

CSAC FEDERAL PRIORITY ISSUES – 2015



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REAUTHORIZATION OF MAP-21

- **Enhance revenues for investment in our national transportation infrastructure.**
 - In California, counties and cities are facing a nearly \$80 billion funding shortfall over the next ten years for the maintenance and preservation of the local transportation system.
 - Pursuant to the *California Local Streets and Roads Assessment* (2014 report), local pavement conditions are “at risk,” and without a surge of new revenue, 25 percent of local roads will be in failed condition by 2024.
- **Focus on Safety**
 - Congress should restore the Highway Bridge Program (HBP), which, prior to MAP-21, provided a dedicated source of federal funding for all eligible bridges. In the absence of reinstating the HBP, Congress should provide a dedicated funding stream for locally owned "on-system" bridges, while maintaining the current "off-system" bridge set-aside.
 - ❖ In California, over half of local agency bridges are located *on* Federal-aid Highways - these critically important structures, a high percentage of which are structurally deficient or functionally obsolete, must compete for very limited Surface Transportation Program (STP) funding.
 - Ensure that the rural road system, where fatality rates are the highest, has a dedicated federal funding source.
 - ❖ According to FHWA, fatalities on rural roads accounted for 54 percent of all traffic deaths in 2012 (the most recent year for which federal data is available) despite the fact that just 19 percent of the U.S. population lives in rural areas. Nationwide, the fatality rate in rural areas is 2.4 times higher than the fatality rate in urban areas.
 - Increase funding for bicycle and pedestrian safety projects and programs.
- **Streamlining Project Delivery and Environmental Review**
 - Approve a state-federal environmental "reciprocity" pilot program, which would allow the State of California and local transportation agencies to save considerable time and resources by carrying out federal environmental review responsibilities for highway projects through implementation of the *California Environmental Quality Act* (CEQA).
 - Eliminate unnecessary, costly, and time consuming technical studies to qualify for a *National Environmental Policy Act* (NEPA) Categorical Exclusion. These studies add time and cost to a project, although rarely change the outcome of the environmental review process.
 - Require a singular consistent format for NEPA environmental review documents for all federal agencies and departments.

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 *Carciere 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 an immediate extension of funding for the *Secure Rural Schools and Community Self-Determination Act* (SRS).
 - California's forested counties rely on the SRS program to maintain local roads and infrastructure, operate search and rescue missions, and provide many other essential local services. Because Congress failed to fund SRS in the most recent budget, California counties will only receive \$8.7 million in revenue-sharing funds this year, compared to \$35.6 million in the previous year under SRS - a difference of nearly \$27 million.
- Congress must approve a long-term reauthorization of the SRS program to provide a stable and predictable source of funding for forested counties and schools.

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 2016 appropriations process.
 - In fiscal year 2014, 56 California counties received a combined total of nearly \$45.3 million in PILT funding.

STATE CRIMINAL ALIEN ASSISTANCE PROGRAM

- Support increased funding for the State Criminal Alien Assistance Program (SCAAP), as well as a long-term programmatic reauthorization.
 - In fiscal year 2014, 51 California counties received roughly \$13.4 million, with the State of California receiving over \$41.5 million. California's combined total represents almost 35 percent of all available SCAAP funding.

- 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.
 - The current reimbursement criteria disadvantages county governments, which incur considerable costs housing pretrial offenders who may not ultimately be convicted of the crimes for which they are charged.
- Transfer full responsibility for management of the SCAAP program from the Department of Justice to the Department of Homeland Security.

PROPERTY ASSESSED CLEAN ENERGY PROGRAM

- Urge the Federal Housing Finance Agency (FHFA) to withdraw its objections to residential PACE programs.
- Support legislation that would prevent FHFA from adopting policies that contravene established state and local PACE laws.
 - 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.

REMOTE SALES TAX

- Approve legislation - the *Marketplace Fairness Act* - 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.

MEDICAID - SECTION 1115 WAIVER RENEWAL

- Support California's request to the Federal Centers for Medicare and Medicaid Services (CMS) to renew the "Bridge to Reform" Medicaid Section 1115 Waiver.
 - The waiver provides the State and California counties with administrative flexibility and financial resources to continue to improve the Medi-Cal program, better coordinate patient care, and improve the overall health of the population through more efficient and effective service delivery.
 - The waiver has been essential to California's efforts to expand health care coverage, including preparing and transforming delivery systems in anticipation of the *Affordable Care Act*, as well as helping communities prepare for health-care reform. The Low-Income Health Program, spearheaded by counties, was the lynchpin to California's successful implementation of federal health reform, enrolling more than 700,000 people by the end of 2013.