



Agriculture and Natural Resources Policy Committee

Tuesday, November 19, 2013 • 10:00 a.m. – 12:10 p.m.
119th Annual Meeting * San Jose Convention Center * Ballroom A1

AGENDA

Supervisor Kim Vann, Colusa County, Chair
Supervisor Linda Seifert, Solano County, Vice-Chair

- | | |
|-------------------|---|
| 10:05 a.m. | I. Welcome and Introductions
<i>Supervisor Kim Vann, Colusa County, Chair</i> |
| 10:05 – 10:15 | II. ACTION ITEM: Overview of ANR Roles, Responsibilities & Committee Name
<i>Karen Keene, CSAC Senior Legislative Representative</i>
<i>Cara Martinson, CSAC Associate Legislative Representative</i> |
| 10:15- 10:35 | III. Department of Conservation Update <ul style="list-style-type: none">• Mining/SMARA Reform• Farmland Conservation <i>Mark Nechodom, Director, Department of Conservation</i> |
| 10:35 - 10:55 | IV. 2014 Legislative Teaser <ul style="list-style-type: none">• Cap and Trade• Williamson Act Part II• Solid Waste Management <i>Karen Keene, CSAC Senior Legislative Representative</i>
<i>Cara Martinson, CSAC Associate Legislative Representative</i> |
| 10:55 – 11:30 | V. 2014 Water Bond Preview
<i>The Honorable Lois Wolk, Senator</i>
<i>Tina Cannon Leahy, Principal Consultant, Assembly Water, Parks and Wildlife Committee</i> |
| 11:30 –11:45 | VI. Federal Update: Secure Rural Schools, PACE Program, Water Resources Development Act, PILT & Farm Bill

<i>Joe Krahn, Waterman & Associates</i> |
| 11:45- 12:05 p.m. | VII. The National Flood Insurance Program: FEMA Mapping Update
<i>Edie Lohmann, FEMA National Flood Insurance Specialist</i> |
| 12:05- 12:10 p.m. | VIII. Closing Comments & Adjournment |

ATTACHMENTS

Attachment OneACTION ITEM: ANR Committee Name Change

Attachment Two..... 2014 ANR Legislative Preview

Attachment Three.....Cap and Trade Memo and Sample Resolution

Attachment Four.....2014 Water Bond Measures

Attachment Five.....CSAC Letters on SRS Funding and WRDA

Attachment One

ACTION ITEM:

ANR Committee Name Change & Committee Description



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November 6, 2013

To: CSAC Agriculture & Natural Resources (ANR) Policy Committee
From: Karen Keene, CSAC Senior Legislative Representative
Cara Martinson, CSAC Associate Legislative Representative

RE: Policy Committee NAME CHANGE

Recommendation. Staff recommends that the CSAC ANR Policy Committee support staff's recommendation to change the name of the CSAC Agriculture & Natural Resources Policy Committee to the **CSAC Agriculture, Environment and Natural Resources Policy Committee** to better reflect the breath of issues that the Committee currently covers.

Background. Over the past few months, CSAC staff has worked to review and assess the policy topics that each of CSAC's five policy committees cover. The point of this exercise was to evaluate and organize issues amongst the policy committees in the most effective way possible. Through this exercise, it was apparent that the ANR Policy Committee covers a whole host of environmental issues, in addition to topics related to agriculture or resources. For example, the Committee focuses on a myriad of environmental quality issues, including solid waste management, climate change, renewable energy and water quality, to name a few. For a detailed description of topics covered by the Committee, please refer to the following attachment.

Proposal. To better reflect the true work of the Committee, staff believes a simple name change – adding the work Environment – will help to better represent the topics covered by the Committee.

Action Requested. Staff recommends that the Committee change its name to the **CSAC Agriculture, Environment and Natural Resources Policy Committee.**

Contact. For more information on this issue, please contact Karen Keene, CSAC Senior Legislative Representative at 916-327-7500, ext. 511, or kkeene@counties.org, or Cara Martinson, CSAC Associate Legislative Representative at 916-327-7500, ext. 504, or cmartinson@counties.org.



Agriculture and Natural Resources

The Agriculture and Natural Resources (ANR) Policy Committee is responsible for the review of state budget items and ballot measures, and state/federal legislative and regulatory proposals that affect agriculture, the environment and natural resources.

CHAIR:

Supervisor Kim Vann,
Colusa County

VICE-CHAIR:

Supervisor Linda Seifert,
Solano County

CSAC STAFF:

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Primary Legislative Policy Committees

Senate and Assembly Agriculture Committees
Senate and Assembly Appropriations Committees
Senate Environmental Quality Committee
Senate Natural Resources and Water Committee
Senate Energy, Utilities and Communications Committee
Senate Government, Finance and Operations Committee
Assembly Environmental Safety and Toxic Materials Committee
Assembly Water, Parks and Wildlife Committee
Assembly Local Government Committee
Assembly Utilities and Commerce Committee

Primary Budget Subcommittees

Senate Budget and Fiscal Review Committee and Subcommittee No. 2
on Resources, Environmental Protection, Energy and Transportation
Assembly Budget Committee and Subcommittee No. 3 on Resources
and Transportation

Key State Agencies

California Environmental Protection Agency
CalRecycle
State Water Resources Control Board
California Air Resources Board
Office of Environmental Health Hazard Assessment
California Natural Resources Agency
Department of Parks and Recreation
Department of Water Resources
Department of Conservation
State Mining and Geology Board
Department of Fish and Wildlife
Department of Forestry and Fire Protection
Board of Forestry and Fire Protection
California Coastal Commission
Department of Food and Agriculture
Office of Emergency Services
California Energy Commission
California Public Utilities Commission
Governor's Office of Planning and Research

Key CSAC Affiliates

County Engineers Association of California (CEAC)
California County Planning Directors Association
California Agriculture Commissioners and Sealers Association
California Conference of Directors of Environmental Health
California Operational Area Coalition
California Emergency Services Association
California Animal Control Directors Association
California Association of Regional Parks and Open Space Administrators
County Building Officials Association of California

CSAC Internal Working Groups/Task Forces

CSAC Climate Change Task Force
CSAC Medical Marijuana Working Group
CSAC/RCRC Williamson Act Working Group
CSAC/CEAC Emergency Management Working Group
CSAC/CEAC Statewide Flood Control Needs Assessment Team
CSAC/CEAC Conversion Technology Working Group

Legislative Responsibilities

- Agriculture: Williamson Act, commissioners/weights & measures, pesticide use, and food safety
- Natural Resources: water, including supply and quality issues, Delta, bonds, drinking water, and conservation; fish & wildlife, including California Endangered Species Act; forest management, air resources, mining, open space conservation, coastal and wetlands
- Fire Safety: SRA Fees, state and federal funding and land use
- Energy: facility/transmission line siting, renewable energy, conservation, PACE, and Community Choice Aggregation
- Climate Change: sea level rise and coastal climate issues, Cap & Trade, AB 32 Scoping Plan updates/implementation, and adaptation
- Flood Control/Stormwater: land use, state and federal funding, National Flood Insurance Program (NFIP), and regulatory streamlining
- Parks and Recreation: bonds, county fairs
- Environmental Justice: CalEnviroScreen Tool, disadvantaged communities
- Solid Waste Management: facilities, recycling, conversion technology, and extended producer responsibility
- Emergency Management: California Disaster Assistance Act (CDAA), Federal Stafford Act, state and federal funding, regulatory streamlining, seismic safety and oil spills
- Animal Control
- Medical Marijuana

Attachment Two
2014 ANR Legislative Preview



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Agriculture & Natural Resources 2014 Legislative Preview

The following is a summary of issues the CSAC Agriculture and Natural Resources Policy Team anticipates focusing on in 2014.

2014 Water Bond

The 2014 water bond was crafted in 2009 by then Governor Schwarzenegger and state lawmakers. The package was composed of four policy bills and an \$11.14 billion bond. The water bond measure was originally set to be on the state's 2010 ballot and was later moved to the 2012 ballot and subsequently to the 2014 ballot. Since its development, it has been widely acknowledged that the size and scope of the bond might not pass muster at the ballot box, and lawmakers have been working to revamp the package. The 2013 legislative year ended with two bills vying as the potential vehicles for a revamped state water bond. Both bills, AB 1331, by Assembly Member Anthony Rendon, and SB 42 by Senator Lois Wolk are two-year bills that would essentially cut in half the \$11.14 billion state water bond. AB 1331 proposes a \$6.5 billion water bond titled the Climate Change Response for Clean and Safe Drinking Water Act of 2014. Senator Lois Wolk's vehicle, SB 42 also proposes a \$6.5 billion water bond and is titled the Safe Drinking Water, Water Quality and Flood Protection Act of 2014. To date, CSAC has expressed support for water bond funding, such as the Delta protections, regional self-reliance/integrated regional water management, safe drinking water, water conservation and water storage. CSAC has also requested that a statewide flood management element be included to the 2014 water bond proposal. CSAC will continue to engage in these discussions and advocate on behalf of counties as the measure continues through the legislative process.

Cap & Trade – Secure Funding for Local Government Programs

With the Governor's FY 2013-2014 \$500 million loan in cap and trade funds to the State's General Fund, the first allocation of cap and trade funds will be decided next year. CSAC will continue to advocate that a portion of these revenues to be allocated to local governments for greenhouse gas emissions reduction projects at the local level. CSAC is an active participant in the local government cap and trade coalition which was the sponsor of AB 416, by Assembly Member Gordon. AB 416 would develop the Community Investment and Innovation Program and would allow local governments to serve the state as a delivery mechanism on GHG reduction projects with funding from cap-and-trade auction revenue. The new grant program would be coordinated through the Air Resources Board and the Strategic Growth Council, allowing local governments to competitively apply for grants to implement projects at the local and regional level that assist the state in reaching its AB 32 goals while also providing local co-benefits. The program would allow for a wide variety of GHG reducing projects including those related to renewable energy and energy efficiency, water, forestry, solid waste and other natural resource issues. CSAC continues to support this effort and will engage in discussions through the legislative and budget processes to advance these objectives.

Agriculture – Farmland Protection & Williamson Act

CSAC anticipates focusing on two separate but related efforts to help advance farmland conservation and protection in California next year. AB 823, by Assembly Member Eggman is a two-year bill that would set forth minimum statewide mitigation requirements for projects that

convert agricultural land to a permanent or long-term non-agricultural use, including residential, commercial, civic, industrial, infrastructure, or other similar land development projects. Discussions regarding alternative and workable approaches to AB 823 are currently underway between the sponsors of AB 823, CSAC and other local government representatives. CSAC will continue to advocate for agricultural land protection policies that respect the unique characteristics of each county. In addition, CSAC anticipates focusing on efforts to support the Williamson Act.

Given recent discussions with the Department of Conservation regarding the future of the Williamson Act, CSAC and RCRC have reunited the CSAC/RCRC Williamson Act Working Group. The purpose of bringing the group together is to discuss potential improvements and/or alternatives to this valued program. Recommendations emanating from the working group will ultimately be shared with the Department of Conservation. These recommendations may eventually form the foundation for future administrative actions and/or statutory changes.

Solid Waste – Advancing Waste to Energy Policies and Alternatives to Landfills

SB 804 (Lara), the CSAC/ Los Angeles County co-sponsored measure on biomass and conversion technology, was approved by the Legislature in 2013, but ultimately rejected by the Governor. CSAC and Los Angeles County, in partnership with the County Engineers Association of California (CEAC) have been working over the last several years to advance the development of solid waste conversion technology facilities in California in order to reduce dependence on landfill disposal and generate electricity. The bill was not without controversy and CSAC and Los Angeles County staff worked closely with a number of stakeholders to address a myriad of concerns throughout the legislative session. The Governor's veto message directed his administration to work with stakeholders to develop a workable solution. CSAC, Los Angeles County and CEAC will continue to work on this issue with the goal of providing incentives and a permitting path for conversion technologies. In addition to conversion technology, we also anticipate engaging in conversations related to the implementation of AB 341 (Chesbro, 2011), the statewide goal of diverting 75% of our solid waste from landfill disposal.

Regulatory Issues – Water Board, Cal Environ Screen, Delta

CSAC staff continues to engage in the regulatory process on a number of different fronts with particular focus on proposed rulemakings before the State Water Resources Control Board, California Environmental Protection Agency and various other regulatory agencies. At the State Water Board CSAC focus will continue to center around storm water permit requirements, groundwater management and proposed state wetlands and trash policies. In addition, CSAC staff will remain engaged in the discussions surrounding the Delta using CSAC's policy as a foundation to advocate for county interests, including support for area of origin rights, affected counties' land use authority; special recognition of Delta legacy communities; flood and ecosystem protection and regional self-sufficiency.

With regard to flood control, CSAC continues to advocate for statutory and administrative solutions that would resolve outstanding implementation issues regarding the application of SB 5 (Machado, Chapter 364, Statutes of 2007) one of the six-bill 2007 flood protection package. Finally, CSAC will continue to monitor the implementation of the Cal EnvironScreen Tool, which is Cal EPA's tool that uses existing environmental, health and socioeconomic data to create a cumulative impacts score for communities across the state for the purpose of directing grant

allocations and prioritizing cleanup and abatement projects, and to prioritize enforcement of environmental laws and inform planning decisions. CSAC shall remain engaged in the implementation process given potential impact on job creation, economic development and the local land use approval process.

Attachment Three
Cap and Trade Memo and Sample Resolution



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November 8, 2013

To: CSAC Agriculture & Natural Resources (ANR) Policy Committee

From: Karen Keene, CSAC Senior Legislative Representative
Cara Martinson, CSAC Associate Legislative Representative

RE: Cap and Trade Advocacy Efforts

Background. The California Global Warming Solutions Act of 2006 (AB 32) allows for the use of a market mechanism to help the State reach its greenhouse gas (GHG) emissions reduction goals. The first action of that market mechanism – known as cap and trade– took place in November 2012 under the jurisdiction of the California Air Resources Board (CARB). California’s cap and trade program works by setting a statewide cap or limit on GHG emissions from the State’s largest polluters. The cap will decline slightly each year until California reaches its goal of achieving 1990 emissions levels by 2020. Entities that fall under the cap, such as oil refineries and large industrial facilities, have the flexibility to decide how to meet their overall reduction requirement by either reducing their own GHG emissions or purchasing “allowances” that allow them to emit a specific amount of GHGs.

Cap and Trade Revenue. Cap and trade auctions take place quarterly with free allocations available for electric utilities with the goal of protecting ratepayers. To date, the four cap and trade auctions have generated roughly \$445.5 million in funds allowable to invest back into GHG reductions with one auction remaining for the year in November. Current law requires the State to invest cap and trade funds back into actions that make real and quantifiable GHG reductions. In May, the Administration released a 3-year investment plan for cap and trade auction revenues. However, the FY 13-14 budget ultimately allowed for a \$500 million loan from these funds to the State’s General Fund. As a result, the first allocation of cap and trade funds will be decided next year.

Advocacy Efforts. Last year, CSAC co-sponsored two measures that would dedicate a portion of cap and trade revenues for local government GHG emission reduction programs. While both measures were held in the Assembly Appropriations Committee as two-year bills, negotiations as to how to best allocate cap and trade revenues will continue into this session. CSAC continues to be an active participant in the Local Government Cap and Trade Coalition which was the sponsor of AB 416, by Assembly Member Gordon. AB 416 would develop the Community Investment and Innovation Program, a new grant program that would be coordinated through CARB and the Strategic Growth Council, allowing local governments to competitively apply for grants to implement projects at the local and regional level that assist the State in reaching its AB 32 goals while also providing local co-benefits. The program would allow for a wide variety of GHG reducing projects including those related to renewable energy and energy efficiency, water, forestry, solid waste and other natural resource issues.

CSAC continues to support this effort and will engage in discussions through the legislative and budget processes to advance these objectives. In addition, CSAC is participating in a similar coalition related to transportation, advocating for cap and trade revenues derived from the cap on fuels to be dedicated back to investments in transportation.

Action Requested. To help advance our advocacy efforts, CSAC is seeking individual county support to help secure cap and trade funds for local projects. We anticipate moving a bill forward through the legislature and/or budget process this year. The attached sample resolution would enable CSAC to note your county's support generally for these efforts and we encourage those counties interested in participating in this effort to adopt this resolution. We also encourage counties to modify the sample resolution and adapt as they see fit.

The following organizations were active participants in last year's local government coalition:

CSAC	Central Coast Urban Forest Council
League of CA Cities	Sacramento Urban Forests Council
Local Government Commission	San Diego Regional Urban Forest Council
CA Special Districts Association	San Joaquin Valley Urban Forest Council
Urban Counties Caucus	Street Tree Seminar/Los Angeles-Orange
County of Santa Clara	County Urban Forests Council
County of Sonoma	Sonoma Co. Ag Preservation & Open Space
Monterey County	District
County of Santa Cruz	Land Trust of Santa Cruz County
County of Los Angeles	Marin Agricultural Land Trust
Sonoma County Water Agency	Peninsula Open Space Trust
Sonoma Regional Climate Protection	Orange County Sanitation District
Authority	Alameda Co Waste Management Authority
Ventura Resource Conservation	East Orange County Water District
District	Humboldt Bay Harbor, Recreation and
Bay Area Urban Forest Ecosystem	Conservation
Council	

Contact. For more information on this issue, please contact Cara Martinson, CSAC Associate Legislative Representative at 916-327-7500, ext. 504, or cmartinson@counties.org.

SAMPLE

RESOLUTION NO. _____

RESOLUTION OF THE (COUNTY/CITY/DISTRICT) SUPPORTING THE ACTIVITIES OF THE LOCAL CLIMATE INITIATIVE, ENDORSING EFFORTS OF THE INITIATIVE TO SECURE FUNDING FOR LOCAL ENERGY EFFICIENCY AND CLIMATE PROTECTION PROJECTS, AND DESIGNATING _____ AS THE OFFICIAL LIAISON TO FOR THE (COUNTY/CITY/DISTRICT) TO THE LOCAL CLIMATE INITIATIVE.

WHEREAS, the State of California enacted AB-32, the California Global Warming Solutions Act of 2006, for the purpose of reducing greenhouse gas emissions in California; and

WHEREAS, The California Air Resources Board has implemented a cap-and-trade program for greenhouse gas emissions that is projected to generate billions of dollars per year in allowance sale revenue that must be used for climate-related purposes in California; and

WHEREAS, _____ (County/City/District) is actively pursuing programs that address energy efficiency and greenhouse gas reduction including _____, _____ and _____; and

WHEREAS, the development of a statewide initiative supporting legislation that would direct funding to local government energy and climate programs from the cap-and-trade allowance revenues and other sources can be an effective means to accelerate these projects and programs at the local level; and

WHEREAS, the (County/City/District) has identified \$_____ in unmet funding needs for high priority projects that will reduce greenhouse gas emissions, increase energy efficiency, capture and sequester greenhouse gases, including _____, _____; and _____; and

WHEREAS, the Local Climate Initiative supports investment of future cap-and-trade revenue in local programs that provide local public benefits such as improved environmental quality, improved public health, and greater economic vitality, while achieving reduced greenhouse gas emissions including projects that:

- Reduce energy use and carbon emissions from public facilities,
- Reduce local energy demand below levels achieved by utility programs,
- Generate local, clean renewable power or renewable power storage,
- Accelerate deployment of zero emission vehicles,
- Expand local Green Building and Green Business programs,
- Increase carbon capture by plants, trees or soils,

Facilitate non-motorized modes of transportation,
Increase diversion from landfills and reduce landfill methane emissions,
Prevent conversion of agricultural and forest lands to uses that increase greenhouse gases.

NOW, THEREFORE, BE IT RESOLVED that the (County/City/District) will participate in the Local Climate Initiative and support efforts by the Initiative to enact legislation that directs funding from cap-and-trade revenues and other sources to local government programs; and be it

FURTHER RESOLVED, that the (County/City/District) now designates _____ to serve as the representative for the (County/City/District) to the Local Climate Initiative.

PASSED, APPROVED AND ADOPTED this X day of X 2013 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

XXX

ATTEST:

XXX

Attachment Four
2014 Water Bond Measures

SB 42 (Wolk)

The Safe Drinking Water, Water Quality & Flood Protection Act of 2014

\$6.475 billion [incl. recent amendments]

Ch. 3: Safe Drinking Water Projects

- \$2 billion

- \$500m to SWRCB for safe drinking water programs:
 - \$100m for public health emergencies.
 - \$400m for safe water infrastructure.
- \$1.5b for IRWM.
 - Water commission oversight.

Ch. 4: Water Quality and Watershed Protection Projects - \$2.1 billion

- \$400m to SWRCB for small community wastewater treatment projects.
- \$600m to the Delta Conservancy for Delta sustainability (ecosystem, sustainability).
- \$500m for state obligations/settlements.
- \$100m for watershed restoration, statewide.
- \$500m to state conservancies.

Ch. 5: Flood Control and Stormwater Management

- \$1.375 billion

- \$500m to DWR for multi-benefit Central Valley Flood Protection Plan projects.
- \$75m to Res. Agency for SF Bay flood control/wetlands.
- \$375m to SWRCB for stormwater management.
- \$25m to DOC for ag. water runoff management.
- \$400m for Delta levees.

Ch. 6: Water System Operation Improvements

- \$1 billion

Legislative appropriation to the CA Water Commission

- Calfed Reservoirs (except Shasta).
- Groundwater storage and clean-up
- Conjunctive use and reoperation projects.
- Sediment removal.
- Projects result in a permanent transfer of water rights to CA, per Water Code 1707.
- Recycled water storage projects.

AB 1331 (WPW Committee)

The Climate Change Response for Clean and Safe Drinking Water Act of 2014

\$6.5 billion [including recent amendments]

Ch. 5: Water Quality and Clean and Safe Drinking Water – \$1 billion

- At least \$100m for small community wastewater treatment projects.
- Up to \$250m for stormwater projects.
- \$100m for public health emergencies.
- \$400m for safe water infrastructure.
- \$250m for improving groundwater quality.

Ch. 6: Protecting Rivers, Lakes, Streams, and Watersheds - \$1.5 billion

- \$500m for state obligations/settlements.
- \$1b for watershed restoration, statewide.
- \$200m for state conservancies.

Ch. 7: Climate Change Preparedness for Regional Water Security - \$1.5 billion

- \$1b for IRWM.
- Up to \$250m for water conservation.
- \$500m for recycled water projects.

Ch. 8: Sacramento-San Joaquin Delta Sustainability - \$1 billion

- Ecosystem, levees, sustainability.

Ch. 9: Water Storage for Climate Change - \$1.5 billion Continuous appropriation to the CA Water Commission

- Calfed Reservoirs (except Shasta).
- Groundwater storage and clean-up.
- Conjunctive use and re-op projects.
- Local/regional surface storage projects.
- Sediment removal.

Attachment Five
**CSAC Letters on Secure Rural Schools (SRS) & the Water Resources
Development Act (WRDA)**



October 17, 2013

The Honorable Ron Wyden
Chairman
Committee on Energy and
Natural Resources
304 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Lisa Murkowski
Ranking Member
Committee on Energy and
Natural Resources
304 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Wyden and Ranking Member Murkowski:

The Rural County Representatives of California (RCRC) and the California State Association of Counties (CSAC) are encouraged by the growing bipartisan recognition that Congress must address the proper management of our nation's forests, including those located in California. We believe the current vegetation management structure is broken. Changes in law are needed to return our forests to health, through which a proper balance between fire prevention, habitat protection, recreational opportunities, and rural economic development can be reached.

As you know, the House of Representatives approved legislation (H.R. 1526) in September to provide a mechanism for better management of our federal forests, and we urge the Senate to craft and adopt corresponding legislation. We recognize that there are components of H.R. 1526 that may not be acceptable to the majority of the Senate. However, we believe there are reforms that can be adopted to address active management, streamline environmental laws, and revise the U.S. Forest Service's day-to-day approach to managing our forests.

Therefore, RCRC and CSAC urge the Committee on Energy and Natural Resources to craft bipartisan legislation that would reduce the cost of environmental reviews, as well as reduce the number of lawsuits and appeals after projects have been identified through environmental review.

Furthermore, we believe that legislation should expedite the process for completing projects to restore the health of our federal forests. If the Forest Service is given proper direction from Congress, it could minimize the level of devastation that occurs from wildfires and preserve the forest for endangered species, as well as provide recreational opportunities for those who visit our forests. If properly implemented, these reforms could also allow resource-dependent communities to regain their economic vitality.

RCRC and CSAC would also like to thank you both for your efforts to ensure that the *Helium Stewardship Act* (PL 113-40), which was recently signed into law, included a one-year extension of the Secure Rural Schools and Community Self-Determination Act (SRS) program. As you are well aware, SRS was crafted nearly 14 years ago to provide counties

(and schools located within) payments in light of a dramatic reduction in timber harvesting receipts that had been flowing into county coffers for nearly 100 years.

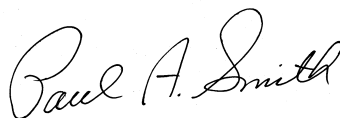
It has proven challenging to craft a new healthy forest program that would minimize the fire danger, assist in the economic vitality of forested counties, and protect funding for counties and schools in forested counties. This will be particularly challenging during any transition period from between the current SRS payment formula and implementation of a new forest management approach. However, we believe that these reforms can still be achieved in a bipartisan fashion.

The coming months present a unique opportunity to resolve some of the contentious issues surrounding forest management. RCRC and CSAC wish to capitalize on this auspicious timing to move forward on legislation that restores and maintains the health of our federal forests and rural communities. Our organizations remain engaged with a coalition of stakeholders to help craft legislation, as well as educate legislators about the urgency of adopting healthy forest legislation in 2014.

Sincerely,



Karen Keene
CSAC Senior Legislative Representative



Paul Smith
RCRC Senior Legislative Advocate

cc: The Honorable Dianne Feinstein, United States Senator
The Honorable Barbara Boxer, United States Senator



November 11, 2013

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The Honorable Barbara Boxer
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The Honorable David Vitter
Ranking Member
Committee on Environment & Public Works
456 Dirksen Senate Office Building
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The Honorable Bill Shuster
Chairman
Committee on Transportation & Infrastructure
2165 Rayburn House Office Building
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The Honorable Nick Rahall
Ranking Member
Committee on Transportation & Infrastructure
2163 Rayburn House Office Building
Washington, DC 20515

Dear Chairwoman Boxer, Chairman Shuster, and Ranking Members Vitter and Rahall:

On behalf of the California State Association of Counties (CSAC), I am writing to express our appreciation for your dedication and hard work aimed at advancing a new water resources development authorization and reform package. Our association is particularly appreciative that both the House and Senate bills (HR 3080/S 601) include language that would require the secretary of the Army to undertake a comprehensive review of the Corps of Engineers' policy guidelines on vegetation management for levees.

As you prepare to begin conference committee deliberations, CSAC would like to take this opportunity to provide comments and recommendations relative to the bills' sections dealing with levee vegetation. For starters, and as you know, HR 3080 and S 601 would require the secretary to take into consideration various key policy concerns, or "factors," when reviewing the Corps' levee vegetation guidelines. Likewise, both bills would require the secretary to consider certain factors when determining whether to promote and allow for the consideration of variances from the Corps' policy.

Although the two measures enumerate several of the same or similar factors, each bill would require the secretary to consider factors that are not specified in the other. For example, the House legislation calls for the secretary to determine how vegetation impacts the performance of a levee or levee system during a storm or flood event. The Senate bill, on the other hand, would require an assessment of the impact of removing levee vegetation on compliance with other regulatory requirements.

In order to ensure that the full range of pertinent issues and policy implications are properly considered, CSAC recommends that the final bill include *all* of the factors enumerated in both the House and Senate legislation. Additionally, we urge conferees to include language specifying that the secretary, in conducting both the policy review and in considering factors

that allow for variances, be required to consider the potential for *conflicts with or violations of Federal and state environmental laws*, including but not limited to the Endangered Species Act, the Clean Water Act, and the Migratory Bird Treaty Act, or existing Federal or state permits. This clarifying language would provide the Corps with additional flexibility to grant local levee sponsors a variance in cases in which the Corps' policy is incompatible with an existing environmental law(s) or regulation(s).

CSAC also strongly recommends that the conference committee retain language from S 601 that would require the secretary to solicit and consider the views of the National Academy of Engineering and the National Academy of Sciences as part of the policy review process. Furthermore, we recommend the inclusion of language clarifying that *national associations representing local governments and public flood management agencies* be consulted during the Secretary's policy review and as part of the proposed peer review. Local officials possess a great deal of expertise and knowledge as it pertains to flood management practices, particularly with respect to local and regional diversity of flood protection systems, and therefore should be utilized during all aspects of the policy review process.

Finally, we urge conferees to adopt language from HR 3080 that would prohibit the Corps from requiring the removal of existing vegetation from levees until the Agency's revised policy guidelines are adopted. As you know, the House bill would provide an exception for vegetation that presents an unacceptable safety risk. CSAC recommends that Congress define unacceptable safety risk to mean vegetation that presents a clear and immediate threat to public safety.

Thank you again for your continued leadership and for your support in efforts to seek reasonable modifications to the Corps' levee vegetation policy. If you have any questions or need any additional information, please feel free to contact CSAC's Washington representative, Joe Krahn, at 202-898-1444 (jk@wafed.com).

Sincerely,



Matt Cate
CSAC Executive Director

cc: Members of the California Congressional Delegation