CALIFORNIA

### RESOLUTION

R-12- 278

**RESOLUTION ADOPTING A POSITION OF OPPOSITION TO THE STATE'S DRAFT  
BAY DELTA CONSERVATION PLAN PROPOSAL TO CONSTRUCT A MAJOR  
ISOLATED WATER CONVEYANCE SYSTEM IN THE DELTA, AND  
ADOPTING A STATEMENT OF PRINCIPLES REGARDING THE  
BAY DELTA CONSERVATION PLAN**

WHEREAS, the Bay Delta Conservation Plan (BDCP) process has produced a draft BDCP which is inconsistent with the best interests of the Sacramento-San Joaquin Delta (Delta) within the County of San Joaquin; and,

WHEREAS, the present draft of the BDCP is inconsistent with the co-equal goals of the Delta Reform Act and the policy of the State to reduce reliance on the Delta for future California water needs; and,

WHEREAS, the present draft of the BDCP is destructive to the economy, habitat, water rights, water quality, land use governance, and way of life in the County of San Joaquin and the Delta; and,

WHEREAS, the proposed new course of the BDCP as outlined by the State of California ("State and Federal Principals Joint Recommendations Regarding Key Elements of the Bay Delta Conservation Plan", as presented by Dr. Jerry Meral, Deputy Secretary of the State Natural Resources Agency on July 16, 2012), does not rectify that inconsistency; and,

WHEREAS the process whereby the BDCP is being developed is governmentally, economically, and scientifically flawed and deficient;

NOW, THEREFORE, BE IT RESOLVED that this Board of Supervisors:

Consistent with the San Joaquin County's Board-adopted Principles and Policies regarding the Delta and its continued commitment to collaborate with the State and Federal governments and other appropriate agencies in developing regional water supply solutions, and in light of the proposals contained in the Draft Bay Delta Conservation Plan (BDCP) and the revised BDCP reported by the Department of Natural Resources on June 26, 2012, to construct a major isolated water conveyance system (9,000 cubic feet per second) in the Delta, the San Joaquin County Board of Supervisors hereby declares opposition to the current draft BDCP and to the revised BDCP as reported by the Department of Natural Resources. Furthermore, the County hereby submits the following Principles relative to a BDCP. These Principles are to be



## APPENDIX ~ A (continued)

R-12-278: Resolution Adopting A Position of Opposition to the State's Draft Bay Delta Conservation Plan Proposal to Construct a Major Isolated Water Conveyance System in the Delta, and Adoption a Statement of Principles Regarding the Bay Delta Conservation Plan

considered a package (A-L are not individual stand-alone items); this umbrella set of Principles is essential to the 'sustainability and enhancement' of the Delta and required to gain the support from the County of San Joaquin.

1. Opposes the draft BDCP and the proposed revision of the BDCP as outlined by the State of California; and
2. Adopts the following Statement of Principles regarding the BDCP:
  - A. San Joaquin County seeks full, fair, and effective participation in the BDCP development and implementation process. San Joaquin County must be a voting member of a governance body developing, approving and implementing the BDCP.
  - B. Consistent with conclusions and recommendations in the Delta Protection Commission's peer reviewed and adopted Economic Sustainability Plan for the Sacramento-San Joaquin Delta (January 2012), San Joaquin County maintains that through-Delta conveyance is currently the only viable alternative in meeting the co-equal goals of water supply reliability and ecosystem restoration in the Delta.
  - C. Through-Delta flow standards (including quantity and quality) shall be established based on peer-reviewed best science and made legally enforceable before the adoption of the BDCP. Mitigation for in-Delta flow reductions and adverse water quality impacts due to export operations shall be included in the BDCP and shall not compromise area of origin protections or senior water rights.
  - D. All reasonable Delta management alternatives that reflect the entire spectrum of options available to meet the co-equal goals established by the Delta Reform Act, and which reduce reliance on the Delta as a water resource for areas outside the Delta in accordance with the policy of the State of California, shall be included in the BDCP analysis and shall be subjected to a peer-reviewed "cost-benefit" analysis. The DWR handbook shall be used for such analyses (see [http://www.water.ca.gov/pubs/planning/economic\\_analysis\\_guidebook/econguidebook.pdf](http://www.water.ca.gov/pubs/planning/economic_analysis_guidebook/econguidebook.pdf)).
  - E. All BDCP proposals and actions, and BDCP implementation, shall preserve, protect, and enhance the Delta economy and agriculture, and there shall be complete financial mitigation of all direct and indirect negative impacts on the Delta economy and agriculture caused by any and all BDCP actions and implementations.





## APPENDIX ~ A (continued)

R-12-278: Resolution Adopting A Position of Opposition to the State's Draft Bay Delta Conservation Plan Proposal to Construct a Major Isolated Water Conveyance System in the Delta, and Adoption a Statement of Principles Regarding the Bay Delta Conservation Plan

- F. Water storage projects, including groundwater storage and storage projects associated with water reuse projects, providing for the development of five-million acre-feet of new stored water shall be constructed and fully developed as part of the BDCP.
- G. All pending San Joaquin County water rights and water resource projects shall be perfected and/or built before implementation of the BDCP.
- H. Flood control and levee maintenance programs and projects in San Joaquin County shall be included in the BDCP, in a manner satisfactory to the County, as a prerequisite to the issuance of any permits under the BDCP.
- I. Adequate funding for the projects and studies in San Joaquin County must be addressed and provided through the BDCP process (Attachment 1 – Preliminary San Joaquin County Project List).
- J. BDCP must be consistent with locally developed Habitat Conservation Plans/Natural Communities Conservation Plans (HCP/NCCPs). If conflicts exist between locally developed HCP/NCCPs and the BDCP, the BDCP staff must work collaboratively with local HCP/NCCP staffs to resolve the conflicts. BDCP must not interfere with local HCP/NCCPs' ability to attain their habitat target goals or objectives. When conflicts arise the local HCP/NCCPs will take priority for the resolution of the conflict as long as it does not undermine the BDCP overall habitat goal. Additionally, acquisitions of lands within the jurisdiction of the local HCP/NCCP plan area will be coordinated (and potentially directed) with the local plan staff. BDCP shall not invoke eminent domain authority for restoration or mitigation land within San Joaquin County.
- K. BDCP must be subject to the full extent of state and federal environmental review. San Joaquin County cannot support any streamlining or exemptions from either the California Environmental Quality Act (CEQA) or National Environmental Protection Act (NEPA).
- L. BDCP must recognize the linkage between the Delta and the terrestrial lands (habitat and agricultural), and recognize that any project that emerges from the BDCP could impact the entire Bay-Delta estuary, not just the immediate Delta area in which the project is located. The environmental analysis of the project(s) must examine for potential impacts throughout the entire estuary, including, but not limited to, impacts on flow from the Delta, water quality, aquatic/terrestrial species, habitat and the agricultural economy of San Joaquin County within the estuary.



**APPENDIX ~ A (continued)**

R-12-278: Resolution Adopting A Position of Opposition to the State's Draft Bay Delta Conservation Plan Proposal to Construct a Major Isolated Water Conveyance System in the Delta, and Adoption a Statement of Principles Regarding the Bay Delta Conservation Plan


PASSED AND ADOPTED this 7-24-12 by the following vote of the Board of Supervisors, to wit:

**AYES: Villapudua, Vogel, Ruhstaller, Ornellas, Bestolarides**

**NOES: None**

**ABSENT: None**

ATTEST: LOIS M. SAHYOUN  
Clerk of the Board of Supervisors  
of the County of San Joaquin,  
State of California

  
STEVE J. BESTOLARIDES, Chairman  
Board of Supervisors  
County of San Joaquin,  
State of California

By   
Deputy Clerk



OPPOSE BDCP PROPOSAL-RESO.DOCX



## APPENDIX ~ B

Adopted: November 20, 2012

R-12-332: Resolution Supporting the Joint Project List of the Twelve County Water Work Group Consisting of the Counties Represented by the Delta Counties Coalition and the California Partnership for the San Joaquin Valley

BEFORE THE BOARD OF SUPERVISORS  
OF SAN JOAQUIN COUNTY, STATE OF CALIFORNIA

R-12- 332

RESOLUTION SUPPORTING THE JOINT PROJECT LIST OF THE TWELVE COUNTY  
WATER WORK GROUP CONSISTING OF THE COUNTIES REPRESENTED  
BY THE DELTA COUNTIES COALITION AND THE  
CALIFORNIA PARTNERSHIP FOR THE SAN JOAQUIN VALLEY

-----

WHEREAS, the Delta Counties Coalition (DCC) and the California Partnership for the San Joaquin Valley (Partnership) together represent 12 Counties encompassing the majority of the San Joaquin Valley and Sacramento-San Joaquin Delta (Delta) regions and include the Counties of Fresno, Kern, Kings, Madera, Merced, Stanislaus, Tulare, Contra Costa, Sacramento, Solano, Yolo, and San Joaquin; and,

WHEREAS, the 12 Counties of the DCC and the Partnership represent the issues and interests of the people who live, work, recreate and perhaps best understand the tremendous resources the San Joaquin Valley and Delta regions possess; and,

WHEREAS, the DCC and Partnership Counties had previously come to an agreement on the "Resolution of Counties Within the San Joaquin Valley and Delta Supporting Proactive Actions to Safeguard a Sustainable Sacramento-San Joaquin Delta" (Attachment 1), which was adopted by the Partnership Board on October 25, 2011, and subsequently adopted by this Board of Supervisors on January 10, 2012 (Attachment 2); and,

WHEREAS, DCC and Partnership representatives met on May 23, 2012, and agreed to "Joint Resolution A" (Attachment 3) which defines the implementation framework to guide the effort to forward the proactive actions listed in Attachment 1 and to establish the Twelve County Water Work Group comprised of one Supervisor representative from each of the DCC and Partnership Counties; and,

WHEREAS, on May 23, 2012, DCC and Partnership representatives also agreed to "Joint Resolution B" (Attachment 4), which adopts a candidate list of projects to address the Integrated Regional Water Management Needs of the San Joaquin Valley and Delta Regions which include: a) incorporating major levee enhancements in the San Joaquin Valley and Delta to safeguard and enhance regional water quality and water supply, as well as provide for flood control; b) augmenting surface water and groundwater banking programs, and recycled water projects; c) improving water quality and expanding inland saline water management; d) expanding environmental restoration and conservation strategies; and e) expanding agricultural and urban water conservation and energy efficiency programs; and,

WHEREAS, the Twelve County Water Work Group has conducted a review of the candidate projects listed in the "Combined Delta Counties Coalition and California Partnership for the San Joaquin Valley Water Management Project List" (Attachment 5); and,





## APPENDIX ~ B (*continued*)

R-12-332: Resolution Supporting the Joint Project List of the Twelve County Water Work Group Consisting of the Counties Represented by the Delta Counties Coalition and the California Partnership for the San Joaquin Valley

WHEREAS, the projects shaded in green on the "DCC-SJV Partnership Candidate List of Water Management Projects Summary" (Attachment 6) appear to do no harm to the DCC and Partnership Counties and also appear to be consistent with the proactive actions set forth in Attachment 1; and,

WHEREAS, the projects shaded in yellow on Attachment 6 will require further evaluation and assurances before the Twelve County Water Work Group can reach consensus that the projects do no harm to the DCC and Partnership Counties and are consistent with the proactive actions of Attachment 1; and,

WHEREAS, on September 21, 2012, the Partnership Board of Directors resolved unanimously to support the ongoing process of the Twelve County Water Work Group and to advance the list of representative and integrated projects in Attachment 6 with an emphasis on near-term improvements and other projects that meet the co-equal goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem for California within the unique cultural, recreational, natural resource, and agricultural framework of the Delta as an evolving place; and,

WHEREAS, Attachment 5 and Attachment 6 are not intended to be comprehensive or exhaustive for the San Joaquin Valley or the Delta, and by no means is intended to resolve all of the issues common or exclusive to areas represented by the DCC and Partnership Counties; and,

WHEREAS, Attachment 5 and Attachment 6 may be modified as projects are further developed or if projects on the list conflict with the directive that the projects do no harm to any of the DCC and Partnership Counties and are consistent with the proactive actions in Attachment 1, and,

WHEREAS, it is the intent of the DCC and the Partnership that such a list of projects be submitted for consideration by the appropriate authorities; and,

WHEREAS, San Joaquin County's Flood Advisory Water Commission, on October 17, 2012, voted unanimously to recommend that this Board of Supervisors conditionally support the DCC and Partnership projects shaded in green on Attachment 6.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of San Joaquin County hereby supports the efforts of the DCC and Partnership Counties and approves continued participation under the agreed upon process embodied in "Joint Resolution A" (Attachment 3); and,

FURTHER BE IT RESOLVED, that this Board of Supervisors finds that the projects shaded in green (as listed in Attachment 6 and as described in Attachment 5) appear to do no harm to the DCC and Partnership Counties and appear to be consistent with the proactive actions of the "Resolution of Counties Within the San Joaquin Valley and Delta Supporting Proactive Actions to Safeguard a Sustainable Sacramento-San Joaquin Delta" (Attachment 1); and,



**APPENDIX ~ B (continued)**

R-12-332: Resolution Supporting the Joint Project List of the Twelve County Water Work Group Consisting of the Counties Represented by the Delta Counties Coalition and the California Partnership for the San Joaquin Valley

FURTHER BE IT RESOLVED, that this Board of Supervisors hereby supports in concept the projects shaded in green as listed in the "DCC-SJV Partnership Candidate List of Water Management Projects Summary" (Attachment 6) and as described in the "Combined Delta Counties Coalition and California Partnership for the San Joaquin Valley Water Management Project List" (Attachment 5). Furthermore, the adoption of this Resolution does not diminish or supersede previous actions or positions of this Board of Supervisors.

PASSED and ADOPTED 11/20/2012, by the following vote of the Board of Supervisors to wit:


AYES: **Villapudua, Vogel, Ruhstaller, Ornellas, Bestolarides**

NOES: **None**

ABSENT: **None**

ATTEST: LOIS M. SAHYOUN  
Clerk of the Board of Supervisors  
of the County of San Joaquin,  
State of California



  
STEVE J. BESTOLARIDES  
Chairman, Board of Supervisors  
County of San Joaquin,  
State of California

By  (SEAL)  
Deputy Clerk

WR-12J049-M3



## APPENDIX ~ B (continued)

R-12-332: Resolution Supporting the Joint Project List of the Twelve County Water Work Group Consisting of the Counties Represented by the Delta Counties Coalition and the California Partnership for the San Joaquin Valley

Attachment 1



California Partnership for the  
San Joaquin Valley

### A RESOLUTION OF COUNTIES WITHIN THE SAN JOAQUIN VALLEY AND DELTA SUPPORTING PROACTIVE ACTIONS TO SAFEGUARD A SUSTAINABLE SACRAMENTO- SAN JOAQUIN DELTA

**WHEREAS** the Sacramento-San Joaquin Delta is the largest estuary on the Pacific Coast of the United States and includes major eastside tributaries that account for nearly half the snowmelt and runoff of the entire state. Located east of the San Francisco Bay and Suisun Marsh at the confluence of the Sacramento-San Joaquin Rivers, the Delta stretches inland to encompass an area of over 730,000 acres with islands and tracts of rich fertile soil surrounded by miles of sloughs and winding channels protected by levees creating one of the country's most productive agricultural regions; and

**WHEREAS** the Delta is also habitat for hundreds of plant and animal species providing crucial habitat for fish and wildlife. In addition, the Delta with its Legacy Communities is a popular boating and recreation area which supports a fishery for both recreational and commercial purposes. Eighty percent of the State's commercial fishery species either live in or migrate through the Delta; and

**WHEREAS** the Delta is also the hub of California's State and Federal water storage and delivery system with water exports made to agricultural and urban users in the Bay Area, Silicon Valley, San Joaquin Valley, the Central Coast, and Southern California wherein two-thirds of Californians rely on the Delta for all or some of their drinking water. Additionally, over 7 million acres of farmland in the San Joaquin Valley are irrigated in part by water conveyed through the Delta, contributing to California's multi-billion dollar agriculture industry which produces half the nation's fruits, nuts and vegetables, and twenty percent of the nation's dairy products; and

**WHEREAS** many people living in California depend on the Delta for drinking water; water for irrigation and livestock; habitat, recreation, the shipment of goods from inland ports over highways and railways crisscrossing the Delta, natural gas fields, electrical transmission and conveyance facilities among many other benefits; and

**WHEREAS** the California Partnership for the San Joaquin Valley ("Partnership") and the Delta Counties Coalition ("Coalition") together encompass an area within 12 counties in the State of California's San Joaquin Valley and Delta, representing the issues and interests from the unique perspective of the people who live, work and recreate and perhaps best understand the tremendous resource this area of California represents; and

**WHEREAS** the Partnership and Coalition have been engaged in a collaborative dialogue to bring together these vital regions with their perspectives and interests to develop a shared vision on actions to help safeguard a sustainable Sacramento-San Joaquin Delta for future generations while ensuring the economic and environmental well-being of the Delta and Valley and an improved quality of life for all its citizens; and

**WHEREAS** the Coalition and Partnership together desire to advance the goals of the Delta Protection Act of 1992 and the Delta Reform Act of 2009 through action with the recognition of achieving the two coequal goals of providing a more reliable water supply for California and protecting, restoring, and enhancing the Delta ecosystem for California within the unique





## APPENDIX ~ B (continued)

R-12-332: Resolution Supporting the Joint Project List of the Twelve County Water Work Group Consisting of the Counties Represented by the Delta Counties Coalition and the California Partnership for the San Joaquin Valley

cultural, recreational, natural resource, and agricultural framework of the Delta as an evolving place; and

**WHEREAS** the Coalition and the Partnership support efforts by the State of California to establish a more open, fair and effective public process in the development of the Bay Delta Conservation Plan including greater involvement by local government and stakeholder interests and encourage this approach as plans and programs are developed by the Delta Stewardship Council, Delta Conservancy, Delta Protection Commission and other organizations with responsibilities in the Delta.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Directors of the California Partnership for the San Joaquin Valley and the Supervisors of the Delta Counties Coalition unanimously support the following proactive actions to safeguard a sustainable Delta for the benefit of all Californians, including the:

1. Recognition of the authority and responsibility given to local government related to land use, water resources, flood management, tax revenues, public health and safety, economic development, agricultural stability, recreation, and environmental protection.
2. Incorporation of the overarching principles of regional self-sufficiency and integrated regional water management planning, funding and implementation to support sustainable approaches for improved water supply, quality and reliability to reduce future reliance on the Delta consistent with the Delta Reform Act of 2009.
3. Protection and restoration of the Delta ecosystem including adequate water supply, quality and outflow to support fisheries, wildlife and habitat in perpetuity while supporting immediate improvements for through-Delta conveyance as part of a complete strategy consistent with the Delta Reform Act of 2009.
4. Funding and implementation of urban and non-urban flood protection and water resource programs in the Delta and its watersheds for water storage; conjunctive use; conservation; and rehabilitation, improvement and maintenance of flood control levees and structures.

**PASSED APPROVED, and ADOPTED** this 25 day of October, 2011, by the Board of the California Partnership for the San Joaquin.

Handwritten signature of Ashley Swearengin.

Ashley Swearengin  
Chair

Handwritten signature of Corwin Harper.

Corwin Harper  
Deputy Chair



## APPENDIX ~ B (continued)

R-12-332: Resolution Supporting the Joint Project List of the Twelve County Water Work Group Consisting of the Counties Represented by the Delta Counties Coalition and the California Partnership for the San Joaquin Valley

Endorsed by:

### **California Partnership - Water Policy Working Group**

Raymond Watson, Co-Chair  
Supervisor, Kern County

Leroy Ornellas, Co-Chair  
Supervisor, San Joaquin County

### **Delta Counties Coalition**

Mary Nejedly Piepho  
Supervisor, Contra Costa County

Don Nottoli  
Supervisor, Sacramento County

Larry Ruhstaller  
Supervisor, San Joaquin County

Michael J. Reagan  
Supervisor, Solano County

Mike McGowan  
Supervisor, Yolo County



## APPENDIX ~ B (continued)

R-12-332: Resolution Supporting the Joint Project List of the Twelve County Water Work Group Consisting of the Counties Represented by the Delta Counties Coalition and the California Partnership for the San Joaquin Valley

### Attachment 3

**JOINT RESOLUTION "A"  
OF THE  
CALIFORNIA PARTNERSHIP FOR THE SAN JOAQUIN VALLEY  
AND  
THE DELTA COUNTIES'  
ADOPTING A FRAMEWORK TO IMPLEMENT ACTIONS THAT MEET JOINT PRINCIPLES  
AND GOALS ON DELTA SUSTAINABILITY**

**WHEREAS** the California Partnership for the San Joaquin Valley ("Partnership") and the Delta Counties (Contra Costa, Sacramento, San Joaquin, Solano) together encompass an area within 11 Counties in the State of California's San Joaquin Valley ("Valley") and Sacramento-San Joaquin Delta ("Delta"), representing the issues and interests from the unique perspective of the people who live, work and recreate there and perhaps best understand the tremendous resource this area of California represents; and,

**WHEREAS** the Delta Counties and Partnership have been engaged in a collaborative dialogue to bring together these vital regions with their perspectives and interests to develop a shared vision on actions to help safeguard a sustainable Delta for future generations while ensuring the economic and environmental well-being of the Delta and Valley and an improved quality of life for all its citizens; and,

**WHEREAS** the Partnership and Delta Counties have previously adopted a joint Resolution in October, 2011, that framed the principles and goals necessary to move forward on water resource management actions that will address the collective needs of the parties; and,

**WHEREAS** the Delta Counties and the Partnership joint 11 County Water Work Group" has developed an implementation strategy to guide the actions necessary to meet the adopted principles and goals using a consensus-driven process; and,

**WHEREAS** the implementation strategy and support processes are described herein in an attachment to this Resolution so as to be memorialized and adopted by the Partnership and Delta Counties; and,

**WHEREAS** upon approval by the Delta Counties and Partnership, the actions and activities adopted by the partners under this implementation process have the full support of the Partnership and Delta Counties: then

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Directors of the California Partnership for the San Joaquin Valley including its eight County Boards of Supervisors and the Boards of Supervisors of the Delta Counties, propose to authorize and use the implementation strategy attached to this Resolution noted as the "Implementation Framework" to attain their mutual goals.

**PASSED APPROVED, and ADOPTED** this 23<sup>rd</sup> day of May 2012, by the Board of Directors of the California Partnership for the San Joaquin Valley and the Delta Counties.

Ashley Swearingin  
Chair

Corwin Harper  
Deputy Chair



## APPENDIX ~ B (*continued*)

R-12-332: Resolution Supporting the Joint Project List of the Twelve County Water Work Group Consisting of the Counties Represented by the Delta Counties Coalition and the California Partnership for the San Joaquin Valley

Endorsed by:

### **California Partnership - Water Policy Working Group**

Raymond Watson, Co-Chair  
Supervisor, Kern County

Leroy Ornellas, Co-Chair  
Supervisor, San Joaquin County

### **Delta Counties**

Mary Nejedly Piepho  
Supervisor, Contra Costa County

Don Nottoli  
Supervisor, Sacramento County

Ken Vogel  
Supervisor, San Joaquin County

Michael J. Reagan  
Supervisor, Solano County





## APPENDIX ~ B (continued)

R-12-332: Resolution Supporting the Joint Project List of the Twelve County Water Work Group Consisting of the Counties Represented by the Delta Counties Coalition and the California Partnership for the San Joaquin Valley

### **Attachment to Joint Resolution "A" of the Delta Counties Coalition and the California Partnership for the San Joaquin Valley**

#### **The 11 County Water Work Group Implementation Framework**

The 11 County Water Work Group Implementation Framework provides for the following:

1. Memorializes the establishment of a 11 County Water Work Group ("Work Group") made up of the following participating Counties: Yolo, Sacramento, Solano, Contra Costa, San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, and Kern. County Membership on the Work Group shall be limited to one member of the Board of Supervisor of each of the 11 Counties. Other representation shall be at the discretion of the Coalition and Partnership under their authorities and charters.
2. Re-affirms the adopted "principles and goals" in the joint October 2011 Resolution which is a consensus-driven process.
3. Establishes the purpose of the Work Group:

The purpose of the Work Group is to advocate for projects on the Partnership Coalition approved project list that have been determined to be consistent with the previously adopted proactive actions in the joint October 2011 Resolution to safeguard a sustainable Delta.

- a. Definition of Advocacy: The Work Group will keep current a list of projects that have been developed by the implementation process through the Work Group. Upon request of a member and approved by the Work Group, a letter of support finding the proposed project consistent with the four adopted proactive actions will be signed by the Co-Conveners (one representative each from DCC and the Partnership) of the Work Group and advanced to the Coalition and Partnership for the full force of advocacy to the extent feasible by these partners and their constituents.
- b. Project Advocacy: Only those projects which do not harm any County or other member of the Partnership or Coalition shall be advocated. A preliminary project list may be established by the Work Group if it appears that the projects are consistent with the principles and goals in the joint October 2011 Resolution and have been analyzed by the Work Group to verify that the details of such projects are consistent with the principles and goals and do not harm any County or other member of the Partnership or Coalition.

4. The process for developing the list of projects that meet the goals of the joint October 2011 Resolution using the following:

The Work Group will utilize the services of a "technical advisory committee" (TAC) appointed by the Work Group. The TAC will be made up of individuals or organizations that can represent the collective interests of the Work Group. These representatives will be affirmed by the Coalition and the Partnership at the recommendation of the Work Group. The primary role of the TAC is to evaluate the technical merits of a proposed project and provide to the Work Group recommendations as to the proposed project's consistency with the four proactive actions of the joint October 2011 Resolution.



## APPENDIX ~ B (*continued*)

R-12-332: Resolution Supporting the Joint Project List of the Twelve County Water Work Group Consisting of the Counties Represented by the Delta Counties Coalition and the California Partnership for the San Joaquin Valley

5. The TAC will develop and use a process for supporting a project utilizing the joint October 2011 Resolution. The project criteria and listing process will be reviewed and approved by the Water Work Group. Project descriptions must be submitted to the TAC in the format provided. A contact person and lead agency must also be listed.

8. Maintenance of project lists:

The Work Group will seek TAC members from both the Partnership and Coalition Counties to jointly maintain and coordinate the project lists.

9. Reports:

The Work Group, in consultation with their TAC, will prepare any necessary oral or written summary reports to meet the needs of the parent organizations.

10. Term of the implementation strategy:

The Work Group will meet on an as-needed basis and be convened by the Co-chairs or the parent organizations until the partners determine the process, the projects and their advocacy no longer serve the collective interests or until the parent organizations find the efforts are no longer needed.



## APPENDIX ~ B (continued)

R-12-332: Resolution Supporting the Joint Project List of the Twelve County Water Work Group Consisting of the Counties Represented by the Delta Counties Coalition and the California Partnership for the San Joaquin Valley

### Attachment 4

**JOINT RESOLUTION "B"  
OF THE  
11 COUNTY WATER WORK GROUP  
ON BEHALF OF THE  
CALIFORNIA PARTNERSHIP FOR THE SAN JOAQUIN VALLEY  
AND  
THE DELTA COUNTIES  
ADOPTING A CANDIDATE LIST OF WATER RESOURCE MANAGEMENT PROJECTS  
FOR IMPLEMENTATION**

**WHEREAS** the California Partnership for the San Joaquin Valley ("Partnership") and the Delta Counties' (Contra Costa, Sacramento, San Joaquin, and Solano) together encompass an area within 11 Counties in the State of California's San Joaquin Valley and Delta, representing the issues and interests from the unique perspective of the people who live, work and recreate and perhaps best understand the tremendous resource this area of California represents; and,

**WHEREAS** the Partnership and Delta Counties have previously adopted a joint "Resolution" in October 2011, that framed the principles and goals necessary to move forward on water resource management actions that will address the collective needs of the parties; and,

**WHEREAS** the Delta Counties and the Partnership joint 11 County Water Work Group" has adopted an implementation strategy to guide the actions necessary to meet the adopted principles and goals using a consensus-driven process; and,

**WHEREAS** the implementation strategy determines projects to meet the joint goals; and,

**WHEREAS** the partners in this process have developed such a list of projects which appear to be consistent with the principles and goals of the joint Resolution adopted in October, 2011, and which appear to do no harm to any County or other member of the Partnership or Delta Counties; and

**WHEREAS** such projects on the list shall be analyzed by the Work Group to verify that the details of such projects are consistent with the principles and goals and do not harm any County or other member of the Partnership or Delta Counties;

**WHEREAS** the intent of the Delta Counties and Partnership is for the Work Group to identify a subset of mutually agreed upon projects that are "no regrets" projects that benefit the region;

**WHEREAS** such a list of projects is not intended to be comprehensive or exhaustive for the San Joaquin Valley or the Delta, and by no means is intended to resolve all of the issues, both common or exclusive to the members of the Delta Counties and the Partnership, in the Sacramento San Joaquin Delta;

**WHEREAS** it is the intent of the partners in this process that such a list of projects be submitted for consideration by the appropriate authorities; and

**NOW, THEREFORE, BE IT RESOLVED**, that the 11 County Water Work Group representing the Board of Directors of the California Partnership for the San Joaquin Valley and the Boards of Supervisors representatives of the Delta Counties support in concept the 11 County Candidate List of projects (Attachment A) currently being considered, subject to the verification of consistency and no harm by the Work Group and where necessary, their Counties, and propose



## APPENDIX ~ B (*continued*)

R-12-332: Resolution Supporting the Joint Project List of the Twelve County Water Work Group Consisting of the Counties Represented by the Delta Counties Coalition and the California Partnership for the San Joaquin Valley

to forward the list of projects attached to this Resolution to the most appropriate authorities that can assist the partners in meeting their mutual goals.

**PASSED, APPROVED, and ADOPTED** this 23<sup>rd</sup> day of May, 2012, by the Water Work Group for the Board of Directors of the California Partnership for the San Joaquin Valley and the Delta Counties.

Ashley Swearingin  
Chair

Corwin Harper  
Deputy Chair

Endorsed by:

### **California Partnership - Water Policy Working Group**

Raymond Watson, Co-Chair  
Supervisor, Kern County

Leroy Ornellas, Co-Chair  
Supervisor, San Joaquin County

### **Delta Counties**

Mary Nejedly Piepho  
Supervisor, Contra Costa County

Don Nottoli  
Supervisor, Sacramento County

Ken Vogel  
Supervisor, San Joaquin County

Michael J. Reagan  
Supervisor, Solano County





## APPENDIX ~ C

(January 2009)

### 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 ~ C (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 out of 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



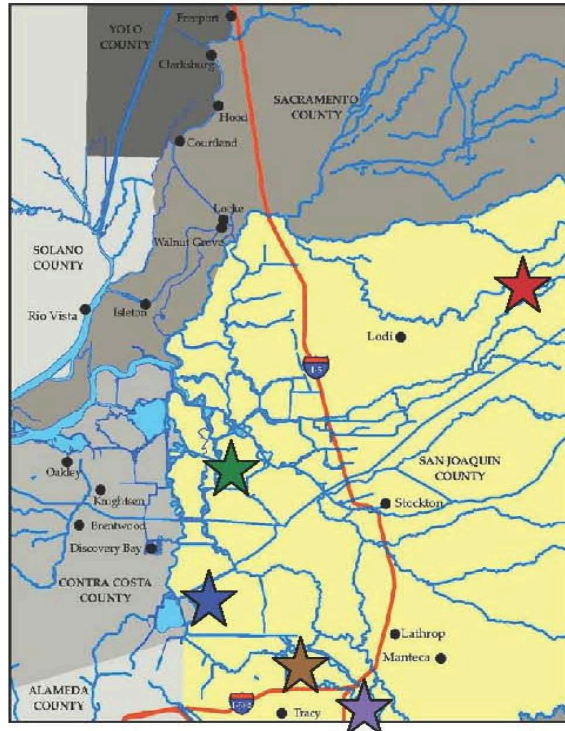


## APPENDIX ~ C (continued)

### 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 ~ C (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 and 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 ~ D

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 ~ D (*continued*)

### 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 ~ E

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 ~ E (*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 ~ F

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 ~ F (*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.





## APPENDIX ~ F (*continued*)

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

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 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 ~ G

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 ~ G (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 ~ G (*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 ~ G (*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 ~ H

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 ~ H (*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 Calif---ornia 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.