



**Agriculture, Environment, & Natural Resources Committee Meeting**  
**CSAC 128<sup>th</sup> Annual Meeting**  
**Tuesday, November 15, 2022 · 9:00 am – 11:30 am**  
**Disneyland Hotel · Magic Kingdom Ballroom 2**  
**Orange County, California**

**Supervisor Chris Howard, Del Norte County, Chair**  
**Supervisor Heidi Hall, Nevada County, Vice Chair**  
**Supervisor Daron McDaniel, Merced County, Vice Chair**

### **WATER AND DROUGHT WORKSHOP**

- 9:00 a.m.**      **I. Welcome and Introductions**  
*Supervisor Ed Valenzuela, Siskiyou County, CSAC President*  
*Supervisor Chris Howard, Del Norte County, Chair*
- 9:10 a.m.**      **II. Opening Remarks: Drought, Climate, Counties and Changes Ahead**  
*David Shabazian, Director, Department of Conservation*
- 9:20 a.m.**      **III. Managing Drought through Partnerships with Counties**  
*Moderator: Supervisor Daron McDaniel, Merced County, Vice-Chair*  
*Timothy Quinn, Executive Officer, San Joaquin Valley Water Collaborative*  
*Action Program*  
*Alex Paxton, Program Officer, Water Foundation*
- 10:00 a.m.**      **IV. Groundwater Management—Extended Drought and Future Collaboration**  
*Moderator: Supervisor Heidi Hall, Nevada County, Vice-Chair*  
*Paul Gosselin, Director of Sustainable Groundwater Management,*  
*Department of Water Resources*  
*Keali'i Bright, Assistant Director, Division of Land Resources Protection,*  
*Department of Conservation*  
*Patty Poire, Executive Director, Kern Groundwater Authority*
- 10:50 a.m.**      **V. Adjourn Water Workshop**  
*Supervisor Chris Howard, Del Norte County, Chair*
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## AENR BUSINESS MEETING

- 11:00 a.m.**      **I. AENR Business Meeting Welcome and Introductions**  
*Supervisor Chris Howard, Del Norte County, Chair*  
*Supervisor Heidi Hall, Nevada County, Vice-Chair*  
*Supervisor Daron McDaniel, Merced County, Vice-Chair*
- 11:05 a.m.**      **II. AENR 2023 Priorities - ACTION ITEM**  
*Supervisor Chris Howard, Del Norte County, Chair*  
*Ada Waelder, AENR Legislative Representative, CSAC*  
*Catherine Freeman, AENR Senior Legislative Representative, CSAC*  
Attachment: AENR Year in Review and 2023 Legislative Priorities
- 11:10 a.m.**      **III. AENR 2023 Platform Update - ACTION ITEM**  
*Supervisor Chris Howard, Del Norte County, Chair*  
*Ada Waelder, AENR Legislative Representative, CSAC*  
*Catherine Freeman, AENR Senior Legislative Representative, CSAC*  
Attachment: 2023 AENR Platform Review Memo
- 11:20 a.m.**      **III. Roundtable**  
*Supervisor Chris Howard, Del Norte County, Chair*  
*Supervisor Heidi Hall, Nevada County, Vice-Chair*  
*Supervisor Daron McDaniel, Merced County, Vice-Chair*
- 11:30 a.m.**      **IV. Closing Comments and Adjournment**

November 15, 2022

To: CSAC Agriculture, Environment & Natural Resources (AENR) Policy Committee

From: Catherine Freeman, Legislative Representative  
Ada Waelder, Legislative Representative

Re: **AENR Year in Review and 2023 Legislative Priorities**

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## 2022 YEAR IN REVIEW

### *Signed into Law*

#### **AB 1811 (Fong) Local Flood Protection Plans**

AB 1811 requires local flood protection plans to include planning for climate change and rainwater and stormwater management. The bill would require the plan to additionally include an update on the status of coordination with water suppliers on how the management of flood waters can bolster local water supplies.

#### **AB 1985 (Rivas) Organic Waste**

This bill establishes a delayed and ramping timeline for CalRecycle to impose penalties on local jurisdictions which fail to reach organic waste procurement targets. Penalties will have to adhere to the following schedule:

- After January 1, 2023, a local jurisdiction shall only be subject to penalties if it fails to reach less than 33 percent of its procurement target;
- After January 1, 2024, a local jurisdiction shall only be subject to penalties if it fails to reach less than 66 percent of its procurement target; and
- After January 1, 2025, a local jurisdiction shall only be subject to penalties if it fails to reach less than 100 percent of its procurement target.

#### **AB 2048 (Santiago) Solid Waste Franchise Agreements**

AB 2048 requires local jurisdictions to post current franchise agreements between contract waste and recycling haulers and public agencies to their website. Cal Recycle will, in turn, maintain a publicly accessible database of these agreements.

#### **SB 45 (Portantino) Local Government Assistance for Organic Waste**

This bill formally directs Cal Recycle to assist local agencies in implementing SB 1383 which, requires cities and counties to reduce and eventually eliminate organic wastes from their disposal facilities to reduce methane emissions.

### **[SB 1186 \(Wiener\)](#) Medicinal Cannabis Patients’ Right of Access Act**

This bill requires all jurisdictions that do not allow cannabis retail as of January 1, 2022, to allow for delivery sales of medicinal cannabis. The bill also prohibits regulations that would impose “unreasonable restrictions” on the sale of medicinal cannabis. Local jurisdictions have until January 1, 2024, to develop and pass ordinances to comply. [CSAC opposed this measure](#), and worked with a coalition to remove more harmful provisions.

### **[SB 867 \(McGuire\)](#) Wildfire Debris Cleanup & Removal**

This bill requires CalRecycle to prequalify contractors to enter into contracts to perform prescribed wildfire debris cleanup and removal work in communities impacted by wildfires. Clean up of debris includes the removal, transport, and recycling/disposal of metals, ash, debris, concrete foundation, potentially dangerous trees and contaminated soil on residential, commercial and public properties.

### ***Vetoed by Governor***

### **[AB 2247 \(Bloom\)](#) PFAS Product Disclosure**

AB 2247 would require anyone manufacturing products containing perfluorinated or polyfluorinated substances (PFAS) to report their products to the Department of Toxic Substances Control. This requirement would go into effect in 2026. PFAS are a group of around 9,000 man-made products used in many household and industrial products. These chemicals do not breakdown, and thus have been called “forever chemicals.” PFAS have been found in the blood of humans and animals, soil, water, and air, and linked to harmful health impacts. [CSAC supported AB 2247](#), and it was vetoed by the Governor.

### **[AB 2550 \(Arambula\)](#) State Air Resources Board: San Joaquin Valley Air Pollution Control District: nonattainment**

AB 2550 would remove local control from the San Joaquin Valley Air Pollution Control District by transferring responsibility to regulate stationary pollution sources to the California Air Resources Board (CARB). CARB already has the authority to oversee local air quality management activities, and works closely in the development of air pollution plans. [CSAC opposed AB 2550](#), and it was vetoed by the Governor.

## 2023 AENR PRIORITIES

**Drought.** As California continues to experience extreme drought, the need for state and federal investments has become more important than ever. CSAC will support counties through advocacy for diversified regional water investments, continued watershed restoration projects and improved management of local water supplies. CSAC will emphasize core county roles including groundwater management, dry well monitoring and support, and water projects with co-benefits. This includes dam retrofits, flood and water-recharge investments, and support for low-income communities. CSAC will support efforts to bring options to areas with lower water availability through funding and actions with state agencies.

**Wildfire.** Hand in hand with drought comes extreme fire. CSAC will continue efforts to reduce wildfire risk through active participation in partnerships such as the Forest Management Task Force and land stewardship actions. We will support efforts to increase prescribed burning with best available practices, appropriate insurance risk, and training. In addition, it is critical to invest in programs that have co-benefits of reduced community wildfire risk and watershed conservation, advocate for regional wildfire and watershed program actions, community wildfire insurance, and wildland fire risk reduction through public and private working lands.

**Cannabis.** Throughout 2022 CSAC worked to update the County Platform to better reflect the ever-changing world of cannabis. CSAC will use the newly approved language to further our advocacy with regards to cannabis. The state must invest in resources to combat illegal cannabis and give counties the tools to ensure that they are able to appropriately address the fallout from unlicensed activity. However, cannabis is a major economic driver for many counties and CSAC's advocacy will go beyond enforcement to support the licensed market in new and creative ways.



November 3, 2022

OFFICERS

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Siskiyou County

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**EXECUTIVE DIRECTOR**

Graham Knaus

To: Agriculture, Environment, & Natural Resources Policy Committee

From: Ada Waelder, Legislative Representative  
Catherine Freeman, Legislative Representative

**Re: Agriculture, Environment, & Natural Resources Platform Review – ACTION ITEM**

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**Recommendation.** Staff recommends that the Agriculture, Environment, & Natural Resources (AENR) Policy Committee approve the recommended changes to the California State Association of Counties (CSAC) policy platform as drafted and forward to the CSAC Board of Directors.

**Background.** The California County Platform is a statement of basic policies on issues of concern and interest to California’s counties. CSAC’s policy committees and Board of Directors review the platform regularly, amending and updating when necessary. In addition, the CSAC policy committees recommend updates to their relevant platform chapters every two years, with action taken at the Annual Meeting by the respective committee and Board of Directors.

As part of this biannual process, the AENR staff in early October recommended a few changes to platform chapters and invited committee members to provide additional suggestions.

**Summary of Platform Changes:**

The proposed changes in the attached AENR Policy Platform document are technical and stylistic changes. For example, there are multiple places where the phrasing ties to a specific point in time, while our platform is intended to be a forward-looking document. In these instances the language was refined to fit better within the platform. In addition to technical changes, we would like to highlight sections with substantive changes.

Chapter 3 : Agriculture, Environment, and Natural Resources

- Section 1: Agriculture
  - Includes new language added on agritourism, climate smart adaptation, and fairgrounds.
- Section 2: Forests
  - Includes new language on forest management as relates to climate change. Updates to role of biomass in counties.
- Section 3: Mineral resources
  - Adds language on min claim sales.
- Section 5: Water Resources Management
- Section 6: Parks & Recreation

- Adds language to address staffing shortages on state park lands.
- Section 7: Solid Waste Management
  - Includes new language on recycling incentives.
- Section 9: Public Lands
- Section 12: Emergency Management
  - Adds language on funding for Sheriff's offices to aid in evacuation.
- Section 13: Energy
  - Adds explicit language on the importance of grid reliability.
- Section 14: Medicinal Cannabis
  - Deleted to move all cannabis topics in to Section 15.
- Section 15: Cannabis
  - Removes of the Medicinal Cannabis section to combine in to one section for all forms of cannabis.
  - Removes of many sentences that function more as a history of cannabis lawmaking to help keep the chapter concise.
  - Adds language acknowledging that cannabis serves as an important economic driver in many communities.
  - Adds language to address the importance of state/local partnerships.
  - Adds language to support "practical streamlining of cannabis licensing and permitting while maintaining local control."
  - Removes language about the imposition of outside of work cannabis use by employees.

#### Chapter 4: Energy

- Section 2: Energy Generation
  - Edits to this section are made up from reorganizing existing language.
- Section 7: Miscellaneous
  - Edits to this section are made up from reorganizing existing language.

#### Chapter 14: Climate Change

- Section 1: General Principles
  - Edits to this section are made up from reorganizing existing language.
- Section 5: Water
- Section 6: Forestry
  - Edits to this section are made up from reorganizing existing language.

**Action Requested.** Staff requests approval from the committee to advance the proposed changes to the CSAC Board of Directors.

**Attachment.** Track Changes copies of the relevant platform chapters.



# The California County Platform | Chapter 3 Agriculture, Environment, Natural Resources

*Adopted by the CSAC Board of Directors November 2020*

## INTRODUCTION

Counties recognize the necessity of balancing the need to develop and utilize resources for the support of our society ~~with~~ and the need to protect and preserve the environment. Counties also recognize that climate change and the release of greenhouse gases (GHG) into the atmosphere have the potential to dramatically impact our environment, public health and economy. Due to the overarching nature of the climate change issues, all sections in this chapter should be viewed in conjunction with ~~chapter fifteen~~ [Chapter Fourteen – Climate Change](#).

Counties assert that solutions necessary to achieve this delicate balance can best be formulated at the local level in cooperation with public and private industry ~~and as well as~~ state and federal government.

Processes must be adopted for all [proposed state and](#) federal ~~and state proposed~~ rules and regulations to include a detailed environmental and economic cost/benefit analysis. Additionally, proposed and existing state rules and regulations that exceed federal standards should be evaluated and justified.

## SECTION 1: AGRICULTURE

Counties recognize the importance of agriculture and its contribution to the state's economy. If California is to continue as the leading agriculture state in the nation, the remaining viable agricultural lands must be protected. In order to ensure that agricultural land protection is a statewide priority, the state, in cooperation with local governments, must ~~continue to~~ implement ~~existing policies or adopt new~~ policies which accomplish the following:

- Provide innovative incentives that will encourage agricultural water conservation and retention of lands in agricultural production;
- Promote agricultural economic development activities, [including but not limited to agritourism, local food processing facilities, and the implementation of new technologies](#).
- Support allocation of transportation resources to [the](#) improvement of ~~important~~ [critical](#) goods movement corridors and farm-to-market routes.



- Encourage the development of new water resources, [storage](#), and delivery systems.
- Provide research and development for biological control and integrated pest management practices.
- Ensure water and air quality standards are retained at a level that enables agricultural production to continue without significant lessening in the quantity or quality of production.
- Support the continuation of statewide public education curricula that address the essential role that agriculture plays in California and world economics.
- Promote California agriculture, protect it from pests and diseases and ensure the safety and wholesomeness of food and other agricultural products for the consumer.
- Foster a decision-making environment based upon input from all interested parties and analysis of the best available information, science and technology.
- Continue to build consumer and business confidence in the marketplace through inspection and testing of all commercial weighing and measuring devices.
- Encourage low impact/sustainable agricultural practices.
- Support the elimination of inheritance taxes on agricultural lands, ~~and,~~
- [Support full funding for, and protect investments in, the UC Cooperative Extension](#) given its vital role in delivering research-based information and educational programs that enhance economic vitality and the quality of life in California counties, [especially for rural and economically disadvantaged communities](#).
- [Support funding programs for diversified climate smart adaptation to agricultural operation infrastructure including, but not limited to, solar, water collection, storage, and organic and regenerative agriculture practices.](#)

#### Working with other Entities

The University of California's Cooperative Extension Service, County Agriculture Commissioners, Sealers of Weights and Measures, Resource Conservation Districts (RCDs), local farm bureaus, Coordinated Resource Management Planning committees (CRMPs), and Resource Conservation & Development Councils (RC&Ds) are valuable resources that can be relied upon to assist state and local governments with the implementation of the policy directives noted above, as well as other programs supporting agricultural and natural resources. Given the long-standing relationship between local [Cooperative Extension](#) offices, county

agricultural departments (i.e. County Farm Advisors and Agricultural Commissioners), RCDs, local farm bureaus, CRMPs, RC&Ds and individual counties, it is imperative that state and county officials develop ongoing support for these programs. Further, state and county officials are encouraged to remind other policy and decision makers of the importance of these entities and their value to agriculture, natural resources, the environment and community development.

### Williamson Act

Counties support revisions to the California Land Conservation Act of 1965, also known as the Williamson Act, that provide property owners greater incentives to continue participation under the Act. Additionally, counties are committed to support other reasonable legislative changes which preserve the integrity of the Williamson Act and eliminate abuses resulting in unjustified and premature conversions of contracted land for development.

Counties support the restoration of Williamson Act subventions. The state subventions to counties also must be revised to recognize all local tax losses.

### State and County Fairs

Whether state-owned/operated or county-owned, fairs are important assets to California's counties. They provide educational and competitive exhibits that highlight state and local industrial enterprises, resources and products. Fairs also provide the venue for a variety of agricultural and local community events and serve the state by assisting in emergency preparedness and response. Fairgrounds are critical facilities during local and statewide emergencies, including during wildfires, as evacuation centers and staging areas for emergency operations.

For these reasons, counties believe it is important these facilities be modernized and well-maintained to be sustainably run. The state is encouraged to assess the condition of these state facilities, some of which are in poor and unsafe condition, and take action to bring facilities into good repair. The state is also encouraged to identify whether existing fairgrounds meet the needs of local Agricultural Districts or if investments in new facilities would better serve the aforementioned purposes.

~~Unfortunately, declining budget resources threaten to force the closure of fairs throughout the state unless a new governance and funding structure is established.~~ Counties recognize that fairs represent a critical state and community asset that is in dire need of funding and strongly support the development of a comprehensive solution that will ensure the viability of the entire fair network.

## **SECTION 2: FORESTS**

Counties recognize the importance of forests to the state's economy. California is ~~the second~~ leading one of the top timber producing states ~~in the nation. As with agriculture, and, to~~

remain so, the state must protect and maintain its viable timberland base. Counties also recognize the importance of forestry in the context of climate change.

Effectively managed forests are critical to meeting state goals for climate change, climate resiliency, and GHG emissions. Just as importantly, overloaded forest fuels threaten rural communities, forest species, and natural ecosystems by abetting unprecedented catastrophic wildfires. ~~have less of a probability of releasing harmful greenhouse gases into the atmosphere and increase the potential for carbon sequestration.~~

Good forest management practices not only protect local communities, economic assets, ecosystems, and outdoor recreation, but also reduces the release of harmful greenhouse gases. This is especially true as the state experiences more extreme wildfire seasons, as a single year of megafires can release as much carbon emission tonnage as 16 years of state emissions reductions. To meet state climate foals, and ensure protection of the viable timberland base, it must become a statewide priority to implement existing policies or adopt new policies that accomplish the following:

- Continue reimbursement to counties for lost timber related revenues as currently provided under the Secure Rural Schools and Community Self-Determination Act of 2000.;
- Encourage sustainable forestry practices through the existing regulatory process and in collaboration with indigenous populations and tribal governments.;
- Encourage continued reforestation on private timberlands.;
- Provide new and innovative incentives that will encourage good management practices, such as prescribed burns, and timberland retention.;
- Support the State Fire Safe Council's mission to preserve California's natural and man-made resources by mobilizing all Californians to make their homes, neighborhoods, and communities fire safe.;
- Support for state and federal resources to address the tree mortality crisis in California.;
- Support the continuing work of the Governor's Forest Management Task Force.;
- Oppose any net increase in state or federal land acquisition, unless otherwise supported by the affected local governments, and until all ~~of the~~ issues and concerns of local jurisdictions are addressed or mitigated to their satisfaction.
- Support the state's Wildfire and Forest Resilience Action plan and better managements of state forest resources.

## Biomass

Counties recognize the problems and opportunities presented by biomass ~~bi-product~~ and accumulated fuels reduction efforts. However, counties view biomass as a critical technology for utilizing and removing nonsalable slash and forest fuels and potentially an important technology to help meeting state clean energy goals. The state of California must develop a coherent, integrated biomass policy that will guide forward-thinking regulation and help create a viable industry. <sup>[AW2]</sup> ~~investment for the next 20 years.~~ The state must give highest priority in the near term to the retention of its unique biomass energy industry, which is in danger of disappearing as the result of electric services restructuring and changes in energy markets. By integrating sstate and local air quality goals, wildfire prevention and waste management strategies into a statewide biomass policy, California will solve several critical environmental problems and create viable private industries, which will serve the public need.

## **SECTION 3: MINERAL RESOURCES**

The extraction of minerals is essential to the needs and continued economic well-being of society. To ensure the viability of this important industry and to protect ~~the quality of~~ the environment, existing and new statewide policies concerning mineral resources must accomplish the following:

- Encourage conservation and production of known or potential mineral deposits for the economic health and well-being of society.;
- Ensure the rehabilitation of mined lands to prevent or minimize adverse effects on the environment and ~~to~~ protect public health and safety.;
- Recognize that the reclamation of mined lands will allow continued mining of minerals and will provide for the protection and subsequent beneficial use of the mined and reclaimed land.;
- Recognize that surface mining takes place in diverse areas where the geologic, topographic, climatic, biological, and social conditions are significantly different and that reclamation operations and the specifications thereof may vary accordingly.;
- Oversee surface, pit, in-stream, and off-site mining operations ~~so as~~ to prevent or minimize adverse environmental effects.;
- Specify that determination of entitlements to surface mining operations is a local land use issue, provided that reclamation plans are obtained and enforced.

- [Recognize that surface mining in diverse locations throughout the state serves local economies and assists the state in meeting carbon reduction goals.](#)
- [Encourage state support in reforming local and federal claim systems to ensure information sharing between governments and prevent fraudulent claim sales.](#)

#### **SECTION 4: AIR QUALITY**

[This section should be read in conjunction with Section 8: Air Quality within the Climate Change Chapter of the County Platform.](#)

Counties fully recognize that clean air laws have been enacted to protect the public from the adverse and deleterious health effects of air pollution. However, any rules and regulations aimed at improving California's air quality must be developed with the input of local government. Rule makers working on air quality issues must ensure a balance between economic advancement, health effects and environmental impacts.

Counties assert that federal and state agencies, in cooperation with local agencies, have the ability to develop rules and regulations that implement clean air laws that are both cost-effective and operationally feasible. In addition, state and federal agencies should be encouraged to accept equivalent air quality programs, thereby allowing for flexibility in implementation without compromising air quality goals.

As it pertains to air quality regulations, distinctions need to be drawn between different types of open burning (i.e. wildland fuel reduction programs using prescribed fire v. agricultural burning). Efforts should continue to find economical alternatives to open burning in general.

Failure to meet air quality standards may jeopardize federal transportation funding statewide. Counties continue to work closely with congestion management agencies, air quality districts, metropolitan organizations and regional transportation agencies to ensure that transportation planning is coordinated with air quality objectives.

Many portions of the state, including the broader Sacramento area and mountain counties air basin, have been formally identified by the California Air Resources Board (CARB) as receptors of ozone-related air pollution transported from the San Francisco Bay Area and the San Joaquin Valley. Although the California Air Resources Board is considering actions that will help mitigate air pollution transport, the receptor counties are still potentially subject to sanctions if they do not take sufficient steps to achieve and maintain healthy air quality. Sanctions can take many forms, including lowered New Source Review thresholds in the receptor districts as compared to transporting districts and through transportation conformity. Given the potential impacts on the receptor counties, legislation and/or policy measures must be enacted that provide reasonable sanction protection for counties impacted by air pollution transport from upwind

areas. Other legislative or policy measures that would require the upwind areas to implement air pollution mitigation measures should also be considered.

Given its longstanding support of local autonomy, CSAC opposes the addition of state appointees to local air districts. Such an action would result in a loss of local control without perceived improvements to the public process and clean air efforts. However, technical support services at the state level such as research, data processing and specialized staff support should be maintained and expanded to assist local air quality management efforts.

## SECTION 5: WATER RESOURCE MANAGEMENT

### Water Resources Development

Counties recognize the complexities of water use and distribution throughout the state, and therefore should be officially represented geographically on all federal, state, and ~~for~~ regional water policy bodies and decision-making authorities. A comprehensive statewide water resource management plan – one that includes the upper watershed areas – is essential to the future of California. Such a plan should include a full assessment of needs for all users.

~~In relation to any specific water project, c~~Counties support statutory protection of counties of origin and watershed areas. These protections provide that only water that is surplus to the reasonable ultimate human and natural system needs of the area of origin should be made available for beneficial uses in other areas. A natural system includes the ecosystem, meaning a recognizable, relatively homogeneous unit that includes organisms, their environment, and all interactions among them. Additionally, the cost of water development to users within the areas of origin should not be increased by affecting a water export plan. ~~Furthermore, i~~n all federal and state legislation, county of origin protections should be reaffirmed, and related feasibility studies should clearly identify and quantify all reasonable future needs of the counties of origin to permit the inclusion of specific guarantees. Existing water rights should be recognized and protected.

Counties must be compensated for any third-~~p~~arty impacts, including, but not limited to, curtailed tax revenues and increases in costs of local services occasioned by an export project.

~~There currently exists a need for the development of~~ The state must develop new solutions to expand water resources to meet the ~~growing~~ needs of residents, the state. The increased demand for water is due to the rapid population growth, agricultural production needs, and industrial development, while balancing the protection of precious aquatic and riverine species. Projects should be considered that will create new water supplies through a variety of means such as recycling, water neutral developments, storm water capture, desalinization, waste water reclamation, watershed management, development of additional surface and groundwater storage and conservation. In building any new water projects, the state must take into account and mitigate any negative socio-economic impacts on the affected counties.

Counties support the incorporation of appropriate recreational facilities into all water conservation and development projects to the extent feasible.

### Water Rationing

~~One-size-fits-all statewide water rationing does not reflect the regional differences in water needs, consumption, and systems.~~ Counties oppose statewide mandatory water rationing programs that would establish unrealistic and unnecessary restrictions on some areas ~~of the state~~ and ~~which establish~~ inadequate goals for other areas. Instead, counties support a voluntary approach to water conservation that promotes a permanent "conservation ethic" in California. If water rationing does become necessary ~~in certain areas of the state~~, counties will need statutory authorization to impose water rationing decisions at the county ~~government~~ level.

### Water Conservation

~~The Legislature has recognized the need for water conservation.~~ Counties recognize the need for local programs that promote water conservation and water storage. Water conservation may include reuse of domestic and industrial wastewater, reuse of agriculture water, groundwater recharge, or economic incentives to invest in equipment that promotes efficiency. No conservation of water shall be recognized if the conservation arises from the fallowing of agricultural land ~~without for~~ compensation, unless the ~~b~~Board of ~~s~~Supervisors of the ~~affected~~ county ~~in which the water has been devoted to agricultural use~~ consents to the fallowing.

The Regional Water Quality Control Boards need to direct staff to issue permits for direct discharge of properly treated wastewater to promote reuse.

### Ground Water Management

It is CSAC's position that ground water management is necessary in California and that the authority for ground water management resides at the ~~county~~ basin level. Adequate management of water supply cannot be accomplished without effective administration of both surface and ground water resources within counties. Ground water management boundaries should recognize natural basins and responsibilities for administration should be vested in organizations of locally elected officials. Private property rights shall be addressed in any ground water management decisions.

Ground water management programs should maintain the flexibility to expeditiously address critical localized and basin-wide problems. Studies necessary to design ground water programs should be directed by local agencies with technical or economic support from state and federal programs.

Implementation of the Sustainable Groundwater Management Act shifted the role of groundwater management to locals, including the development ~~in some areas~~ of Groundwater Sustainability Agencies (GSA) ~~that~~ which are charged with balancing groundwater use through enforceable Groundwater Sustainability Plans. It is CSAC's position that planning and land use

decisions reside with the county, and therefore any planned changes must be implemented within the county land use authority.

### Financing of Water Management

Counties throughout California face many funding challenges ~~when addressing and needs that involve~~ storm water, flood control, groundwater management requirements, and compliance with water conservation requirements. ~~Pr[AW3]oposition 218 creates challenges for local government to manage water responsibly for public safety, and environmental and conservation purposes. Given all of the changes that have occurred and requirements enacted since the 1970's relative to how the State manages its water resources, voters should be provided with the opportunity to consider constitutional reforms that reflect the needs of modern water management.~~

CSAC supports constitutional reforms to address the unintended consequences of Propositions 218 for local governments' ability to manage water responsibly. These reforms should maintain high standards of transparency and accountability, while providing local agencies with the needed flexibility to enact funding mechanisms that will enable them to improve supply reliability, maintain water quality for public and environmental health, and protect the state's residents and businesses from harmful flooding.

### Flood Control & Flood Protection

~~As California faces increases in both the frequency and intensity of flood-producing weather events,~~ Long-term flood control ~~projects improvements~~ are necessary ~~in order~~ to provide improved flood protection and minimize future damages. Local, state, and federal agencies should work to improve communications, coordination, and ~~unity of effort consistency~~ prior to and following a flood disaster. Counties are encouraged to look for funding opportunities to move structures out of ~~historical and newly expanding~~ flood plains.

CSAC supports and encourages the U.S. Army Corps of Engineers, ~~through the Waterways Experiment Stations,~~ to adopt innovative geo-technical (high-tech) inspections systems to identify unexpected voids and saturated sand lenses in government-authorized levees. CSAC further supports ~~follow up by the Army Corps with a~~ recommendations ~~from the Army Corps~~ for non-federal sponsors to add these techniques to ~~their~~ annual levee inspection programs.

Counties continue to experience frustration when applying for the state and federal permits ~~that are~~ required to repair, restore, and maintain flood control facilities. Counties support streamlining of such permits ~~or and~~ any other efforts that would allow expeditious implementation of ~~such~~ flood control activities.

Counties recognize the need for environmental mitigation measures to protect endangered species. The unique need for ongoing and routine levee maintenance must be reconciled with reasonable mitigation requirements. Solutions could include blanket "take permit" exempting levee maintenance from compliance and a more efficient process for routine maintenance.



Counties further recognize that providing habitat and flood control may not be mutually achievable goals within river, stream, or ditch channels. However, ecosystem restoration projects may provide flood control benefits and will require detailed hydraulic and other engineering studies to assess the individual and cumulative hydraulic impacts in floodways. Counties also recognize that habitat areas shall be maintained in such a manner as to not obstruct the flow of water through the channel. Further, the river, stream and ditch channels should also have blanket "take permits" issued to allow for proper cleaning of obstructions to the water flow and/or carrying capacity.

Federal and state agencies that ~~have the expertise and have been funded to identify, protect and~~ are responsible for species that would be harmed in the course of flood control projects – such as levee reconstruction, maintenance or repairs – must be charged with the rescue of these species and not the local government performing such activities in collaboration with local jurisdictions. These agencies have the expertise and funding to identify and protect species in ways that counties cannot. <sup>[AW4]</sup> ~~These local governments have little, if any, expertise in the identification and rescue procedures of threatened and endangered species.~~ This identification and rescue should be accomplished in the most expedient time frame practicable. The federal agencies should be required to consult with the local action agencies within thirty days of any species rescue determination.

In respect to locally sponsored flood control projects, CSAC shall continue to urge the administration and the legislature to fully fund the State Flood Control Subvention Program.

#### Flood Protection in California Statement of Principles <sup>[AW5]</sup>

~~The California State Association of Counties (CSAC) CSAC~~ believes that the ~~state~~ flood control system must be viewed as a complete functioning system and funded accordingly. Intermittent and piecemeal efforts at mapping, maintaining, and repairing the system have ~~not~~ <sup>yes</sup> proven to be inefficient, costly and generally ineffective. CSAC also recognizes the critical need for new projects and repairs within the existing flood control infrastructure and the necessity of ensuring the ongoing maintenance of all components, from upper watershed to end-users. ~~As such, CSAC has developed the following flood protection principles and policy guidelines that CSAC can use as a base for lobbying efforts on behalf of counties.~~

#### Flood Protection Funding

CSAC supports ~~a~~ statewide, multi-level funding ~~approach to funding for~~ new flood protection projects, mapping, system improvements ~~to the system~~, and the maintenance and operation of all flood mitigation efforts, ~~including~~ This includes upper watershed flood positive mapping and watershed rehabilitation, coastal watershed mitigations and flood protections plans, and other identified projects in each of the state's 10 flood control zones. CSAC also recognizes that appropriations or bond funds earmarked for flood protection must be equally available to all areas of the state.

- CSAC would consider the use of financial incentives to encourage local governments to adopt flood related planning activities if such incentives applied equally to all

jurisdictions affected by the statewide flood control system and were based on a uniform standard, such as the [eCommunity #Rating sSystem](#) used by [the Federal Emergency Management Agency \(FEMA\)](#).

- CSAC supports full funding for the State’s Flood Control Subventions Program within the Department of Water Resources to ensure appropriate staffing and reimbursements for delinquent and future claims.
- CSAC supports funding mechanisms originating within all levels of government, [including local, state and federal](#), but not relying solely on ratepayer shares.
- CSAC encourages state and federal funding that is stable, predictable, and sufficient for planning, capital projects, and ongoing operation and maintenance costs.
- CSAC supports prioritizing funding for improvements to areas deemed to be at the most risk in the statewide flood control system.
- CSAC supports a variety of funding sources which may include but are not limited to: statewide bond measures, statewide and local assessments, developer fees, wheeling charges, beneficiary pays, and the creation of a maintenance endowment fund.
- CSAC supports identifying specific dollar amounts for flood protection within any bond measure, and supports the minimization or elimination of local matching requirements.
- CSAC supports funding being made available for both capital costs and operation and maintenance of the system.
- All state flood protection funding shall be protected under Proposition 1A.
- CSAC will continue to support efforts to exempt flood control and storm water fees from the voter approval requirements of Proposition 218.

#### Flood Protection & Levee Integrity

CSAC supports the assessment of the integrity of the statewide flood control system provided it is not to the exclusion of investing in actual and critical project improvements.

- In assessing the integrity of the flood control system, CSAC believes that project levees shall be distinguished from non-project levees; and levees that protect agriculture, urban areas or critical infrastructure shall be distinguished from each other.
- CSAC supports the assessment and inclusion of non-project levees into the statewide project levee system, as they are integral to the overall water management system.

- CSAC supports the use of formal, uniform, and reliable federal standards relating to levee integrity and the flood management system upon which all flood control agencies and jurisdictions can rely.
- CSAC supports the targeted and expedited assessment of levees in problem areas and supports operators at the local level who are willing to provide their expertise to agencies tasked that are tasked with assessing the integrity of California’s flood protection system.
- While CSAC recognizes the need for detailed studies of the flood protection system, we support a reasonable ratio of time and funds for this purpose to be balanced by the urgent need for actual flood protection to protect threatened areas.
- CSAC supports the use of forecast-based management of the statewide flood protection system.
- CSAC supports the rehabilitation of the upper watershed areas for partial mitigation of flood events affecting downstream reservoirs and control systems.
- CSAC supports recognition of the Sacramento-San Joaquin Delta as a critical region of statewide importance encompassing vital water, transportation, energy, agricultural, [environmental](#), and economic interests. As such, funding to assure the adequacy of its flood protection systems is of statewide importance.

#### Mapping the Flood Protection System

CSAC supports the creation of updated detailed FEMA and Statewide Awareness Maps and acknowledges the need for such maps to be created as soon as possible. The updated maps should be based on general plan build out of the watershed or a reasonable build out scenario. If FEMA must maintain a floodplain map based on existing development, then it should include a second floodplain zone based on a reasonable watershed build out.

CSAC opposes changing federal standards from the current 100-year flood designation to a 200-year standard without a clear demonstration of the benefits and the attendant amount of funding that would enable local governments to achieve the new standard.

#### Development in Flood Prone Areas

While CSAC [recognizes the existing role of state agencies to review and comment on development proposals, it ultimately](#) opposes any state preemption of local land use authority and reiterates that land use decisions must remain at the local level. CSAC supports the strengthening of flood protection policies in State General Plan law while recognizing the value of agricultural uses, existing natural resources and housing needs of each region in the state. [In addition CSAC supports:](#)

- ~~CSAC recognizes the existing role of state agencies to review and comment on development proposals.~~<sup>[AW6]</sup>
- ~~CSAC supports u~~Updated building standards to reflect appropriate flood prevention standards.
- ~~CSAC supports e~~Efforts to ensure that every local entity creates an emergency flood response management plan that would include such items as emergency response protocols, integrated regional communications and emergency evacuation plans.
- ~~CSAC believes that new development should pay its fair share, up to the full cost of project related impacts including mitigation, to achieve a designated level of flood protection. Furthermore new development should be a part of the funding solution relative to the maintenance and operation costs of project related flood protection.~~<sup>[AW7]</sup>
- ~~CSAC supports the u~~Updates ~~of to~~ the California Environmental Quality Act (CEQA) Guidelines Checklist to ensure that projects are evaluated for flooding impacts.

CSAC believes that new development should pay its fair share, up to the full cost of project related impacts including mitigation, to achieve a designated level of flood protection. Furthermore new development should be a part of the funding solution relative to the maintenance and operation costs of project related flood protection.

#### Regulatory Streamlining for Flood Protection Projects

CSAC supports improvements to the regulatory process for flood protection projects, especially those deemed to be imminent threats. These needed improvements include:

- ~~CSAC supports a~~An expedited permit process for flood protection projects, including maintenance and operation work.
- ~~CSAC supports b~~Better coordination between state and federal regulatory agencies and clear direction on flood control requirements and responsibilities.
- ~~CSAC supports p~~Programmatic Environmental Impact Reports (EIRs) and standardized mitigation measures for the flood management system, levee maintenance and capital projects that fall under certain thresholds.
- CSAC opposes repeated mitigation requirements in connection with any ongoing maintenance of the flood management system, projects, and facilities.

#### Flood Insurance

CSAC supports outreach and notification efforts by all levels of government to people at risk in identified flood prone areas. CSAC supports the establishment of an outreach or notification

program administered by the state to educate the public regarding the level of risk they face in identified flood prone areas. Such efforts by the state shall be developed with input from, and coordinated with, local government.

While CSAC supports efforts to encourage property owners to secure and maintain flood insurance, counties have concerns about CSAC is concerned about the possible effects of any new state-imposed flood insurance program and would oppose any mandates requiring local governments to administer such a program.

CSAC supports efforts to encourage property owners to secure and maintain flood insurance.<sup>[AW8]</sup>

### Flood Control Protection Liability

CSAC opposes the transfer of primary liability for the statewide flood control system to local jurisdictions. and believes there should be a proportional and equitable distribution of liability between all levels of government associated with the statewide flood control system. CSAC supports the enactment of a State Hazard Mitigation Plan law to provide funds for targeted relocation efforts in high-risk areas. In addition, CSAC supports a defined standard of liability for flood control infrastructure

- CSAC supports a defined standard of liability for flood control infrastructure
- 1) CSAC supports a proportional and equitable distribution of liability between all levels of government associated with the statewide flood control system
- CSAC supports the enactment of a State Hazard Mitigation Plan law to provide funds for targeted relocation efforts in high-risk areas.<sup>[AW9]</sup>

### Delta & State Water Policy

CSAC acknowledges the reliance of counties on the Delta as a water delivery system, and recognizes the urgency with which all of the Delta partners, including the State, must act to resolve and fund infrastructure, environmental and supply issues.

As the nation's most populous state, California faces many complicated and compelling water resource issues. The California State Association of Counties (CSAC) CSAC recognizes the complexities of water use and distribution throughout the state and has reiterated its position on this issue over the years through various policy statements, including, but not limited to support for statutory protection of counties of origin and watershed areas, support for existing water rights, the need for new and expanded water resources, and the need for local water conservation efforts. This section of the County Platform is consistent with other existing CSAC policy guidelines concerning water, land use, agriculture, forestry, climate change and flood protection.<sup>[AW10]</sup>

Decisions regarding the Delta necessitate the inclusion of policy direction in CSAC's platform to ensure consideration of county interests. These proposed policies ~~also build upon CSAC's existing policy that~~ recognizes the Delta as a critical region of statewide importance encompassing vital water, transportation, energy, environment, agriculture and economic interests. ~~The proposed policies will be relied upon by CSAC staff in conjunction with existing CSAC policy in developing recommendations regarding statewide water policy, planning, guidance and projects.~~<sup>[AW11]</sup> CSAC believes that any proposed Delta solutions be implemented in a manner that:

- Respects the affected counties' land use authority, revenues, public health and safety, economic development, water rights, and agricultural viability.
- Promotes recreation and environmental protection.
- Ensures Delta counties' status as voting members of any proposed Delta governance structure.
- Improves flood protection for delta residents, property, and infrastructure.
- Improves and protects the Delta ecosystem, water quality, flows and supply.
- Ensures consistency with affected counties adopted policies and plans.
- Secures financial support for flood management, improved emergency response, preservation of agriculture, protection of water resources, and enhancement and restoration of habitat.
- Accords special recognition, and advances the economic vitality of "heritage" or "legacy" communities in the Delta.
- Demonstrates a clearly evidenced public benefit to any proposed changes to the boundaries of the Delta.
- Support development of adequate water supply, utilizing the concept of "Regional Self Sufficiency" whereby each region maximizes conservation and recycled water use, implements storage (surface and groundwater) and considers desalination, as necessary.

## **SECTION 6: PARKS AND RECREATION**

Counties are encouraged to consider supporting the efforts of the California Association of Regional Park and Open Space Administrators to provide for the health, safety and quality of life for all Californians by protecting parkland and open space.

Counties support statewide efforts to provide funding [for planning, capital investments](#), and programs to develop access to parks for all persons.

[Counties request better staffing of State Parks lands which have become overused and under-patrolled. This has led to an inundation of trash, human waste, pollution, public safety issues, and fire threat which greatly impact counties and cities that house the parks.](#)

## SECTION 7: SOLID WASTE MANAGEMENT

CSAC supports policies and legislation that aim to promote improved markets for recyclable materials, and encourages [the creation of economic incentives for the use of recycled materials, and especially the use of recycled content in products sold in California. Counties encourage the state to look at the issues of recycling through not just an environmental context, but a market issue to increase the value and reduce the cost of recycled materials. Counties also support the expansion of the Beverage Container Recycling Program.](#) ~~the following:~~

~~It is critical that S~~solutions [be developed](#) to [address](#) a number of global policy reforms, including China's National Sword Program, which has dramatically reduced California's market for recycled plastic and paper. Solutions should focus on market expansion, source reduction, recycled content requirements, and a focus on reducing ~~of~~ single-use plastic materials.

- ~~• The use of recycled content in products sold in California;~~
- ~~• The creation of economic incentives for the use of recycled materials; and,~~
- ~~• The expansion of the Beverage Container Recycling Program.~~

CSAC shall support legislation that:

- Protects local solid waste franchising and fee-setting authority.;
- Provides for the use of performance standards and alternative daily cover for landfills.;
- Requires state facility cooperation with local jurisdictions on waste reduction to meet AB 939 and organic waste diversion goals.

- Promotes the development of conversion technologies as an alternative to land filling, and provides state funding to local jurisdictions for such projects; provides full diversion credit and greenhouse gas emission reduction credits under applicable state law; and, provides that all energy produced by these conversion technology facilities be designated as renewable energy.

CSAC shall oppose legislation that:

- Preempts local planning decisions regarding solid waste facility siting.
- Preempts local solid waste and AB 939 fee-setting authority.
- Requires burdensome changes to locally adopted plans.

CSAC does not oppose legislation that assesses fees on solid waste that is disposed of out of state, as long as the fees reflect the pro-rata share of California Integrated Waste Management Board services used.

CSAC supports an Extended Producer Responsibility Framework Approach to the end-of-life management of products, which creates effective producer-lead reduction, reuse and recycling programs, to deal with a product’s lifecycle impacts from design through end of life management, without relying solely on state and local governments.

In order to comply with the diversion requirements of the California Integrated Waste Management Act, local governments must continue to have the ability to direct the flow of waste. Given federal and state court decisions which restrict this ability, counties are encouraged to consider supporting legislation which ensures local governments' authority to direct the flow of waste.

CSAC supports efforts to improve access to resources that would help counties and our waste hauler partners implement the State’s Organic Waste Diversion Regulations as required under SB 1383 (Lara, Chapter 395, Statutes of 2016). In addition, CSAC supports efforts to create more flexible SB 1383 implementation deadlines and requirements as a co-equal partner in achieving California’s waste management goals.

**SECTION 8: ENDANGERED SPECIES**

~~Because~~ While protection of endangered species provides great benefits to counties, ~~of widespread impacts of the~~ state and federal endangered species acts ~~have widespread effects~~ on public projects, agriculture, timber and other industries in California, including the resulting impact on county revenues. ~~Both~~ Both acts should be amended to provide for the following:



- Recognition and protection of private property rights and local government's land use authority.
- All those who benefit should pay the costs. It should be recognized that inequity exists concerning the implementation of the existing acts in that the cost of species protection on private property is borne by a few property owners for the benefit of all.
- If Congress and the state legislature deem the protection of certain species is of national interest, then the responsibility for that protection, including the costs, should be assumed by all who benefit through federal and/or state funding, and a process should be adopted which is consistent with other public projects of national interest.
- Applications for a listing should be required to include a map of critical habitat, a recovery plan and an economic and environmental analysis of costs and benefits.
- The development of a delisting process that is as aggressively adhered to as the listing process.
- The creation of a scientifically based and efficient process for delisting.
- Include independent scientific peer review, local public hearings, and equal access to judicial review.
- Delegation of implementation of the Federal Endangered Species Act to the state.
- Full compensation to property owners when historical or future use of their land is diminished.
- Use of public lands first for multi-species protection.
- Prohibit the distribution of public grant funds to private entities that seek to support or oppose listings or delisting of endangered species.
- Control of protected species that prey upon and reduce either the adult or juvenile population of any listed species.
- Protection of current land uses.
- Support recovery efforts of endangered species.
- The ability to produce food, fiber, and all other agricultural products is not abridged.

- Agricultural produces should not be held liable for any “take” that occurs during normal agricultural operations.

## SECTION 9: PUBLIC LANDS

Plans for state and federal public lands shall be coordinated and compatible with local general plans and zoning. Private uses on public federal lands, exclusive of Native American lands, should be required to comply with applicable state and local laws. In addition, counties should be reimbursed for lost tax revenues when land is transferred for non-profit or public uses.

Counties should have an opportunity to review and comment on management decisions affecting their economies, general plans and resources. Public participation, including public hearings, should be required in land use planning on public lands to ensure that economic or environmental concerns are addressed.

Counties encourage the operation and ownership of land resources under private rather than governmental control. Lands acquired by government or utilities for ~~particular-specific~~ purposes which are no longer essential should be returned to private ownership – with preference to previous owners where possible – and without reservation of water and mineral rights. Small, isolated units of publicly held property should be offered for sale to private operators, with preference to adjacent owners.

Government should be required to demonstrate, using reliable data, an integrated program of land use and the need for the acquisition before being permitted to purchase, further expand, or transfer land from one governmental agency to another. Management plans and budgetary information should be required on all lands proposed for acquisition by governmental agencies prior to such acquisition, so that they can be made part of the public hearing process.

The practice of government funding through grants or other means to organizations and foundations in order to purchase private land that will be resold or donated to some governmental entity threatens to diminish the tax base of local units of government. As a result, counties’ tax base should be kept whole in the event of federal or state purchase of land.

Counties support the multiple use of public lands. Uses of these lands include grazing, mining, timber, wildlife and recreation. Lands under governmental control should be actively managed in concert with private activities to encourage the greatest use and improvement. Counties believe that timber harvest, mining, and grazing activities are a valuable component of ecosystem management in some instances and that recreational activities, impacts on wildlife, and natural events like fires and floods must be considered. Properly managed land results in higher sustained yields of water, forage, timber, minerals, and energy. Grazing and logging are important elements of the multiple-use concept. Therefore, counties support efforts to minimize additional acreage designated as wilderness, unless otherwise supported by the

affected local governments, and all of their issues and concerns are addressed or mitigated to their satisfaction.

Reforestation and continued management of public lands with suitable soils for producing forest crops are essential to maintaining a viable forest industry in California. Timber stand improvement is needed and required for producing maximum yields both for quality and quantity of timber products. Additionally, comprehensive fuels management programs are encouraged for the protection and sustainability of ~~timber producing all public~~ lands. Counties support economically and environmentally sound management of ~~public~~ forests for the production of forest products, which support local industry, recreational uses, and, in the case of National Forests, maximize federal payments for support of local government.

### Federal and State Compensation

Adequate compensation must be made available to local governments to offset the costs of providing services to public lands. Current federal compensation programs, such as the Secure Rural Schools and Community Self-Determination Act (PL 106-393), should be retained with respect to land where harvesting is severely limited or no longer occurs. Counties continue to support a per acre charge for any land which has historically received revenue timber receipts.

~~Information regarding e~~County revenues generated from federal lands are at great risk in <sup>[AW12]</sup> ~~AW12] dicates that receipts are down, will continue to go down, and are not likely to change direction in the near future.~~ In order to ensure that a system is in place that is fair and equitable, a revenue sharing and/or Payment-In-Lieu-of-Taxes (PILT) payment in lieu of taxes system must meet three criteria:

- 1) Equitable - The federal government must compensate the state and counties at a level that is consistent with revenues that would be expected to be generated if such lands were not in federal ownership and management.
- 2) Predictable – The system in place must provide some assurance and predictability of the level and timing of revenues; and,
- 3) Sustainable - Revenues should be maintained over time; and changes in federal policies in the future should not adversely affect local communities.

CSAC shall continue to pressure the state and the federal government to meet its statutory obligation to annually pay local agencies full in-lieu fees and payments in lieu of taxesPILT for state and federal purchased properties. CSAC supports the premise that no new state or federal acquisitions of private property shall occur until state in-lieu fees and federal payments in lieu of taxesPILT are fully funded. Federal legislation is needed to provide additional compensation for those public land counties that meet specified hardship criteria. In light of the increasing use of public lands and the danger of mega wildfires throughout the state, these funds are more crucial than ever.

### U.S. Forest Service (USFS) and Bureau of Land Management (BLM) Exchanges

Counties recognize that efficient management of public lands requires land adjustments to ensure manageable units and prevent conflicts with adjacent private land uses. Land exchanges and purchases are the usual means available to the two federal agencies. ~~[[AW13] ripartite and direct timber for land exchange are permitted under federal law.~~

Counties will support the federal agencies in these exchange and consolidation efforts when:

- 1) Better and more productive management of public land will result;
- 2) Counties affected are consulted and given opportunity to help determine acquisition of local lands in exchange process and negative effects are fully mitigated;
- 3) County revenues, including PL 106-393 and ~~payment in lieu of taxes (PILT)~~ are protected or enhanced;
- 4) Areas slated for disposal in exchanges are included in the county general plan and classified as to probable use (e.g. residential, TPZ, commercial); and
- 5) Land-for-land exchanges enhance the counties and result in no net loss of value.

Counties support efforts to streamline and shorten the federal land exchange procedure so mutually beneficial consolidations will be more attractive and expeditious.

### Local Use of Public Lands

Counties support legislation and land management policies to enable local agencies to acquire state and federal lands for public purposes. There are cases where viable excess public lands and not locally pursued due to the difficulty and time investment to acquire it. Where lands do not have an existing use, are not aligned with core agency purposes, or are effectively surplus or vestigial, the process for transfer to local governments should be streamlined.

### Waste Disposal on Public Lands

Counties experience considerable difficulty locating and maintaining facilities to dispose of solid waste. Counties with large areas of state and federal lands used for recreation are required to assume the responsibility of disposing solid waste generated by these recreational activities. The entities that administer these public lands should assume responsibility for providing sites for solid waste disposal and funds for development, maintenance, and operation of such sites.

## SECTION 10: INVASIVE SPECIES CONTROL

Counties support aggressive action by federal, state, and local agencies to limit the spread, and to enhance the eradication of, identified invasive plants and animal species, ~~and~~ Counties support prioritizing the efforts that are most attainable and cost-effective.

## SECTION 11: PREDATOR CONTROL

Counties benefit from the established federal-state Cooperative Animal Damage control ~~program through reduced cooperative programs to support predator control to reduce~~ <sup>[AW14]</sup> livestock depredation, ~~and prevent~~ property damage, ~~as well as and protect~~ public health ~~protection~~.

Counties support predator control ~~and promoting~~ program efficiency through cooperative federal-state-county programs.

~~Ch~~ <sup>[AW15]</sup> ~~anges in state law have removed many tools previously utilized by landowners and Animal Damage Control professionals for use in predator control. The result is an increased need for additional Animal Damage Control professionals.~~

Counties support expanded program funding through the ~~current~~ Federal-State Cooperative Animal Damage Control program and strongly support equal cost sharing between counties and cooperative agencies.

## SECTION 12: EMERGENCY MANAGEMENT

CSAC ~~shall~~ supports legislative and regulatory proposals that maximize California counties' ability to effectively mitigate, prepare for, respond to, and recover from natural and man-made disasters and public health emergencies, protecting both physical and fiscal health. Such proposals must recognize that the 58 California counties have unique characteristics, differing capacities, and diverse environments. In addition, emergency management and homeland security policies, practices, and funding should be designed to promote innovation at the local level and to permit maximum flexibility, so that services can best target individual community needs, hazards, threats, and capacities. To achieve this broad-based policy direction, CSAC shall:

- Support adherence to the Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS) processes, especially as they relate to the operational area concept.
- Advocate for broad county access to technology and infrastructure that offer effective and wide-ranging communications capabilities for alerting the public in emergency situations.

- Work to ensure that proposals that impose responsibilities upon counties are accompanied by full and flexible funding.
- Advocate for improved coordination between state and local offices of emergency services and state and local departments with health and safety-related responsibilities (e.g. California Health and Human Services Agency, Department of Health Services, and the Emergency Medical Services Authority, and county offices of emergency services, county health agencies and local emergency services agencies<sup>[AW16]</sup>.
- Support full, sustained, and flexible funding for on-going emergency preparedness and all hazard planning, including provisions for establishing a baseline emergency management capability in each county.
- Support grant processes, procedures, and guidelines that allow full funding for personnel in order to carry out emergency management and homeland security mandates.
- Support efforts to reform the existing state and federal grant funding structure ~~that result in~~ to create a streamlined and flexible process for Homeland Security, emergency management, and disaster preparedness programs and services for the protection of Californians' physical and fiscal health and wellbeing.
- Support full and flexible funding for on-going emergency preparedness exercises and training, focusing on an all hazards approach, at the state and local level.
- Support full and flexible funding for emergency communication system interoperability between all local government agencies and the State of California.
- Advocate at the federal level for policies and requirements that are practically achievable by local governments.

### Fire Protection

Fires are best prevented and fought through long-term fuels management and other anticipatory mitigation actions. Such fire protection efforts must be integrated and supported by other natural resource programs and policies. Counties support the achievement of a sustainable ecosystem and the maintenance of healthy forests while providing defensible space for protection of life and property. Governmental agencies alone cannot achieve fire safe communities; private property owners are also obligated to take necessary actions to reduce their fire risk.

Counties further support an increase in sustained state and federal funding for fuels management. However, given existing concerns expressed by counties regarding the allocation

of fire protection resources, it is imperative that local governments be included in any effort to develop appropriate allocation of these resources between pre-fire management and fire suppression.

Fires are best fought by rapid response from trained firefighters. Counties support ~~CDF's~~ [the Department of Forestry and Fire Protection's \(CAL FIRE\)](#) reconnaissance and rapid response systems. Counties support state funding of local fire agencies – both paid and volunteer – [for wildland fire response](#), and local Fire Safe Councils ~~for wildland fire response~~. [CSAC supports funding for Sheriff's offices for evacuation planning, and local OES's for County vegetation management, and Firewise Community support.](#)

#### Prescribed Fire

The state of California should pursue alternate [and practical](#) methods of biomass disposal that conserves energy in order to reduce the wildland fuel volumes consumed by prescribed fire.

Where alternative methods are not available, the state of California should assume greater responsibility in the development of a less restrictive program of prescribed fire for forest and range improvement, enhancement of wildlife, watershed management and reduction of major wildfire hazards.

Solutions must be found to the problems of liability when a county maintains a controlled burning program.

~~The State Department of Forestry and Fire Protection~~ [CAL FIRE](#) and the State Air Resources Board should ~~arrive at~~ [develop](#) a joint policy concerning controlled burning so that counties will be dealing with one state government policy, rather than with two conflicting state agency policies.

#### Environmental Health

Recent environmental hazard events across the State have demonstrated the need to bolster enforcement actions and local authority to prevent environmental incidents from occurring. Counties support policies to prevent and protect the public and the environment from hazardous incidents by improving enforcement of hazardous waste laws and regulations, and strengthening oversight and regulations of facilities that treat, store, or dispose toxic substances and pose an endangerment to public health and safety. Additionally, Counties also support legislation that expedites the cleanup of environmental hazards, and increases resources for remediation activities, and increases community engagement.

### **SECTION 13: ENERGY**

This section should be viewed in conjunction with Chapter 4, which includes CSAC's Energy Policy Guidelines. It is CSAC's policy that the state and the 58 counties should seek to promote

energy conservation and energy efficiency. Counties are encouraged to undertake vigorous energy action programs that are tailored to the specific needs of each county. When developing such action programs counties should:

- Assess available conservation and renewable energy options and take action to implement conservation, energy efficiency and renewable energy development when feasible.
- Consider the incorporation of energy policies as an optional element in the county general plan.
- Consider energy concerns when making land use decisions and encourage development patterns which result in energy efficiency.

In order to meet the state's energy needs, counties fully recognize the importance of establishing a cooperative relationship between other levels of government and the private sector. This includes working with public and private utilities that serve their areas to develop energy transmission corridors and to minimize delays in approvals and land use conflicts.

With respect to alternative and renewable energy sources, the state and counties should encourage use of agricultural, forestry and non-recyclable urban wastes for generating usable energy. They should also take into consideration the other benefits of waste-to-energy production. Additionally, the state should encourage, and counties should explore, the development of cogeneration projects at the local level. In respect to public power options, counties support efforts that enhance local governments' ability to become community aggregators of electricity.

[It must be recognized that in many parts of California, especially rural areas, power outages have become a regular occurrence for a number of reasons including a lack of grid reliability and the implementations of fire-safety measures. This not only puts communities and individuals at risk, but contributes to the expanding use of backup generators, propane reliance, and hesitance to transition to cleaner, more reliable technologies. This is an unsustainable situation that needs urgent state attention.](#)

Counties support the encouragement of new [sustainable energy](#) generation facilities by the provision of increased incentives and a streamlined permitting process. However, state government needs to maintain regulatory oversight of these facilities. Lastly, counties oppose state acquisition and/or management of electric generating or transmission facilities.

#### **SECTION 14: MEDICAL CANNABIS** [AW17]

~~CSAC believes that the constitutional police powers of counties to protect the health, safety, and general welfare of the public authorizes counties to take actions to address what an~~



~~elected Board of Supervisors legislatively determines to be the negative secondary effects of medical cannabis dispensaries and cultivation. The proliferation of such dispensaries and cultivation has created a variety of problems in many areas of the State. Counties must be able to enact prohibitions or regulations in the face of threats to the public health, safety and general welfare. Such decisions represent legislative judgments made by locally elected legislative bodies about the wisdom and need for local control over a particularly vexing and unusual land use. Under well settled constitutional separation of powers principles, deference must be afforded to the legislative judgments made by locally elected officials, who are in the best position to evaluate local conditions, community needs, and the public welfare. Accordingly, CSAC believes that any legislation to develop a statewide program for the regulation of medical marijuana dispensaries and cultivation must allow individual local governments the discretion to either adopt that program in full, to modify the program as they see fit, or to opt out of the program completely.~~

~~In addition, the cultivation of cannabis is often accompanied by land use and operational activities such as clearing of land, grading, road building, water withdrawals from streams and application of herbicides, pesticides and fertilizers. These activities are routinely regulated and enforced by Federal, State and local agencies when they are associated with industries such as timber, ranching or farming, so as to reduce their potential impacts on the environment. CSAC believes responsible agencies should be given clear guidance and adequate resources to regulate and enforce existing environmental laws when they are associated with the cultivation of cannabis. CSAC also supports a requirement that state agencies coordinate with local governments to ensure uniform application in enforcement efforts.~~

## **SECTION 15: CANNABIS**

On November 8, 2016, voters passed Proposition 64, the Adult Use of Marijuana Act (AUMA), legalizing the adult use of cannabis in California. AUMA contains broad local regulatory and taxation authority, allowing local governments to decide how best to regulate – and impose local taxes on – the retail sale and cultivation of cannabis in their respective communities while integrating local regulatory programs within a larger state licensing system. [AUMA](#)<sup>[AW18]</sup> ~~provides guidelines for several state agencies to develop specific regulations that taken together will create a statewide licensing and regulatory framework for the cultivation, manufacture, transportation, testing, and sale of adult use cannabis. In addition to AUMA, the Governor signed into law the Medical Cannabis and Regulatory Safety Act (MCRSA) in 2015. MCRSA established a similar statewide licensing and regulatory framework specific to medical cannabis. While substantially similar, these two laws contain several differences. As a result, the Legislature and regulatory agencies are working to reconcile several inconsistencies between AUMA and MSCRA as they work to implement both laws.~~

~~AUMA and MCRSA respect local police powers and contain explicit county taxing authority. However, c~~Counties have a stake in shaping the broader statewide landscape of cannabis regulation in California as it ~~will undoubtedly have~~ has a significant impact on local government

operations and serves as an important economic driver in many communities. The success of cannabis programs is dependent on strong state and local partnerships. It is imperative that state agencies recognize the role counties play in the regulation of cannabis and are responsive to local needs.

As the Legislature and regulatory state agencies ~~work to~~ develop regulations to implement both the relating to medical and adult-use cannabis laws, counties put forth the following policy principles to guide CSAC positions and advocacy on cannabis regulation in California.

#### Cannabis Licensing, Regulation, and Local Control

Counties<sup>[AW19]</sup> must be able to enact prohibitions or regulations in the face of threats to public and environmental health, safety, and general welfare. Such decisions represent legislative judgments made by locally elected bodies about the wisdom and need for local control over a particularly vexing and unusual land use issue. Under well settled constitutional separation of powers principles, deference must be afforded to the legislative judgments made by locally elected officials, who are in the best position to evaluate local conditions, community needs, and the public welfare. Accordingly, CSAC believes that cannabis regulations proposed by the state must allow individual local governments the discretion to either adopt that program in full, to modify the program as they see fit, or to opt out of the program completely.

Local government police powers and authority over taxation and fees must be respected in the development of any regulations implementing both medical and adult use cannabis laws. This includes support for ~~existing~~ local land use authority and the ability for counties' ~~ability~~ to ban the commercial adult use or medical cannabis retail sale, delivery, manufacturing, and/or cultivation within the unincorporated area.

The MCRSA and AUMA ~~The Medicinal and Adult Use Cannabis Regulation and Safety Act (MAUCRSA)~~ outlines categories of different types of licenses for the cultivation, sale, manufacture, distribution, and testing of cannabis. ~~Both laws~~ The law contains different types of restrictions on how many licenses can be held by a single entity, ~~and~~ counties support existing prohibitions on the cross-ownerships of licenses within the medical cannabis laws, and support restrictions on the cross-ownership of licenses within AUMA. Counties support limitations of Type Five Large Cultivation licenses, which are defined under Business and Professions Code section 26061.

Counties<sup>[AW20]</sup> support a dual licensing system, which requires the verification of a local license as a condition precedent to the issuance of a state license, and the development of a strong license revocation policy and procedure for violations of license requirements. Wherever possible, counties support practical streamlining of cannabis licensing and permitting while maintaining local control. Burdensome administrative barriers only serve to discourage entry into the legal market and put a strain on state and local resources.

Counties support:

- ~~1) The development of a dual licensing system, which requires the verification of a local license as a condition precedent to the issuance of a state license for both medical and adult use commercial cannabis licensees, and the development of a strong license revocation policy and procedure for violations of license requirements.~~
- ~~2) Limitations and/or phase in of unlimited acreage licenses, or Type Five licenses. (Proposition 64 allows for an unlimited acreage cultivation license—Type 5—after the law has been in effect for five years).~~
- ~~3) State development of uniform regulations, when feasible, for adult use and medical cannabis.~~

### Cannabis Cultivation and Environment Impacts

As cannabis cultivation in California grows and evolves, it is critical to have a functioning statewide track and trace system, designed with compatibility and full integration with local programs. Local governments should have access to both the state track and trace system and laboratory test results for cannabis and cannabis products.

In addition, counties support integration with local geographic mapping and information systems, especially with respect to cultivation sites. This should include integration and consultation with resource conservation districts and watershed management plans.

Counties urge action to reduce environmental degradation and ensure the responsible use of resources, including water and electricity, in all aspects of cannabis cultivation, manufacturing, and retail. CSAC believes responsible state and local agencies should be given clear guidance and adequate resources to regulate and enforce environmental laws relating to cannabis. CSAC also supports a requirement that state agencies coordinate with local governments to ensure uniform application in enforcement efforts.

Counties support: [AW21]

- ~~1) Uniform pesticide and other contaminant standards for adult use and medical cannabis.~~
- ~~2) A statewide track and trace technology system designed with compatibility and full integration with local programs.~~
- ~~3) Local access to both the state track and trace system and laboratory test results for cannabis and cannabis products.~~
- ~~4) Integration with GIS systems at the local level, especially with respect to cultivation sites. This should include integration and consultation with resource conservation districts and enable integration with Integrated Watershed Management Plans.~~

- 5) ~~Strong coordination between local and state agencies to ensure uniform application in environmental enforcement efforts. This includes providing clear guidance and adequate resources to responsible agencies to regulate and enforce existing environmental laws when they are applied to the cultivation of cannabis.~~

### Cannabis Enforcement and Public Safety

Counties strongly urge the state to fully enforce ~~all state aspects of~~ cannabis regulations, and to provide resources ~~to local governments~~ for local enforcement efforts ~~undertaken by local governments~~. Combatting illicit cannabis is a key public safety issue in many counties, and there should be dedicated resources for the active enforcement of illicit cannabis activities on public land. Counties requires state action and assistance to stop unlicensed commercial activity and diversion of cannabis and cannabis products. This includes access to track and trace data<sup>[AW22]</sup> as well as inspections of cannabis retail establishments, manufacturing locations, and cultivation sites to ensure adherence to state and local laws and policies.

Counties support: the development and implementation of state standards to protect public safety, with regard to cannabis, including:

- ~~The development of e~~Enforceable standards for impaired driving.
- Employer rights to maintain competency for duty and a drug-free workplace ~~and<sup>[AW23]</sup> the ability to impose restrictions on cannabis use by employees.~~
- Protections for ~~State standards governing~~ worker safety and security in the cannabis industry.
- ~~Action and assistance to aid local government and law enforcement's ability to stop unlicensed commercial activity and diversion of cannabis and cannabis products.~~
- ~~Dedicated resources for the active enforcement of illegal cannabis cultivation on state and federal lands.~~
- ~~Inspections of cannabis retail establishments, sales locations, or cultivation sites to ensure adherence to state and local laws and policies.~~<sup>[AW24]</sup>

### Cannabis Labeling, Testing, and Advertising

Strong cannabis testing and labeling standards are critical to protect public health and safety. Counties support uniform potency standards and the use of use state-run labs for pesticide, heavy metal, and biological testing for enforcement purposes. Cannabis packaging should be designed to display no appeal for children, and counties support the requirement of childproof containers, where appropriate.

Counties encourage the state to develop standards for the recognition of a particular appellation of origin of cannabis cultivated in a certain geographical region.

Counties urge the state:

- 1) To develop packaging requirements that are designed to display no appeal for children and to require childproof containers, where appropriate.
- 2) To allow counties to use state-run labs for pesticide, heavy metal, and biological testing for enforcement purposes.
- 3) To develop uniform potency standards for cannabis products to ensure consumer health and safety.

Counties support:

- 1) Standards for the recognition of a particular appellation of origin of cannabis cultivated in a certain geographical region.
- 2) Strict labeling and testing requirements of all adult use and medical cannabis products.<sup>[AW25]</sup>

Cannabis Resources, and Revenue Collection, and Banking

Sufficient funding is required for adequate staffing at the state and local level to conduct regular inspections of dispensaries, cultivation, and manufacturing facilities, to conduct investigations and enforcement activity, and to quickly respond to and resolve complaints in a timely manner.

Counties depend on cannabis tax revenue to support regulatory schemes and enforcement. To help accomplish this it is important that counties have as much access to cannabis business data, like track and trace, as possible. The state should work with counties to find ways to encourage tax compliance in the absence of adequate banking solutions.

Counties urge:

- 1) The federal government to continue to respect states' rights with respect to cannabis regulation and enforcement.
- 2) The federal government to allow banking services for the cannabis industry to help reduce the public safety issues posed by a cash-based industry.
- 3) The federal government to declassify cannabis as a Schedule I drug and remove all conflicts under federal law.<sup>[AW26]</sup>

- 4) Revenue sharing and grants from state revenues to manage the impacts of cannabis growth.

#### Counties support:

- 1) Interim solutions to encourage tax compliance in the absence of adequate banking solutions.
- 2) Sufficient resources for local code enforcement and environmental health and other departments.
- 3) Sufficient funding for adequate staffing at the state and local level to conduct regular inspections for dispensaries, cultivation, and manufacturing facilities, to conduct investigations and enforcement activity, and to quickly respond to and resolve complaints in a timely manner.
- 4) Actions that would provide state funding and resources to local governments for public education efforts concerning responsible use of cannabis. [AW27]

#### Federal Regulation

Californians voted to allow for the recreational cultivation, sale, and use of cannabis, however the federal government's ban poses serious roadblocks and risks. State and local control must be respected on the regulation and enforcement of these issues. Counties call on the federal government to declassify cannabis as a Schedule I drug and remove all conflicts under federal law. The federal government should allow banking services for the cannabis industry to reduce the public safety issues posed by a cash-based industry.

#### Best Practices & Data

Counties benefit from the of sharing best practices, lessons learned, and model ordinances on cannabis regulation and taxation. CSAC encourages collaboration between local and state agencies, including ongoing dialogue about implementation efforts, tax rates, enforcement issues, and other issues of significance. To enhance this, there should be adequate local representation on the state's Cannabis Advisory Committee to help inform state regulatory agencies and other stakeholders about local conditions, concerns, and issues of significance.

It is important to have statewide data collection and additional research and monitoring of trends regarding the impacts of cannabis – including impacts to public health and enforcement issues. Counties urge the state to share such data and research with local governments.

#### Public Health

Counties support widespread communication on the impacts of cannabis on public health, especially related to impaired driving and youth. This should include the development of strong,

effective substance abuse prevention and education campaigns at the state level, with input from counties, and resources for local education.<sup>[AW28]</sup>

Cannabis Public Education, Outreach, and Research

Counties support:

- ~~1) Methods of sharing best practices, lessons learned, and model ordinances on cannabis regulation and taxation.~~
- ~~2) The development of strong, effective substance abuse prevention and education campaigns at the state level with input from counties, and resources for local education.~~
- ~~3) Statewide data collection and additional research and monitoring of trends regarding the impacts of cannabis—including impacts to public health, enforcement issues, and other impacts. Counties urge the state to share such data and research with local governments.~~
- ~~4) Continued collaboration between local and state agencies, including ongoing dialogue about implementation efforts, tax rates, enforcement issues, and other issues of significance.~~
- ~~5) Adequate local representation on the state Cannabis Advisory Committee to help inform state regulatory agencies and other stakeholders about local conditions, concerns and issues of significance.~~
- ~~6) 1) \_\_\_\_\_ Widespread communication on the impacts of cannabis on public health, especially related to impaired driving and youth.~~



# The California County Platform | Chapter 4 Energy

*Adopted by the CSAC Board of Directors November 2020*

## INTRODUCTION

The following policy guidelines cover a wide range of energy issues of significant interest to county governments. This policy direction will assist CSAC with its efforts to represent county interests on energy proposals moving through the legislative process.

## SECTION 1: TAX AND REVENUE IMPACTS

~~Legislative, Public Utility Commission, and State Board of Equalization~~ State and legislative decisions concerning energy issues shall include provisions to avoid negative impacts on local government and schools.

Local governments rely on property tax revenues and franchise fees from utilities to provide essential public services. —These revenues, as well as property tax revenues from alternative energy facilities, must be protected to ensure that local governments can continue to provide essential services, ~~and Counties~~ support statewide energy needs by siting new power plants, and alternative energy facilities, bringing old power plants back on-line, and enacting long-term conservation measures.

## SECTION 2: ENERGY GENERATION

Counties support efforts to ensure that California has an adequate supply of safe, reliable energy at the most competitive prices possible, while adhering to the state's ~~expressed order of~~ priorities of conservation, renewables, new generation, and new transmission. While CSAC supports a statewide assessment and planning for future transmission needs, counties oppose transmission corridor designations that ignore the local land use decision-making process.

Counties oppose state ownership of power plants because of the impact on local government revenue streams, water rights, the operation of hydro facilities, and the efficient management of such systems, including the economic uncertainty associated with state ownership of power plants. In the event of state ownership, all impacts on local government shall be mitigated. [AW1]

### Renewable Energy

Counties support establishing incentives that will encourage the development and use of alternative energy sources such as wind, solar, biomass, hydropower, and geothermal



resources. Counties also support promoting the timely development of new infrastructure, such as new electric transmission, needed to facilitate renewable energy development. ~~Such efforts will lead to the state realizing its goal of having 100% of its electricity supply come from renewable and zero carbon energy sources by 2045.~~

To encourage local siting of renewable energy facilities, counties support restoring authority to assess alternative energy facilities such as commercial solar facilities currently exempt under SB 871 (Chapter 41, Statutes 2014).

~~While CSAC supports a statewide assessment and planning for future transmission needs, we oppose transmission corridor designations that ignore the local land use decision-making process.~~

Counties support the construction and operation of biomass facilities through the establishment of state policies that will ensure sustainable long-term commitments to resource supply and electrical generation purchases at a price that supports resource-to-energy conversion. [\(See also: Chapter 3, Section 2 of the County Platform\)](#)

Counties shall commit to examine their own policies on alternative energy for any potential impacts that discourage the use of such systems.

Counties support payments to qualified facilities consistent with state and federal standards for renewable energy sources.

Counties support streamlining the approval and environmental review process for new power plants and any building using alternative sources of energy.

~~Counties support efforts to allow local agencies to retain regulatory oversight over generators by statutorily changing the threshold from 50 megawatts to 100 megawatts.~~

~~Counties support additional state grant funding for back-up generation for essential facilities.~~

~~Counties support additional state grant funding for air quality compliance for emergency generation facilities.~~

### Energy Siting

Counties support providing incentives to local agencies to site energy facilities. The following incentives would stimulate the development and siting of more energy generation facilities:

- *Funding to streamline the siting process at the local level.* Funds would be available to reimburse cities and counties for the costs of permits, environmental review and other local expenses in order to expedite the process at the local level.

- *Energy facility incentive payments.* Financial incentives for cities and counties that approve new generation ~~ong~~ facilities, ~~and/or the expansion of~~ expand existing generation facilities, ~~to replace them with more efficient~~ improve the efficiency of facilities, or to build renewable projects, including photovoltaics, fuel cells or cogeneration. - Increased incentives would be given to those facilities that generate power beyond the demand of the host jurisdiction's facilities alone.
- *Property tax allocation incentives.* Any city or county that approves siting of a privately developed generating facility should receive 100% of the property tax of that facility.
- *Waiving charges.* To stimulate development of projects such as cogeneration facilities, standby charges for generating facilities should be waived.
- *Aligning processes at various levels.* Streamlining of timeframes currently associated with the state and federal regulatory process for siting power generating facilities.

### Generators

Counties support efforts to allow local agencies to retain regulatory oversight over generators by statutorily changing the threshold from 50 megawatts to 100 megawatts.

Counties support additional state grant funding for back-up generation for essential facilities.

Counties support additional state grant funding for air quality compliance for emergency generation facilities.

~~Counties support an amendment to the California Integrated Waste Management Act (CIWMA) to provide full diversion credit for cogeneration facilities to further encourage their development. The CIWM Act currently establishes a 10% limitation on solid waste diversion that occurs through transformation.~~

~~Counties support streamlining the approval and environmental review process for new power plants and any building using alternative sources of energy.~~

~~Counties support payments to qualified facilities consistent with state and federal standards for renewable energy sources.~~

~~Counties oppose state ownership of power plants because of the impact on local government revenue streams, water rights, the operation of hydro facilities, and the efficient management of such systems, including the economic uncertainty associated with state ownership of power plants. In the event of state ownership, all impacts on local government shall be mitigated.~~

## **SECTION 3: PUBLIC POWER**

Counties support measures that enhance public power options available to local governments.

Counties support measures that enhance local government’s ability to become community aggregators of electricity.

#### **SECTION 4: CONSERVATION AND EFFICIENCY**

CSAC and its member counties are committed to reducing electricity use and increasing efficiency in their facilities. - Counties support a rate structure that recognizes conservation efforts.

Counties support development of a statewide grant program to fund energy conservation and energy management equipment in local government facilities.

~~Counties support a rate structure that recognizes conservation efforts.~~

Counties support grants and loans that promote energy efficiency among businesses and homeowners.

Counties support the adoption of real-time metering and time-of-use metering, allowing consumers to make choices about their consumption of electrical energy based on the real-time price of electricity.

Counties support providing incentives, including the use of new technologies, for businesses that generate their own energy, and support encouraging them businesses to make their excess capacity available to the utilities.

#### **SECTION 5: ECONOMIC DEVELOPMENT**

Counties support the development and implementation of a statewide “proactive” California business retention strategy, led by the Governor’s Office of Business and Economic Development (GO-Biz). We encourage partnerships with local economic development organizations.

Counties support the development and execution of a statewide, consistent and balanced message campaign that presents the true business climate in California. [AW2]

~~Counties support efforts to encourage alternative energy solutions to be instituted in businesses and residences.~~

~~Counties support the right to implement Property Assessed Clean Energy (PACE) programs and establish property assessment liens for energy conservation and renewable energy investments. PACE programs create jobs, stimulate business growth, reduce greenhouse gas emissions and add lasting value to residential and commercial properties without increasing risks of mortgage defaults.~~

## **SECTION 6: NOTIFICATION OF POWER OUTAGES**

Counties, as providers of essential services, must be provided with adequate notice regarding any planned rotating block outages.

## **SECTION 7: MISCELLANEOUS**

Counties support a utility market structure that ensures that energy supply and demand is not unreasonably constrained by artificially imposed price caps.

Counties support efforts to encourage alternative energy solutions to be instituted in businesses and residences.

Counties support the right to implement Property Assessed Clean Energy (PACE) programs and establish property assessment liens for energy conservation and renewable energy investments. PACE programs create jobs, stimulate business growth, reduce greenhouse gas emissions and add lasting value to residential and commercial properties without increasing risks of mortgage defaults.

Counties support an amendment to the California Integrated Waste Management Act (CIWMA) to provide full diversion credit for cogeneration facilities to further encourage their development. The CIWM Act currently establishes a 10% limitation on solid waste diversion that occurs through transformation.



# The California County Platform | Chapter 14

## Climate Change

*Adopted by the CSAC Board of Directors November 2020*

### SECTION 1: GENERAL PRINCIPLES

Climate change will have a harmful effect on our environment, public health & safety, and economy. Although there remains uncertainty on the pace, distribution, and magnitude of the effects of climate change, CSAC also recognizes the need for immediate actions to mitigate the sources of greenhouse gases. It will take sustained leadership and commitment at the federal, state, regional and local levels to develop strategies to combat the effects of climate change.

Counties recognize that mitigation and adaptation to climate change – such as promoting sustainable energy, improved access and increased walkability, transit oriented development, and improved agricultural methods – have the potential to bolster sustainable development. ~~CSAC recognizes that~~ sustainable development and climate change share strong complementary tendencies.

Reducing greenhouse gases (GHG) is a complex issue and will take a variety of approaches and strategies. CSAC supports cost-effective strategies to reduce GHG emissions and encourages the use of grants, loans and incentives to assist local governments in the implementation of GHG reduction programs.

Counties believe that a flexible strategy is required to address climate change, recognizing that a one size fits all approach is not appropriate for California's large number of diverse communities. CSAC supports special consideration for environmental justice issues, disadvantaged communities, and rural areas that do not have the ability to address these initiatives without adequate support and assistance.

It is critical that the state develop protocols and GHG emissions inventory mechanisms, providing the necessary tools to track and monitor GHG emissions at the local level. The state, in cooperation with local government, must determine the portfolio of solutions that will best minimize its potential risks and maximize its potential benefits. CSAC also supports the establishment of a state climate change technical assistance program for local governments.

In order to achieve projected emission reduction targets, cooperation and coordination between federal, state and local entities must occur to address climate change. This includes collaboration between cities, counties, special districts, and the private sector is necessary to ensure the success of a GHG reduction strategy at the local level.

- CSAC recognizes that mitigation and adaptation to climate change — such as promoting sustainable energy, improved access and increased walkability, transit-oriented development, and improved agricultural methods — have the potential to bolster sustainable development. [AW1]
- 1) CSAC recognizes that climate change will have a harmful effect on our environment, public health and economy. Although there remains uncertainty on the pace, distribution and magnitude of the effects of climate change, CSAC also recognizes the need for immediate actions to mitigate the sources of greenhouse gases. [AW2]
  - 2) CSAC recognizes the need for sustained leadership and commitment at the federal, state, regional and local levels to develop strategies to combat the effects of climate change. [AW3]
- CSAC recognizes the complexity involved with reducing greenhouse gases and the need for a variety of approaches and strategies to reduce greenhouse gas (GHG) emissions.
  - CSAC supports a flexible approach to addressing climate change, recognizing that a one size fits all approach is not appropriate for California's large number of diverse communities.
  - CSAC supports special consideration for environmental justice issues, disadvantaged communities, and rural areas that do not have the ability to address these initiatives without adequate support and assistance.
  - CSAC supports cost-effective strategies to reduce GHG emissions and encourages the use of grants, loans and incentives to assist local governments in the implementation of GHG reduction programs.
  - CSAC recognizes that adaptation and mitigation are necessary and complementary strategies for responding to climate change impacts. CSAC encourages the state to develop guidance materials for assessing climate impacts that includes adaptation options.
  - CSAC finds it critical that the state develop protocols and GHG emissions inventory mechanisms, providing the necessary tools to track and monitor GHG emissions at the local level. The state, in cooperation with local government, must determine the portfolio of solutions that will best minimize its potential risks and maximize its potential benefits. CSAC also supports the establishment of a state climate change technical assistance program for local governments.

- ~~CSAC believes that in order to achieve projected emission reduction targets, cooperation and coordination between federal, state and local entities must occur to address the role public lands play in the context of climate change.~~

## **SECTION 2: FISCAL**

The effects of climate change and the implementation of GHG reduction strategies will have fiscal implications for counties, and all levels of government. CSAC encourages the state and counties to plan for the fiscal impacts of climate change adaptation, mitigation, and strategy implementation.

CSAC continues to support its state mandated d principles in the context of climate change. CSAC advocates that new GHG emissions reduction programs must be technically feasible for counties to implement and help to offset the long-term costs of GHG emission reduction strategies. CSAC supports the use of grants, loans, incentives, and revenue raising authority to assist local governments with the implementation of climate change response activities and GHG reduction strategies.

CSAC advocates that any new GHG reduction strategies that focus on city-oriented growth and require conservation of critical resource and agricultural lands within the unincorporated areas should include a mechanism to compensate county governments for the loss of property taxes and other fees and taxes.

CSAC supports the allocation of cap-and-trade revenues to fund programs that help reduce GHG emissions at the local level.

CSAC supports changes and refinement to the California Communities Environmental Health Screening Tool (CalEnviroScreen) to include criteria that reflects the diversity of disadvantaged communities in California.

## **SECTION 3: LAND USE, TRANSPORTATION, AND HOUSING**

CSAC recognizes that population growth in the state is inevitable, and therefore climate change strategies that affect land use must focus on how and where to accommodate and mitigate the expected growth in California. Land use planning and development play a direct role in transportation patterns, affecting travel demands and in turn vehicle miles traveled (VMT) and fuel consumption. It is recognized that in addition to reducing VMTs, investing in a seamless and efficient transportation system to address congestion also contributes to the reduction of GHG emissions. In addition to serving vehicles and facilitating goods movement, local streets and roads are the primary right-of-way for transit, bicycles, and pedestrians. Continued dedicated funding will be required to maintain local roads and bridges, while also improving safety for all road users, and adding capacity for transit and active transportation where the local context is appropriate.

The provision of housing affordable to all income levels also affects the ability to meet climate change goals. Affordable housing in close proximity to multi-modal transportation options, work, school, and other goods and services is a critical element to reducing GHG emissions in the state. Smart land use planning and growth, such as that required by SB 375 (Chapter 728, Statutes of 2008), remains a critical component to achieve the GHG emission reduction targets pursuant to AB 32 (Chapter 488, Statutes of 2006), particularly to address the emissions from the transportation sector (i.e. vehicle, air and train). In order to better understand the link between land use planning, transportation, housing, and climate change further modeling and consideration of alternative growth scenarios is required to determine the relationship and benefits at both the local and regional levels.

- CSAC supports measures to achieve reductions in GHG emissions by promoting housing/jobs proximity and transit-oriented development, and encouraging high density residential development along transit corridors. CSAC supports these strategies through its support for SB 375 (Chapter No. 728, Statutes of 2008) and other existing smart growth policies for strategic growth. These policies support new growth that results in compact development within cities, existing unincorporated urban communities and rural towns that have the largest potential for increasing densities, and providing a variety of housing types and affordability.
- CSAC supports adding safe facilities for bicycle, pedestrian, and transit use on state highways that serve as local main streets, especially in rural unincorporated communities. The state should bear the costs of constructing and maintaining these improvements rather than putting additional pressure on limited local funds or competitive grant funding.
- CSAC supports a balanced transportation policy that recognizes the need to promote alternatives to driving by improving state and local roadways to add safe access for transit, bicycles and pedestrians, where feasible and appropriate. At the same time, CSAC supports transportation investments that facilitate interregional travel and goods movement, especially in parts of the state that are growing more rapidly.
- CSAC supports continued dedicated state and federal funding for maintenance and rehabilitation of local roadways and bridges as part of a broader climate change strategy. Effective asset management can reduce the lifecycle carbon emissions associated with these facilities.
- CSAC supports policies that efficiently utilize existing and new infrastructure investment and scarce resources, while considering social equity as part of community development, and strives for an improved jobs-housing balance.



- CSAC supports policies intended to reduce traffic-related fatalities and injuries by promoting vehicle, pedestrian and bicycle safety; including policies allowing local governments to reduce speed limits, continued funding for projects under the Highway Safety Improvement Program, enhanced traffic safety enforcement, public education and traffic safety campaigns, and improved availability of road safety data for local agencies.
- CSAC supports the protection of critical lands when it comes to development, recognizing the need to protect agricultural lands, encourage the continued operations and expansion of agricultural businesses, and protect natural resources, wildlife habitat and open space.
- CSAC acknowledges that growth outside existing urban areas and growth that is non-contiguous to urban areas may be necessary to avoid the impacts on critical resource and agricultural lands that are adjacent to existing urban areas.
- CSAC supports providing incentives for regional blueprints and countywide plans, outside of SB 375, to ensure that all communities have the ability to plan for more strategic growth and have equitable access to revenues available for infrastructure investment purposes. It is CSAC's intent to secure regional and countywide blueprint funding for all areas.
- CSAC supports new fiscal incentives for the development of countywide plans to deal with growth, adaptation and mitigation through collaboration between a county and its cities to address housing needs, protection of resources and agricultural lands, and compatible general plans and revenue and tax sharing agreements for countywide services.
- CSAC recognizes that counties and cities must strive to promote efficient development in designated urban areas in a manner that evaluates all costs associated with development on both the city and the county. Support for growth patterns that encourage urbanization to occur within cities must also result in revenue agreements that consider all revenues generated from such growth in order to reflect the service demands placed on county government. As an alternative, agreements could be entered into requiring cities to assume portions of county service delivery obligations resulting from urban growth.
- While local governments individually have a role in the reduction of GHG emissions through land use decisions, CSAC continues to support regional approaches to meet the State's GHG emission reduction and climate change goals, such as efforts which build upon existing regional blueprint and transportation planning processes. CSAC continues to support regional approaches over any statewide "one size fits all" approach to addressing growth and climate change issues. Further, CSAC supports countywide

approaches to strategic growth, resource and agricultural protection, targeting scarce infrastructure investments and tax sharing for countywide services.

- CSAC finds it critical that state and federal assistance is provided for data and standardized methodologies for quantifying GHG emissions for 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 plans.

## SECTION 4: ENERGY

Reducing energy consumption is an important way to reduce GHG emissions and conserve. Additionally, the capture and reuse of certain GHGs can lead to additional sources of energy. For example, methane gas emissions, a mixture of methane, carbon dioxide and various toxic organic and mercuric pollutants, from landfills and dairies have been identified as potent GHGs. Effective collection and treatment of these gases is not only important to the reduction of GHG emissions, but can also result in an additional source of green power.

CSAC continues to support efforts to ensure that California has an adequate supply of safe and reliable energy through a combination of conservation, renewables, new generation and new transmission efforts.

### Energy Efficiency

CSAC supports energy conservation and energy efficiency, along with broader use of renewable energy resources. Counties are encouraged to undertake vigorous energy action programs that are tailored to the specific needs of each county. When developing such action programs counties should:

- Assess available conservation and renewable and alternative energy options and take action to implement conservation, energy efficiency and renewable energy development when feasible.
- Consider the incorporation of energy policies as an optional element in the county general plan.
- Consider energy concerns when making land use decisions and encourage development patterns which result in energy efficiency.

CSAC supports incentive based green building programs that encourage the use of green building practices, incorporating energy efficiency and conservation technologies into state and local facilities. Green buildings are designed to meet certain objectives using energy, water and other resources more efficiently and reducing the overall impact to the environment.

Counties supports the state's development of green building protocols sustainable building standards, including guidelines for jails, hospitals and other such public buildings. [CSAC supports](#) Whenever possible the state and federal governments should make available the use

ef grants, loans and incentives to encourage and enable counties to incorporate green building practices into their local facilities.

Counties support the use of procurement practices that promote the use of energy efficient products and equipment.

### Methane Emissions

CSAC supports state efforts to develop a dairy digester protocol to document GHG emissions reductions from dairy farms. CSAC supports funding mechanisms that support the use of dairy digesters to capture methane gas and convert it to energy.

CSAC supports state efforts to capture methane gases from landfills, and supports development of a reasonable regulatory measure with a feasible timeline to require landfill gas recovery systems on landfills that can support a self-sustaining collection system.

CSAC supports the development of a guidance document for landfill operators and regulators that will recommend technologies and best management practices for improving landfill design, construction, operation and closure for the purpose of reducing GHG emissions.

CSAC also supports funding mechanisms, including grants, loans and incentives to landfill operators to help implement these programs.

## **SECTION 5: WATER**

According to the Department of Water Resources, projected increases in air temperature may lead to changes in the timing, amount and form of precipitation, changes in runoff timing and volume, sea level rise, and changes in the amount of irrigation water needed. CSAC recognizes the need for state and local programs that promote water conservation and water storage development.

CSAC recognizes that climate change has the potential to seriously impact California's water supply. CSAC continues to assert that adequate management of water supply cannot be accomplished without effective administration of both surface and ground water resources within counties, including the effective management of forestlands and watershed basins.

- CSAC supports the incorporation of projections of climate change into state [and regional flood control and](#) water planning ~~and flood control~~ efforts [– including expanded use of Forecast-Informed Reservoir Operations](#).
- CSAC supports water conservation efforts, including reuse of domestic and industrial wastewater, reuse of agriculture water, groundwater recharge, and economic incentives to invest in equipment that promotes efficiency.

- CSAC continues to support the study and development of alternate methods of meeting water needs such as desalinization, wastewater reclamation, watershed management, the development of additional storage, and water conservation measures.

## SECTION 6: FORESTRY

Forests reduce the effects of GHG emissions and climate change by removing carbon from the air through the process of carbon sequestration. CSAC also recognizes the benefits of biomass energy as an alternative to the burning of traditional fossil fuels, as well as the benefits of carbon sequestration through the use of wood products.

With a significant percentage of California covered in forest land, counties recognize the importance of forestry in the context of climate change. Effectively managed forests have a lower probability of releasing large amounts of harmful GHG emissions into the atmosphere in the form of catastrophic wildfires. It is imperative that adequate funding be provided to support the management of forest land owned and managed by the federal government in California in order to ensure the reduction of catastrophic wildfires.

~~Furthermore, as a result of natural absorption, forests reduce the effects of GHG emissions and climate change by removing carbon from the air through the process of carbon sequestration. CSAC also recognizes the benefits of biomass energy as an alternative to the burning of traditional fossil fuels, as well as the benefits of carbon sequestration through the use of wood products.~~

Counties support responsible optimum forest management practices that ensure continued carbon sequestration in the forest, provide wood fiber for biomass-based products and carbon-neutral biomass fuels, and protect the ecological values of the forest in a balanced way. CSAC supports the state's development of general forestry protocols that encourage private landowners to participate in voluntary emission reduction programs and encourage National Forest lands to contribute to the state's climate change efforts.

CSAC supports additional research and analysis of carbon sequestration opportunities within forestry.

## SECTION 7: AGRICULTURE

The potential impacts of climate change on agriculture may not only alter the types and locations of commodities produced, but also the factors influencing their production, including resource availability. Rising temperatures, changes to our water supply and soil composition all could have significant impacts on California's crop and livestock management. Additionally, agriculture is a contributor to GHG emissions in form of fuel consumption, cultivation and fertilization of soils and management of livestock manure. At the same time, agriculture has the

potential to provide offsets in the form of carbon sequestration in soil and permanent crops, and the production of biomass crops for energy purposes.

- CSAC supports state efforts to develop guidelines through a public process to improve and identify cost effective strategies for nitrous oxide emissions reductions.
- CSAC continues to support incentives that will encourage agricultural water conservation and retention of lands in agricultural production.
- CSAC continues to support full funding for UC Cooperative Extension given its vital role in delivering research-based information and educational programs that enhance economic vitality and the quality of life in California counties.
- CSAC supports additional research and analysis of carbon sequestration opportunities within agriculture.

## **SECTION 8: AIR QUALITY**

CSAC encourages the research and development and use of alternative, cleaner fuels. Further, air quality issues reach beyond personal vehicle use and affect diesel equipment used in development and construction for both the public and private sector.

The state should pursue efforts to create standards and protocols for all new passenger cars and light-duty trucks that are purchased by the state and local governments that conform to the California Strategy to Reduce Petroleum Dependency. CSAC supports state efforts to revise its purchasing methodology to be consistent with the new vehicle standards.

CSAC supports efforts that will enable counties to purchase new vehicles for local fleets that conform to state purchasing standards, are fuel efficient, low emission, or use alternative fuels. CSAC supports flexibility at the local level, allowing counties to purchase fuel efficient vehicles on or off the state plan.

- CSAC supports identifying a funding source for the local retrofit and replacement of county on and off road diesel powered vehicles and equipment.
- CSAC opposes federal standards that supersede California's ability to adopt stricter vehicle standards.
- Counties continue to assert that federal and state agencies, in cooperation with local agencies, have the ability to develop rules and regulations that implement clean air laws that are both cost-effective and operationally feasible. In addition, state and federal

agencies should be encouraged to accept equivalent air quality programs, thereby allowing for flexibility in implementation without compromising air quality goals.

- CSAC also recognizes the importance of the Air Pollution Control Districts (APCDs) and Air Quality Management Districts (AQMDs) to provide technical assistance and guidance to achieve the reduction of GHG emissions.
- CSAC supports the development of tools and incentives to encourage patterns of product distribution and goods movement that minimize transit impacts and GHG emissions.
- CSAC supports further analysis of the GHG emission contribution from goods movement through shipping channels and ports.

## **SECTION 9: SOLID WASTE AND RECYCLING**

The consumption of materials is related to climate change because it requires energy to mine, extract, harvest, process and transport raw materials, and more energy to manufacture, transport and, after use, and dispose of products. Recycling and waste prevention can reduce GHG emissions by reducing the amount of energy needed to process materials, and reducing the amount of natural resources needed to make products.

CSAC continues to support policies and legislation that aim to promote improved markets for recyclable materials, and encourages:

- The use of recycled content in products sold in California;
- The creation of economic incentives for the use of recycled materials;
- Development of local recycling markets to avoid increased emissions from transporting recyclables long distances to current markets;
- The expansion of the Electronic Waste Recycling Act of 2003 and the Beverage Container Recycling Program;
- The use of materials that are biodegradable;
- Greater manufacturer responsibility and product stewardship.

## **SECTION 10: HEALTH**

CSAC recognizes the potential impacts of land uses, transportation, housing, and climate change on human health. As administrators of planning, public works, parks, and a variety of public health services and providers of health care services, California's counties have significant health, administrative and cost concerns related to our existing and future built environment and a changing climate. Lack of properly designed active transportation facilities have made it difficult and in some cases created barriers for pedestrians and bicyclists. Lack of walkability in many communities contributes to numerous chronic health related issues, particularly obesity which is an epidemic in this country. Heat-related illnesses, air pollution, wild fire, water pollution and supply issues, mental health impact and infectious disease all relate to the health and well-being of county residents, and to the range and cost of services provided by county governments.

CSAC recognizes that there are direct human health benefits associated with improving our built environment and mitigating greenhouse gas emissions, such as lowering rates of obesity, injuries, and asthma. Counties believe that prevention, planning, research, education/training, and preparation are the keys to coping with the public health issues brought about by our built environment and climate change. Public policies related to land uses, public [infrastructure works](#), climate change and public health should be considered so as to work together to improve the public's health within the existing roles and resources of county government.

- 1) CSAC supports efforts to provide communities that are designed, built and maintained so as to promote health, safety and livability through leadership, education, and funding augmentations.
- 2) CSAC supports efforts to improve the public health and human services infrastructure to better prevent and cope with the health effects of climate change through leadership, planning and funding augmentations.
- 3) CSAC supports state funding for mandated local efforts to coordinate monitoring of heat-related illnesses and responses to heat emergencies.
- 4) CSAC supports efforts to improve emergency [threat assessment-prediction](#), warning, and response systems and enhanced disease surveillance strategies.

## **GLOSSARY OF TERMS**

### ***Climate change***

A change of climate which is attributed directly or indirectly to human activity that alters the composition of the global atmosphere and which is in addition to natural climate variability observed over comparable time periods.

*United Nations Framework Convention on Climate Change*

### ***Carbon Sequestration***

Carbon sequestration refers to the provision of long-term storage of carbon in the terrestrial biosphere, underground, or the oceans so that the buildup of carbon dioxide (the principal greenhouse gas) concentration in the atmosphere will reduce or slow. In some cases, this is accomplished by maintaining or enhancing natural processes; in other cases, novel techniques are developed to dispose of carbon.

*US Department of Energy*

### ***Environmental Justice***

Environmental Justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

*US Environmental Protection Agency*

### ***Greenhouse Gas***

A gas that absorbs radiation at specific wavelengths within the spectrum of radiation (infrared radiation) emitted by the Earth's surface and by clouds. The gas in turn emits infrared radiation from a level where the temperature is colder than the surface. The net effect is a local trapping of part of the absorbed energy and a tendency to warm the planetary surface. Water vapor (H<sub>2</sub>O), carbon dioxide (CO<sub>2</sub>), nitrous oxide (N<sub>2</sub>O), methane (CH<sub>4</sub>) and ozone (O<sub>3</sub>) are the primary greenhouse gases in the Earth's atmosphere. *United Nations Intergovernmental Panel on Climate Change*