

## CSAC FEDERAL PRIORITY ISSUES – 2014



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### REAUTHORIZATION OF MAP-21

- **Enhance revenues for investment in our national transportation infrastructure.**
  - In California, counties and cities are facing an \$82 billion funding shortfall over the next ten years for the maintenance and preservation of the local highway system.
- **Restore the Highway Bridge Program**
  - Provide dedicated funding for on-system highway bridge projects, either by creating a set-aside similar to the off-system bridge set-aside or by restoring the Highway Bridge Program.
  - In California, 950 bridges need replacement and over 1,800 are in need of rehabilitation.
- **Focus on Safety**
  - Increase funding for safety infrastructure projects on the existing transportation system and ensure that rural roadways - where fatality rates are the highest - have a dedicated funding source.
- **Fix-it-First**
  - Provide increased funding for maintenance and preservation of the existing system. Reinvesting in the system now prevents exponentially higher costs down the road.
- **Improve Environmental Stewardship & Address Climate Change**
  - Provide financial incentives to States that adopt greenhouse gas (GHG) emissions reduction targets.
  - Provide incentives in current programs and/or provide new funding sources for climate change neutral or friendly transportation projects and programs.
  - Provide financial support for regional and countywide transportation planning processes that integrate transportation with local land use planning for the mutual benefit of GHG emissions reduction.
- **Streamlining Project Delivery & Environmental Review**
  - Approve a state-federal environmental "reciprocity" pilot program. Such a program would allow the State of California and local transportation agencies to carry out federal environmental review responsibilities for highway projects through implementation of the California Environmental Quality Act.
- **Increase Flexibility to Meet State, Regional, and Local 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.
- **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.
  - Provide assistance for data collection, and determining and quantifying GHG emissions, and other important data for addressing climate change through the analysis of various transportation alternatives in long-range transportation plans done in coordination with local land use plans.

#### INDIAN FEE TO TRUST REFORM

- Congress should fix long-standing deficiencies in the Bureau of Indian Affairs' (BIA) fee-to-trust process as part of any legislation that addresses the U.S. Supreme Court's *Carcieri v. Salazar* decision. Specific legislative reforms must include the following:
  - **Notice and Transparency** – As part of the trust application process, local governments should be given immediate notice when an application is filed and should receive a complete description of the proposed trust land acquisition purposes. In addition, counties should receive notice of tribal requests for determinations of whether an acquisition is considered "Indian lands" and therefore eligible for casino gaming.
  - **Consultation** – Provide sufficient opportunity for public comment and consultation. Under current regulations, the BIA only solicits comments from local governments relative to the narrow question of tax revenue loss and regulatory jurisdictional conflicts. Consultation should be encouraged to take place before an application is submitted and efforts should be made to include counties in the NEPA process as "cooperating agencies."
  - **Enforceable Intergovernmental Agreements** – Legislation must ensure that significant off-reservation impacts of a project - including environmental and economic impacts from the transfer of land into trust - are sufficiently addressed through Intergovernmental Agreements between tribes and local governments. It should be noted that such an approach is required and working well under recent California State gaming compacts.

#### REAUTHORIZATION OF THE SECURE RURAL SCHOOLS ACT

- Approve a long-term reauthorization of the *Secure Rural Schools and Community Self-Determination Act* (SRS).
- In the absence of a long-term reauthorization, seek approval of a short-term extension of SRS funding for counties and schools.
  - Counties in California – which received nearly \$36 million in SRS funding last year – rely on the SRS program to maintain local roads and other public infrastructure, operate search and rescue missions, and provide many other essential local services.

#### PAYMENTS-IN-LIEU-OF-TAXES

- Support a long-term reauthorization of mandatory entitlement funding for the Payments-in-Lieu-of-Taxes (PILT) program.
- In the absence of a long-term reauthorization, Congress should provide full funding for PILT via the fiscal year 2015 appropriations process.
  - In fiscal year 2013, 56 California counties received a combined total of nearly \$41.5 million in PILT funding.

#### STATE CRIMINAL ALIEN ASSISTANCE PROGRAM

- Support increased funding for the State Criminal Alien Assistance Program (SCAAP).
- Support a long-term reauthorization of SCAAP at increased funding levels, consistent with pending immigration reform legislation (HR 2278 / S 744).

- Approve legislation that would allow jurisdictions to be reimbursed for the costs associated with housing undocumented immigrants who are convicted **and accused** of certain crimes.
- Oppose efforts by the Bureau of Justice Assistance to eliminate reimbursement for the "unknown" category of SCAAP inmates. Such a policy change would drastically cut SCAAP allocations to California's counties.
- Transfer full responsibility for management of the SCAAP program from the Department of Justice to the Department of Homeland Security.

#### **REMOTE SALES TAX**

- Approve legislation - the *Marketplace Fairness Act* (S 743; HR 684) - that would provide states with the authority to require remote sellers to collect and remit sales and use taxes.
  - States and local governments are losing billions of dollars in uncollected sales tax revenue every year. This long-term erosion of the sales tax base threatens state and county funding obligations such as education, transportation, and public safety.

#### **PROPERTY ASSESSED CLEAN ENERGY PROGRAM**

- Support legislation that would prevent federal housing regulators from adopting policies that contravene established state and local property assessed clean energy (PACE) laws.
- Urge the Federal Housing Finance Agency to issue a waiver for California to implement its proposed PACE Loss Reserve Program.
  - PACE is a cost-effective program that enables local governments to finance renewable energy and energy efficiency projects on privately owned residential and commercial property.

#### **CLEAN WATER ACT – SECTION 404 PERMITTING**

- Support passage of legislation (HR 1296) that would amend Section 404 of the *Clean Water Act* (CWA) to provide a narrow permitting exemption for maintenance removal of sediment, debris, and vegetation from flood control channels and basins.
- Additionally, the CWA should be amended to extend the general permit term from five to 10 years.

#### **CHILD WELFARE FINANCING REFORM**

- Support legislation to reform the child welfare financing system, as well as provide additional resources to stabilize families and train and retain child welfare staff.
- Support additional programmatic flexibility, along with an updated foster care payment methodology.