

CALIFORNIA STATE ASSOCIATION OF COUNTIES  
BOARD OF DIRECTORS  
Thursday, May 22, 2008  
Hyatt Regency Hotel, Sacramento

MINUTES

Presiding: Rich Gordon, President

1. ROLL CALL

Alameda	absent	Orange	absent
Alpine	Terry Woodrow	Placer	absent
Amador	Louis Boitano	Plumas	Bill Powers
Butte	absent	Riverside	John Tavaglione
Calaveras	Merita Callaway	Sacramento	Roger Dickinson
Colusa	Mark Marshall	San Benito	Reb Monaco
Contra Costa	John Gioia	San Bernardino	Paul Biane
Del Norte	absent	San Diego	Greg Cox
El Dorado	James Sweeney	San Francisco	absent
Fresno	absent	San Joaquin	absent
Glenn	Tom McGowan	San Luis Obispo	Harry Ovitt
Humboldt	John Woolley	San Mateo	Gordon/Jacobs Gibson
Imperial	Gary Wyatt	Santa Barbara	Joni Gray
Inyo	Susan Cash	Santa Clara	Liz Kniss
Kern	absent	Santa Cruz	Tony Campos
Kings	absent	Shasta	Glenn Hawes
Lake	Ed Robey	Sierra	absent
Lassen	absent	Siskiyou	absent
Los Angeles	absent	Solano	Mike Reagan
Madera	Bigelow/Dominici	Sonoma	Tim Smith
Marin	Susan Adams	Stanislaus	absent
Mariposa	absent	Sutter	absent
Mendocino	Delbar/Wattenberger	Tehama	Bob Williams
Merced	Mike Nelson	Trinity	Jeff Morris
Modoc	Mike Dunn	Tulare	absent
Mono	Duane "Hap" Hazard	Tuolumne	Richard Pland
Monterey	Fernando Armenta	Ventura	Kathy Long
Napa	Brad Wagenknecht	Yolo	Mike McGowan
Nevada	absent	Yuba	absent

The presence of a quorum was noted.

2. APPROVAL OF MINUTES

The minutes of March 20, 2008 were approved as previously mailed.

3. STATEWIDE 2-1-1 SYSTEM

Supervisor Greg Cox provided a report on the Southern California 2-1-1 system which was instrumental in assisting residents during the Southern California wildfires of 2007. The system was able to provide up-to-date information about mandatory evacuation orders, shelter locations, road closures, relief and recovery resources and donation and volunteering opportunities.

Joining Supervisor Cox in the presentation were: Maribel Marin, Executive Director of 211 Los Angeles and Judy Darnell of United Way Santa Cruz. They discussed the need for a statewide 2-1-1 system. Currently 37 counties in California either have or are in the planning phases of a system. Many rural areas do not have systems in place primarily due to funding issues. Ventura County was the first county to implement a 2-1-1 system.

Motion and second to direct staff to work with 211 California to determine how to create an appropriate infrastructure and funding sources for a statewide 2-1-1 system. Motion carried unanimously.

4. PROPOSED CSAC BUDGET FOR FY 2008-09

Supervisor Joni Gray, CSAC Treasurer, presented the draft CSAC Budget for FY 2008-09 as contained in the briefing materials. The CSAC Executive Committee considered the draft budget at their meeting in April and recommended adoption by the Board of Directors.

Motion and second to adopt the proposed CSAC Budget for FY 2008-09 as presented. Motion carried unanimously.

5. PROPOSED LITIGATION COORDINATION PROGRAM BUDGET FOR FY 2008-09

Jennifer Henning, Executive Director of the County Counsels Association, presented the draft Litigation Coordination program budget for FY 2008-09 as contained in the briefing materials. The CSAC Executive Committee considered the draft budget at their April meeting and recommended adoption by the Board of Directors.

Motion and second to adopt the proposed Litigation Coordination Program Budget for FY 2008-09. Motion carried unanimously.

President Gordon announced that the Executive Committee will have a detailed discussion on the Litigation Coordination program during the October retreat.

6. SAN BERNARDINO COUNTY RETIREMENT SYSTEM RESOLUTION

Due to a recent IRS ruling, the San Bernardino County Employees Retirement System is requiring CSAC to adopt a resolution authorizing the continuation of retirement contributions on a pre-tax basis. A copy of the resolution was contained in the briefing materials.

Motion and second to adopt the San Bernardino County Retirement System resolution. Motion carried unanimously.

7. CSAC ENGAGEMENT IN 2008-09 STATE BUDGET

Staff requested direction in responding to and advocating for county interests in the 2008-09 state budget deliberations, to the extent that current CSAC policy does not offer appropriate direction.

The urban, suburban and rural caucuses each met prior to the Board meeting and discussed policy direction for CSAC regarding this year's state budget. Their reports follow.

Urban Caucus

Supervisor Kathy Long, Chair of the Urban Counties Caucus (UCC), reported that UCC had unanimously adopted a policy statement at the May 21 meeting. The statement reads as follows:

*The State Budget must not be balanced with cuts along. Further, closing the budget shortfall with additional borrowing simply delays resolution of the problem. The continuing structural deficit requires reform of California's system of state-local finance so that both Boards of Supervisors and the legislature have the tools necessary to provide the services and facilities necessary to meet the expectations of our citizens.*

Suburban Caucus

Supervisor Gary Wyatt, Chair of the CSAC Suburban Caucus, reported on discussion that took place during the meeting on May 21. Some ideas discussed were as follows:

1. Consider endorsing a lowering of the voting requirement to pass a state budget.
2. Consider contracting with former Legislative Analyst Elizabeth Hill to assist in developing a CSAC state budget strategy.
3. Endorse the Legislative Analyst's Office alternative budget.
4. Develop a block grant funding model.
5. Develop methods to exert pressure on the Legislature to meet obligations.

Rural Caucus

Supervisor Michael Delbar, Chair of the CSAC Rural Caucus, reported on the action taken during the Rural Caucus meeting on May 21. The motion unanimously approved by the Rural Caucus is as follows:

*Direct all CSAC policy committees to convene as soon as possible to identify those regulations that could be suspended and report to the Executive Committee to consider the negotiations of the budget process within 45 days.*

The recommendations from each caucus will be forwarded to the CSAC Executive Committee for consideration. In addition, staff requested that the Board of Directors authorize the CSAC Officers and Executive Committee to address state budget issues that are outside of current CSAC policy.

Motion and second to give authority to CSAC Officers and Executive Committee to address state budget issues outside of current policy during this year's budget deliberations. Motion carried unanimously

8. CSAC POLICY COMMITTEE REPORTS

**Administration of Justice.** Supervisor Ronn Dominici, Chair of the CSAC Administration of Justice Policy Committee, presented the committee report from the meeting held on May 21. The committee heard informational updates on: the Governor's May Revision and other budget

issues; corrections reform implementation efforts; and court facility transfers. In addition, the committee took action on two items and requested Board of Directors approval.

The first item relates to the Legislative Analyst's Office (LAO) parole realignment proposal. The CSAC Task Force on Parole Realignment was established by the Board of Directors in March. It was chaired by Supervisor Tavaglione and undertook a thorough examination of the LAO's proposal to realign responsibility for more than 50,000 state parolees to counties. The group focused on programmatic, operational and financing implications of the proposal. The task force made the following key findings:

- The LAO parole realignment proposal addresses the wrong end of the corrections system and targets the wrong population.
- Better outcomes for offenders cannot be assured under the proposed realignment design.
- Counties' existing service system for adult offenders needs attention.

The task force recommended the following actions which were unanimously approved by the policy committee:

1. Oppose the LAO's parole realignment proposal, given significant concerns about both the programmatic and financial elements.
2. Offer two specific alternatives to the Legislature – (a) increase the front-end investment in adult probation system and (b) endorse a list of corrections reform proposal that combines previously identified reform corrections measures.
3. Adopt the CSAC Corrections Reform County Policy Principles and Guidelines as amended by the policy committee (attached).

Motion and second to approve policy committee recommendations as outlined above.  
Motion carried unanimously.

The second action item was consideration of Sex Offender Management Policies and Principles as contained in the briefing materials (attached). The draft policies and principles were developed by the Working Group on Sex Offender Management, which was comprised of county supervisors, CAOs, law enforcement representatives, a district attorney, public defender, and mental health professionals. Supervisor Matt Rexroad from Yolo County chaired the working group.

Motion and second to approve the Sex Offender Management Policies and Principles as presented. Motion carried unanimously.

**Agriculture and Natural Resources.** Supervisor Mike Nelson, Chair of the CSAC Agriculture and Natural Resources Policy Committee, presented the report from the meeting held on May 21. The policy committee received reports from the U.S Forest Service, the County Agricultural Commissioners Association and an update on aggregate mining. The committee also reviewed the draft Sacramento-San Joaquin Delta Policy Statements. These will be brought to the CSAC Executive Committee for consideration at a future meeting.

In addition, the committee took action to approve the Orange County Clean Water Act's 404 Permit Process Resolution (attached) and requested adoption by the Board of Directors. The resolution was developed by Orange County because of a significant backlog in the processing of construction and maintenance permits with regard to public improvement projects. Subsequently, they experienced delays to important projects and an increase in the public's exposure to the risk of loss of life, significant property damage and financial loss. CSAC has existing policy that supports this type of permit streamline process. It was noted that Supervisor

Adams received clarification from the policy committee that CEQA and NEPA requirements would still apply.

Motion and second to adopt the Orange County Clean Water Act's 404 Permit Process Resolution. Motion carried unanimously.

**Government Finance and Operations.** The CSAC Government Finance and Operations policy committee met on May 22, and received reports on the following items: An Overview of the Governor's May Budget Revision, Eminent Reform, Property Tax Administration Cost Allocation and Other Post Employment benefits (OPEBs). No action items were brought before the Board of Directors for consideration.

**Health and Human Services.** Supervisor Liz Kniss, Vice-Chair of the CSAC Health and Human Services Policy committee, presented the committee's report from the meeting held on May 21. The committee heard from a variety of speakers, primarily regarding mental health funding and the impact of state budget cuts on health and human services. Supervisor Roger Dickinson, Chair of the Human Services Funding Deficit work group, provided an update to the committee. The work group will continue to meet to develop strategies for addressing the \$1 billion shortfall during state budget negotiations.

**Housing, Land Use and Transportation.** Supervisor Mike McGowan, Chair of the CSAC Housing, Land Use and Transportation policy committee, presented the committee report from the meeting held on May 21. The committee took action on two items and requested Board of Directors approval.

The first item was approval of draft Safe, Accountable, Flexible, Efficient Transportation Equity Act (SAFETEA-LU) Reauthorization Priorities and Principles. The amended version was distributed to the Board and is attached. The draft priorities and principles were developed by CSAC and the County Engineers Association (CEAC) and focus on California's needs. The document will be used for advocacy purposes in upcoming SAFETEA-LU reauthorization discussions.

Motion and second to approve SAFETEA-LU Reauthorization Priorities and Principles. Motion carried unanimously.

SB 1201, by Senator Battin, is intended to settle a very controversial issue regarding the aggregate number of slots that the 61 tribes under the 1999 compact can collectively operate. That compact did authorize up to 2,000 slots per tribe, but established an aggregate cap that was not sufficient for every tribe to achieve their maximum amount. Senator Battin wants to ensure that every tribal government with a 1999 Compact can obtain gaming licenses up to the maximum. Because of the fact that tribal governments operating under the 1999 Compact are not required to reach judicially enforceable local agreements to mitigate off-reservation impacts, the policy committee recommended an "Oppose Unless Amended" position.

Motion and second to accept policy committee recommendation to take an "Oppose Unless Amended" position on SB 1201. Motion carried unanimously.

9. INSTITUTE FOR LOCAL GOVERNMENT REPORT

JoAnne Speers, Director of the Institute for Local Government (ILG), presented a report on recent ILG activities. ILG will be sponsoring another Ethics training course during CSAC's annual conference this year. They are also working on an update to the *Planning Commissioners Handbook*, which serves as a resource for local officials engaged in land use

planning. Ms. Speers encouraged counties to respond to a PPIC survey on greenhouse gas emissions.

10. CSAC FINANCE CORPORATION REPORT

Supervisor Greg Cox, a member of the Finance Corporation Board of Directors, presented an update on Finance Corporation activities. He noted that CalTRUST, an investment pool for public entities, has now reached assets over \$778 million. The Finance Corporation has hosted eight Green Purchasing seminars throughout the state. The next seminar is scheduled for July 16 in Sacramento. A website re-design was recently completed to allow for additional information on new and existing programs. It is located at [www.csacfinancecorp.org](http://www.csacfinancecorp.org).

11. CSAC CONTINUING EDUCATION PROGRAM REPORT

Paul McIntosh reported that the Continuing Education Advisory Committee held a meeting this morning to further develop the CSAC Continuing Education program which is scheduled to begin in early 2009. The program will serve as a professional development resource for county officials and senior staff.

12. EMINENT DOMAIN REFORM UPDATE

The "Yes on 98" campaign recently reported another \$800,000 in donations which provided them enough funds to purchase television air time to run campaign advertisements supporting Proposition 98. These ads could be very damaging to the "No on 98" campaign. The league of Cities, California Redevelopment Association and others are trying to raise additional funds to purchase television air time to run counter arguments and have asked for additional support from CSAC. To date, CSAC has contributed \$909,435 in non-public funds to the "No on 98/Yes on 99" campaign. CSAC has a remaining \$275,000 in authorized funds that have not yet been contributed to the campaign for a total of \$1,184,435. In order to contribute beyond this amount, CSAC would have to tap reserves and/or ask the Finance Corporation to contribute further funds to CSAC for his purpose.

Staff requested direction on the level and amount of CSAC participation in these closing days of the election campaign.

Motion and second to direct staff to spend only what was previously authorized and not contribute additional money to the "No on 98/Yes on 99" campaign. Motion carried (2 'no' votes).

The meeting was adjourned in memory of Humboldt County Supervisor Roger Rodoni who was recently killed in a motor vehicle collision.



# Corrections Reform

## County Policy Principles and Guidelines

### Preamble

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In light of the state's recent focus on corrections reform — primarily on recidivism and overcrowding in state detention facilities, counties feel it is essential to articulate their values and objectives as vital participants in the overall corrections continuum. Further, counties understand that they must be active participants in any successful effort to improve the corrections system in our state. Given that local and state corrections systems are interconnected, true reform must consider the advantage — if not necessity — of investing in local programs and services to help the state reduce the rate of growth in the prison population. Front-end investment in local programs and initiatives will enrich the changes currently being contemplated to the state system and, more importantly, will yield greater economic and social dividends that benefit communities across the state.

Recognizing that preserving public safety — a matter of paramount importance in communities statewide — will be enhanced by ensuring that appropriate attention and commitment are focused on rehabilitation for adult and juvenile offenders, counties offer the following Corrections Reforms Principles and Guidelines that, we believe, will help advance discussions between the state and counties.

### Fundamental Principles

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- An optimum corrections strategy must feature a strong and committed partnership between the state and local governments.
- State and local authorities must focus on making productive use of offenders' time while in custody or under state or local supervision. A shared commitment to rehabilitation can help address the inextricably linked challenges of recidivism and facility overcrowding. The most effective method of rehabilitation is one that maintains ties to an offender's community.
- Programs and services must be adequately funded to enable counties to accomplish their functions in the corrections system and to ensure successful outcomes for offenders. To the extent that new programs or services are contemplated, or proposed for realignment, support must be in the form of a dedicated, new and sustained funding source specific to the program and/or service rather than a redirection of existing resources, and adequate to achieve specific outcomes. In addition, any realignment must be examined in relation to how it affects the entire corrections continuum and in context of sound, evidence based practices. Any proposed realignment of programs and responsibility from the state to counties must be guided by CSAC's existing Realignment Principles.
- System and process changes must recognize that the 58 California counties have unique characteristics, differing capacities, and diverse environments.

Programs should be designed to promote innovation at the local level and to permit maximum flexibility, so that services can best target individual community needs and capacities.

- Counties and the state can best achieve their shared objectives by focusing on results both in the form of improved offender outcomes and community safety.

### **Reform Policy Guidelines**

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*The following reform policy guidelines represent specific proposals that serve to promote the principles outlined above.*

- **Keys to Slowing the Prison Population Growth: Investment in local programs and facilities.** The state's investment in local programs and facilities returns an overall benefit to the state corrections system and community safety. State support of local programs and facilities will aid materially in addressing the "revolving door" problem in state and local detention facilities.
  - The state should invest in improving, expanding and renovating **local detention facilities** to address overcrowding, early releases, and improved delivery of inmate health care. Incentives should be included to encourage in-custody treatment programs and other services.
  - The state should invest in **adult probation services** — using as a potential model the Juvenile Justice Crime Prevention Act (JJCPA) — to build a continuum of intervention, prevention, and supervision services for adult offenders.
  - The state should continue to fully support the successful JJCPA initiative, which provides a range of **juvenile crime prevention and intervention programs** and which represents a critical component of an overall crime reduction and public safety improvement strategy. Diverting juveniles from a life of offending will help to reduce pressure on the adult system.
  - The state should invest in **mentally ill in-custody treatment and jail diversion programs**, where treatment and services can help promote long-term stability in mentally ill offenders or those with co-occurring disorders, decrease recidivism, and divert appropriate offenders out of the criminal justice system.
  - The state should continue to invest in **alcohol and drug treatment and diversion programs**, including but not limited to outpatient treatment facilities, given that the vast majority of inmates in state and local systems struggle with addiction, which is a primary factor in their criminality.





- **Inmate reentry programs.** Reentry programs represent a promising means for addressing recidivism by providing a continuum of care that facilitates early risk assessment, prevention, and transition of inmates back into the community through appropriate treatment, life skills training, job placement, and other services and supports. The state should consider further investment in multiagency programs authorized under SB 618<sup>1</sup>, which are built on proven, evidence-based strategies including comprehensive pre-sentence assessments, in-custody treatment, targeted case management, and the development of an individualized life plan. These programs promote a permanent shift in the way nonviolent felony offenders are managed, treated and released into their respective communities. Examples of program elements that have been demonstrated to improve offenders' chances for a successful reintegration into their communities upon release from custody include, but are not limited to, the following:
  - Early risks and needs assessment that incorporates assessments of the need for treatment of alcohol and other drug abuse, and the degree of need for literacy, vocational and mental health services;
  - In-custody treatment that is appropriate to each individual's needs — no one-size-fits-all programming;
  - After care and relapse prevention services to maintain a "clean and sober" lifestyle;
  - Strong linkages to treatment, vocational training, and support services in the community;
  - Prearranged housing and employment (or vocational training) for offenders before release into their communities of residence;
  - Completion of a reentry plan prior to the offenders' transition back into the community that addresses the following, but is not limited to: an offender's housing, employment, medical, dental, and rehabilitative service needs;
  - Preparation of the community and offenders' families to receive and support each offender's new law-respecting and productive lifestyle before release through counseling and public education that recognize and address the inter-generational impact and cycles of criminal justice system involvement.
  - Long-term mentorship and support from faith-based and other community and cultural support organizations that will last a lifetime, not just the duration of the parole period; and
  - Community-based treatment options and sanctions.

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<sup>1</sup> Chapter 603, Statutes of 2005.



Counties believe that such reentry programs should include incentives for inmate participation.

- **Siting of new facilities.** Counties acknowledge that placement of correctional facilities is controversial. However, the state must be sensitive to community response to changing the use of, expanding, or siting new correctional facilities (prisons, community correctional facilities, or reentry facilities). Counties and other affected municipalities must be involved as active participants in planning and decision-making processes regarding site selection. Providing for security and appropriate mitigations to the local community are essential.
- **Impact on local treatment capacity.** Counties and the state must be aware of the impact on local communities' existing treatment capacity (e.g., mental health, drug treatment, vocational services, sex offender treatment, indigent healthcare, developmental services, and services for special needs populations) if the correction reforms contemplate a major new demand on services as part of development of community correctional facilities, reentry programs, or other locally based programs. Specialized treatment services that are not widely available are likely the first to be overtaxed. To prevent adverse impacts upon existing alcohol and drug and mental health treatment programs for primarily non-criminal justice system participants, treatment capacity shall be increased to accommodate criminal justice participants. In addition, treatment capacity shall be separately developed and funded.
- **Impact on local criminal justice systems.** Proposals must adequately assess the impact on local criminal justice systems (courts, prosecution and defense, probation, detention systems and local law enforcement).
- **Emerging and best practices.** Counties support the development and implementation of a mechanism for collecting and sharing of best practices that can help advance correction reform efforts.





# Sex Offender Management

## County Principles and Policies

### Preamble

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California's sex offender registration policy dates back to 1947 when California was the first state to adopt a state sex offender registry. Given the sheer size of California and the long history of sex offender registration, it is not surprising that we have more sex offenders than any other state in the United States.

Currently there are approximately 90,000 identified sex offenders in California. Each year there are 8,000 new felony sex offense convictions in California with approximately 700 offenders released from prison each month. There are an estimated 11,200 sex offenders living in the community under parole supervision and 10,000 living in the community under the jurisdiction of county probation departments.<sup>1</sup>

Given the high numbers of sex offenders who are presently not being supervised — approximately 75 percent, it is imperative that counties develop a strategy to 1) educate county residents, 2) effectively manage the sex offender population, which may or may not coincide with existing state policy, 3) assess which sex offenders are at the highest risk to re-offend and thus in need of monitoring and 4) partner with other state and local organizations that assist in supervision of sex offenders.

To that end, CSAC has adopted the following principles and policy on sex offender management. Because this is an emerging and complex policy area, CSAC recognizes that this document will likely evolve to reflect, among other things, court decisions and changes in best practices.

### Fundamental Principles and Policies

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- Any effective sex offender management policy **should contain restriction clauses** that do not focus on where a sex offender lives but rather on the offender's movements. Counties believe an offender's activities and whereabouts pose a greater danger than his or her residence. Therefore, any strategy should consider the specific offense of the sex offender and prohibit his/her travel to areas that relate to their specific offense.
- Each county, when taking actions to address and/or improve sex offender management within its boundaries, should do so in a manner that does not create difficulties for other counties to manage the sex offender population within their jurisdiction.

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<sup>1</sup> California Sex Offender Management Task Force: Full Report - 2007

## Fundamental Principles and Policies (Continued)

- There are many community misconceptions about how to best monitor the sex offender population, how sex offenders are currently monitored and the threats sex offenders do and do not pose to communities. Any comprehensive sex offender management program must contain a **community education** component for it to be successful.
- Supervision programs administered at the local level will require **stable and adequate funding from the State** to ensure that the programs are appropriately staffed, accessible to local law enforcement departments, and effective.
- Global Positioning Systems (GPS) devices are but one of a multitude of tools that can be used simultaneously to monitor and supervise sex offenders. California counties believe that if the State is to adopt the use of GPS to monitor sex offenders a common system should be developed. This system should be portable and accessible no matter where an offender travels within California.
- Counties and the state should rely more heavily on the use of risk and needs assessments to determine how to allocate resources. These assessments will allow an agency at the local level to determine who is most at risk to reoffend and in need of monitoring.
- Regional collaboration should be encouraged as a means to address sex offender management.
- The level of government with jurisdiction to supervise a sex offender (state parole or county probation) should be responsible and be given the authority for managing that offender.
- Counties believe that for any policy to work, local governments and the State must work collaboratively to manage this population of offenders. The passage of Jessica's Law (Proposition 83, November 2006) intensified discussions regarding sex offender management and the public's perception about effective sex offender management policies. Accordingly, state and local governments should reexamine sex offender management policies.



RESOLUTION OF THE BOARD OF SUPERVISORS OF  
ORANGE COUNTY, CALIFORNIA  
April 29, 2008

WHEREAS, the County of Orange (County) is a strong proponent of the federal Clean Water Act (the Act); and

WHEREAS, counties, local flood control agencies and similar local government agencies in California and throughout the Country are required to obtain Section 404 Permits from the U.S. Army Corps of Engineers (Corps) to perform maintenance and construction activities within flood channels, basins and levees identified as within federal regulatory jurisdiction; and

WHEREAS, this maintenance and construction is critical to ensuring the proper function of the County's flood control, highway and park management systems and the ability of the County to provide necessary public improvements and carry out necessary operations and maintenance of these facilities is dependent on the Section 404 Permit Program operating efficiently; and

WHEREAS, the Corps' Section 404 Permit Program is significantly backlogged in processing construction and maintenance permits, resulting in delays to important projects and increasing the exposure of impacted communities to the risk of loss of life, significant property damage and financial loss; and

WHEREAS, the Section 404 Permit Program currently prevents public works agencies from performing their construction and maintenance responsibilities in a timely and responsive manner, and also mandates repetitive and costly mitigation requirements for routine maintenance activities, while at the same time placing undue liability on those agencies; and

WHEREAS, a typical permit process in the County of Orange took three years to obtain a Section 404 Permit to clear 13.5 acres of riparian growth in a channel bottom which was reducing flood protection capacity of the channel; and, as a condition of the permit the County was required to provide 42 acres of mitigation at a cost of \$2.8 million, as compared to the cost of the riparian removal which was \$700,000; and

WHEREAS, the County must submit a new Section 404 Permit application to perform this routine maintenance at this same location on an annual basis, and will be required to maintain in perpetuity anywhere from three to five acres of riparian or upland mitigation to maintain one acre of flood control channel or basin surface; and

NOW, THEREFORE, BE IT RESOLVED, that the Orange County Board of Supervisors does hereby declare its strong support for the federal Clean Water Act, and further advocates necessary revisions to the Section 404 Permit Program that will enhance and expedite public works agencies mission to execute their responsibilities in a timely and cost effective manner. And, further recommends that California State Association of Counties (CSAC) and National Association of Counties (NACo) work with all stakeholders to develop an expedited permitting process under the 404 Permitting Program that will support and enable public works agencies to execute their responsibilities to the public in a timely and cost effective manner.

The foregoing was passed and adopted by the following vote of the Orange County Board of Supervisors, on April 29, 2008, to wit:

AYES: Supervisors: BILL CAMPBELL, PATRICIA BATES, CHRIS NORBY  
JOHN M. W. MOORLACH  
NOES: Supervisor(s):  
EXCUSED: Supervisor(s): JANET NGUYEN  
ABSTAINED: Supervisor(s):

  
\_\_\_\_\_  
CHAIRMAN

STATE OF CALIFORNIA )  
                                  )  
COUNTY OF ORANGE )

I, DARLENE J. BLOOM, Clerk of the Board of Orange County, California, hereby certify that a copy of this document has been delivered to the Chairman of the Board and that the above and foregoing Resolution was duly and regularly adopted by the Orange County Board of Supervisors .

IN WITNESS WHEREOF, I have hereto set my hand and seal.



  
\_\_\_\_\_  
DARLENE J. BLOOM  
Clerk of the Board  
County of Orange, State of California

Resolution No: 08-047  
Agenda Date: 04/29/2008  
Item No: 31



I certify that the foregoing is a true and correct copy of the Resolution adopted by the Board of Supervisors , Orange County, State of California

DARLENE J. BLOOM, Clerk of the Board of Supervisors

By: \_\_\_\_\_  
Deputy



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**Priorities and Principles  
For a New Authorization of Safe, Accountable, Flexible, Efficient Transportation  
Equity Act:  
A Legacy for Users (SAFETEA-LU)**

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The California State Association of Counties (CSAC), representing all 58 counties in California, has developed the following priorities and guiding principles for the authorization of a new federal transportation funding act. While we refer to the authorization of a new act as a "reauthorization" of the current act – SAFETEA-LU – CSAC supports the idea of creating a new and visionary act which builds upon the existing successful programs currently being implemented under SAFETEA-LU, but is also redesigned and streamlined to meet the needs of a national transportation system that faces unique challenges unlike any other time in history. A simple "reauthorization" of the existing act will not provide us with the tools necessary to meet these challenges. upcoming reauthorization of SAFETEA-LU. These priorities and principles are aimed at improving the current federal transportation funding act as well as at addressing new and significant policy issues that require attention in the next reauthorization. CSAC is committed to assisting with the development of the next generation of federal transportation funding to ensure that our nation's transportation system allows us continued economic prosperity and is safe, secure, well-maintained, and that previous and future investments are preserved. Additionally, the next act should be environmentally sustainable and provide for a multitude of transportation options that are equitable and accessible to all Americans.

**General Objectives**

- Support a more streamlined and flexible approach to allocating federal funds, in which federal programs provide state, regional, and local agencies the flexibility ability to allocate federal funds for a range of highway, transit, local road, and bicycle/pedestrian improvements based on need. This could take shape by reducing the current 108 programs under SAFETEA-LU into a smaller number of more flexible programs, such as the 10 new federal programs recommended by the National Surface Transportation Policy and Revenue Study Commission. Regardless of what a more streamlined act looks like, the following are priorities that should be included in the next reauthorization:

**Protect and Enhance Transportation Revenues and Expenditures**

- Enhance revenues and keep the Highway Users Trust Fund solvent. This includes support for an increase and/or index of the federal gas tax.
- When considering consolidating existing programs, retain support for core programs such as preservation and safety.

**Protect Previous and Future Investments via System Maintenance and Preservation**

- ~~An increase in funding for existing or new programs should not reduce current levels of funding for existing programs and projects. If programs are consolidated or eliminated under a new act, there should be a hold harmless provision to ensure that each agency still receive the same level of support for specific types of projects and programs as in the last act.~~
- Provide increased funding as it is critically needed to provide for adequate maintenance and preservation of both the existing local and state transportation systems.
- Provide increased funding for preventative maintenance on bridges.



### **Increase Safety on Existing Transportation System**

- Increase funding for safety infrastructure projects on the existing transportation system, with an emphasis on programs/projects aimed at reducing fatalities, especially on the rural road system where fatality rates are the highest. Specifically, support and increase funding for the High Risk Rural Road Program (HRRR).
- Ensure funding for the implementation of the Strategic Highway Safety Plan (SHSP).
- Promote and increase funding for bicycle and pedestrian safety projects and programs.

### **Improve Environmental Stewardship and Address Climate Change Concerns**

- Provide financial incentives to States that adopt and set greenhouse gas (GHG) emissions reductions targets and programs to accomplish those targets.
- Provide funding to mitigate GHG emissions impacts in addition to air, water, and other environmental impacts.
- Provide incentives in current programs and/or provide new funding sources for climate change neutral or friendly transportation projects and programs. For instance, local street and road maintenance and preservation programs do not add to the GHG emission inventory and actually provide GHG emissions benefits by getting the traveling public to their destinations more quickly and efficiently.
- Provide financial incentives for rural sustainability. Understanding that every community in the nation must grow more efficiently in order to successfully combat climate change, jurisdictions that implement GHG emissions reductions strategies that focus on city-oriented growth and require conservation of critical resource and agricultural lands within the unincorporated area should be compensated for the loss of property taxes and other fees and taxes so that counties can continue to provide the necessary services to all countywide area residents, including equitable access to revenues available for transportation investment purposes.
- Provide financial support for planning processes, at the regional and countywide level, such as California's Regional Blueprint Planning Program, that integrate transportation and land use in ways to reduce projected vehicle miles traveled and fuel consumption, promote jobs/housing proximity, and transit oriented development.
- Provide assistance for data collection and determining and quantifying GHG emission sources and levels, vehicle miles traveled and other important data to assist both local governments and regional agencies in addressing climate change in environmental documents for long-range transportation plans.
- Provide funding for retrofitting equipment and for alternate fuel infrastructure.

### **Streamline the Regulatory and Project Delivery Processes**

- Support streamlining of federal regulations/requirements to facilitate more expeditious project delivery. For instance, mandate federal permitting agencies to meet the prescribed scheduled and deadlines that are specified in the environmental review process, reduce overhead, eliminate waste, and reduce documentation that is redundant with processes required under state law.
- Ensure that federal project oversight is commensurate to the amount of federal funding.

### **Increase State, Regional, and Local Agency Flexibility to Respond to Needs**

- Maximize the use and flexibility of federal funds by not requiring minimum federal matches.
- Eliminate the need to program multiple phases for small projects.
- Eliminate need for TIP programming for air quality neutral projects.

**Provide Assistance for Data Collection**

- Provide funding, *training*, tools, and uniform standards for the collection of roadway and traffic data specifically for the local and rural roadways. Without adequate data on local and rural roadways it is difficult to evaluate safety performance. There are no uniform, national standards for traffic safety data collection, system analysis, and management except with reporting of fatal incidents.

For more information regarding these priorities and principles, please contact:  
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