



**Agriculture, Environment and Natural Resources
Policy Committee
CSAC Annual Meeting
Tuesday, December 1, 2015 — 9:00 a.m. – 11:00 a.m.
Monterey Marriott, San Carlos Rooms 1 & 2
Monterey County, California**

**Supervisor Diane Dillon, Napa County, Chair
Supervisor Pam Giacomini, Shasta County, Vice-Chair**

- 9:00 a.m. I. **Welcome and Introductions**
*Supervisor Diane Dillon, Napa County, Chair
Supervisor Pam Giacomini, Shasta County, Vice Chair*
- 9:05 a.m. II. **Water Rights 101**
Jack Rice, Associate Counsel, CA Farm Bureau Federation
- 9:25 a.m. III. **Wildfire Prevention and Recovery**
*Ken Pimlott, Director, Cal Fire
Scott DeLeon, Lake County Public Works Director*
- 9:45 a.m. IV. **The New Energy Landscape: Increasing California's
Renewable Portfolio Standard**
Julia Levin, Executive Director, Bioenergy Association of CA
- 10:05 a.m. V. **Counties Prescribe Pharmaceutical Ordinance for Drug
Take-Back Programs**
*Kathleen Pacheco, Senior Deputy County Counsel, Alameda
County
Ryan Alsop, Managing Director, Public Affairs Group
Los Angeles County, Department of Public Works*
- 10:35 a.m. VI. **CSAC 2016 AENR Priorities
Solid Waste Disposal Fee Policy**
*Karen Keene, CSAC Senior Legislative Representative
Cara Martinson, CSAC Legislative Representative*
- 10:55 a.m. VII. **NACo Policy Committee Process**
Karen Keene, CSAC Senior Legislative Representative
- 11:00 a.m. VIII. **Closing Comments and Adjournment**
*Supervisor Diane Dillon, Napa County, Chair
Supervisor Pam Giacomini, Shasta County, Vice Chair*

ATTACHMENTS

Wildfire Prevention and Recovery

Attachment One Tree Mortality Memo

CSAC 2016 AENR Priorities

Attachment Two AENR Year in Review and 2016 Priorities

Attachment Three Solid Waste Disposal Fee Memo

NACo Policy Committee Process

Attachment Four NACo Policy Committee Process Memo

Wildfire Prevention and Recovery
Attachment One
Tree Mortality Memo



November 17, 2015

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To: CSAC Agriculture, Environment & Natural Resources (AENR) Policy Committee
From: Cara Martinson, Legislative Representative
RE: **Tree Mortality**

Background. Years of extremely dry conditions are taking a serious toll on forested lands across the State, presenting a dire situation for California's forests, and posing a health and safety risk to those residing in forested communities. A combination of drought, heat and insects is responsible for the death of more than 22 million trees in California. The situation has received the attention of the Governor and top policy makers and actions are being taken to address this issue.

Several weeks ago, the Governor proclaimed a State of Emergency in response to the unprecedented die-off of millions of trees caused by drought conditions and the resulting beetle infestations. The proclamation acknowledges the increased fire risk presented by the large number of dead, dying or diseased trees in addition to the overall public safety risk from falling trees. As part of this effort, the Governor also established a Task Force of local and state officials to coordinate efforts to address this crisis and oversee the implementation of actions under the State of Emergency. The group, which includes several county Supervisors including CSAC incoming president Richard Forster, met for the first time in November to discuss actions necessary to address the situation.

The Task Force will divide into subgroups to develop desirable outcomes on issues such as funding, biomass capacity, regulatory relief, prevention, equipment and storage and public outreach and education. The Administration is currently working on a guidelines document to distribute to interested parties that will provide additional clarity to the Governor's Executive Order as well as a Frequently Asked Questions (FAQ) document. The Department of Finance attended the Task Force meeting and indicated that they are evaluating all possibilities for funding options for this issue.

CSAC along with our partners at RCRC and Cal Fire will be organizing a tour of impacted areas for legislative staff early next year. In addition, we will participate in Task Force meetings and ensure that information is passed along to this Committee.

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

CSAC 2016 AENR Priorities
Attachment Two
AENR Year in Review and 2016 Priorities



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November 17, 2015

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

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

Re: **CSAC AENR Year in Review and 2016 Legislative Priorities**

2015 Year in Review

Drought Issues. With the state entering into a fourth year of the drought, CSAC staff engaged in a significant outreach and education campaign, working with the Administration to provide forums for discussion, briefings and other outreach efforts to provide timely information to stakeholders. Following the issuance of the Governor's fourth drought-related Executive Order on April 1st, CSAC joined with the Association of California Water Agencies (ACWA), the League of California Cities (LCC), various state agencies and other statewide organizations in providing a very well attended 2015 drought briefing for media, local elected officials, water managers, legislative staff, and statewide business and agricultural leaders. In addition, CSAC helped to sponsor a special three-part webinar series that provided an overview of emergency drought regulations.

Proposition 1 -- The Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Water Bond). Throughout the year, CSAC monitored and kept counties informed of the state's water bond implementation process that includes required administrative actions, such as guideline development and the budget appropriations process. In addition, CSAC also participated in California Water Commission's (Commission) Water Storage Investment Program (WSIP) Stakeholder Advisory Committee (SAC). The SAC was responsible for providing advice and non-binding recommendations to the Commission regarding the process for allocating bond funds for the public benefits of qualified water storage projects.

Cap and Trade. CSAC continued to advocate for additional cap and trade funding to the local level this year. We engaged the Legislature and the Administration in a variety of different forums, including an Agency Secretary roundtable discussion, in collaboration with the Institute for Local Government. Staff also briefed the Joint Legislative Environmental Caucus on the benefits of funding green projects at the county level. While we continue to receive positive feedback, the Legislature has deferred the cap and trade budget deliberations to a future date. It is anticipated that the January 2016 budget will allocate unspent cap and trade dollars. In addition, CSAC staff worked with the California Air Resources Board (CARB) on the update of their 2016 climate investment plan, as well as participated as a member of the Forestry Climate Action Team to

develop a plan to allocate funding to the forest sector for greenhouse gas (GHG) reduction projects.

Groundwater. Last year, Governor Brown signed historic legislation enacting the Sustainable Groundwater Management Act (SGMA) which establishes mandatory rules for managing groundwater in California. Since its enactment, CSAC has actively engaged in outreach and education efforts. CSAC has also participated in the regulatory process, providing technical feedback and connecting county experts to officials with the Department of Water Resources (DWR) as they develop policies and regulations to implement SGMA. CSAC in coordination with the Rural County Representatives of California (RCRC) also formed a SGMA Working Group to provide local input on the proposed regulations. In addition, CSAC worked jointly with RCRC on groundwater clean-up legislation and were successful in negotiating amendments to AB 1390 (Alejo) and SB 226 (Pavley), both of which sought to make changes to the groundwater adjudication process.

Stormwater Funding Initiative. CSAC continued to represent county interests on the coalition of statewide organizations that came together last year to develop a ballot measure to fund stormwater services. Originally, the coalition was interested in pursuing changes to Proposition 218 that would eliminate the current vote requirement to implement local stormwater fee increases. Negative polling on this concept and recent court decisions resulted in a smaller subset of the larger coalition taking a different approach. This group which includes CSAC, the League of California Cities, the Association of California Water Agencies and the California Water Foundation are now considering a new alternative mechanism for funding water and sewer services that would amend Article X of the Constitution as opposed to Article XIII D (Proposition 218). Article X addresses the broad category of water. The new approach will include stormwater and flood protection services, plus conservation rates, and lifeline rates. If all goes well, the coalition's goal is to have the Constitutional Amendment approved by the Legislature in time for the ballot measure to be on the ballot for the November 2016 election. CSAC has secured Assembly Member Rich Gordon as the author of the legislative proposal that would place the Constitutional Amendment on the ballot.

Payment-in-lieu of Taxes (PILT). CSAC advocated throughout the year for PILT payments to counties. While the approximately \$19 million in back payments owed to local governments were not ultimately included in the final budget, CSAC working collaboratively with RCRC was successful in convincing the Administration to support \$644,000 in the current budget year. We will continue to advocate for additional PILT payments in future budget years.

Marijuana. CSAC, in collaboration with RCRC and the Urban County Caucus (UCC), successfully lobbied for county priorities to be included in the three-bill legislative package that was signed by the Governor. The provisions preserve local control and provide explicit county taxing authority, employer protections, and funding for

environmental enforcement activities by local agencies. To ensure that county officials were provided the opportunity to learn about the “county-pertinent” details of the three-bill package CSAC, RCRC and UCC co-sponsored an educational webinar in mid-November. On the ballot initiative front, CSAC was given the opportunity to provide feedback to the proponents of a marijuana legalization initiative headed to the 2016 ballot. Our recommendations reaffirmed the priorities captured in the legislative package.

Resource Recovery and Waste Management. CSAC was an active participant in stakeholder discussion this year regarding an increase to the state’s solid waste disposal fee, or “tipping fee.” The Administration is pursuing an increase to the state’s tipping fee to address a structural deficit within the Department of Resources, Recycling and Recovery (Cal Recycle) budget and to help fund waste and recycling infrastructure. CSAC staff worked with the Administration and other stakeholders to help craft a workable fee increase, placing emphasis on the need to keep the increase reasonable so as not to preclude counties’ ability to raise their own fees to fund local programs. Consensus was ultimately not achieved within the legislative deadline and work will continue on this issue next year.

2016 Legislative Priorities

Marijuana. CSAC staff will continue to work on any legislative clean up relative to the recently chaptered medical marijuana legislation. In addition, staff will continue to provide comments and input into legalization efforts ensuring for local control and funding for environmental impacts. Should a measure qualify for the ballot, staff will review the proposal and provide a thorough analysis to the CSAC Agriculture, Environment and Natural Resource Policy Committee to review and ultimately provide recommendation to the CSAC Board of Directors.

Water and Flood Control Infrastructure Funding - Article X Amendment. As described above, CSAC will support an amendment to Article X of the California Constitution that would 1) enhance the ability of local agencies to finance stormwater capture and flood control infrastructure; 2) provide more flexibility for the voluntary establishment of conservation-based water rates; and 3) allow agencies, at their discretion, to implement lifelines rates for low-income households.

Cap and Trade. CSAC will continue to advocate both the Administration and Legislature for additional resources to help reduce GHG emissions at the local level. CSAC will continue to engage in Administration-led efforts, including the Forestry Climate Action Team efforts, the update of the 2016 Investment Plan. In addition, CSAC will engage in legislative efforts to influence the appropriation of the remaining of FY 15-16 auction revenues as well as work to influence the distribution of FY 16-17 funds.

Sustainable Groundwater Management Act (SGMA). CSAC will continue to represent county interests throughout the SGMA regulatory processes in collaboration with RCRC and in consultation with our joint County SGMA Working Group.

Solid Waste Management. CSAC will actively engage in ongoing discussions regarding an increase to the state's solid waste disposal fee, seeking input from the CSAC Agriculture, Environment and Natural Resources Policy Committee as proposals are developed. Staff will focus our efforts on negotiating a workable disposal fee structure, placing emphasis on the need to keep the increase reasonable and to include the cost of the State Water Boards' Waste Discharge Requirement (WDR) fees in any tipping fee increase.

Tree Mortality. CSAC will work with the Administration and stakeholders to implement the Governor's Executive Order on tree mortality. Staff will advocate for local assistance, financial resources, regulatory relief and assistance with outreach and coordination efforts in order to effectively limit the public health and safety risk from dead and dying trees. In addition, staff will work with the Administration to develop a long-term solution to promote forest health.

PILT – Payment in Lieu of Taxes. CSAC will continue to advocate for PILT funds to counties.

Federal Priorities

Payments-in-lieu-of-Taxes. CSAC will continue to advocate for a long-term reauthorization of mandatory entitlement funding for the PILT program. In the absence of a long-term renewal, CSAC will support continued full funding for PILT via the appropriations process.

Property Assessed Clean Energy Program. CSAC supports legislative and administrative remedies that would help expand residential PACE programs. The Federal Housing Finance Agency (FHFA) issued a directive in 2010 that effectively shut down PACE programs in California and across the country. Bipartisan legislation that would prevent FHFA from adopting policies that contravene established state and local PACE laws remains on the table.

Water Resources. CSAC will monitor legislative proposals to ensure consistency with the association's comprehensive policy direction on water. Given the ongoing drought, various interests continue to pressure California's congressional delegation and the Obama administration to address the state's chronic water shortage. A range of proposals are being discussed that would address water transfers, endangered species laws, water quality, and California Bay-Delta protections, to name a few.

CSAC will continue to look for opportunities to promote legislation that would provide a *Clean Water Act* Section 404 permitting exemption for maintenance removal of sediment, debris, and vegetation from local flood control channels and basins.

CSAC also will continue to monitor and support congressional efforts aimed at overturning some of the problematic reforms of EPA's "Waters of the U.S." regulation.

Secure Rural Schools Act Reauthorization/Federal Land Management Reform.

CSAC will maintain efforts aimed at securing a multi-year reauthorization of the SRS program. Absent a long-term program renewal, CSAC will continue to support short-term extensions of the Act. In addition, CSAC will continue to advocate for responsible reforms to federal land management. Such reform efforts should promote healthy forests, protect endangered species habitat, safeguard downstream water quality, improve California's water supply, and reduce the risk of wildfires.

CSAC 2016 AENR Priorities
Attachment Three
Solid Waste Disposal Fee Memo



November 17, 2015

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

From: Cara Martinson, Legislative Representative

RE: **Solid Waste Disposal Fee**

Background. The Administration is pursuing an increase to the state's solid waste disposal fee, or "tipping fee" to address a structural deficit within the Department of Resources, Recycling and Recovery (Cal Recycle) budget and to help fund waste and recycling infrastructure. Under existing law, our state's solid waste management activities are financed by a per ton disposal fee – currently set in statute at \$1.40 per ton – and requires the operator of a disposal facility to pay the state a fee based on the amount of all solid waste disposed of at each disposal site. The current cap on the state tipping fee was established over two decades ago in 1993. At that time, the tipping fee was set at \$1.34 per ton, and the California Integrated Waste Management Board (now CalRecycle) was authorized to increase the fee as needed, to a maximum of \$1.40, beginning with Fiscal Year (FY) 1995-96. Similar tipping fee models exist at the local level as locally-enacted fees are used to finance local solid waste and recycling programs. As solid waste is successfully diverted from landfills, the revenue source that is tied to this resource also decreases, and the solid waste tipping fee becomes an unsustainable funding source. Furthermore, with the passage of AB 1826 (Chapters 727, 2014), the state established a mandate for commercial organics recycling, creating the need for additional infrastructure to manage this portion of the waste stream.

Process. Over the last months of the legislative session, Assembly Member Das Williams and the Administration presented a proposal to increase the state's tipping fee through AB 1063 (Williams). As it last stood, the proposal included an approximate \$2.00- 2.50 dollar increase to the state's tipping fee with authority to impose a quarterly generator fee on all solid waste generators to be collected by local governments and remitted to the Board of Equalization. Their draft proposal continually evolved over the last weeks of session with input from stakeholders before stalling out in the Senate Environmental Quality Committee, where it remains as a two-year bill. Despite failed attempts this year, the Administration has committed to reviving the effort through the budget process in January. Throughout the discussions and negotiations on AB 1063, CSAC staff worked with the Administration and other stakeholders to help craft a workable fee increase, placing emphasis on the need to keep the increase reasonable so as not to preclude counties' ability to raise their own fees to fund local programs. In addition, CSAC staff urged the Administration to include the cost of the State Water Boards' Waste Discharge Requirement (WDR) fees in any tipping fee increase. Despite these efforts, CSAC did not take a position on any proposal as we did not have express policy to register a support or oppose position.

Recommendation. CSAC policy does not expressly address increasing the state's tipping fee to address the aforementioned issues. As the Administration has committed to continue to work

on a fee increase, staff is working with the County Engineers Association of California (CEAC) to develop a balanced approach, recognizing the need to increase the state's fee to reflect inflation and the current workload of the Department. Staff will seek input of the Committee as we continue to work on this issue.

NACo Policy Committee Process
Attachment Four
NACo Policy Committee Process Memo



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To: CSAC Agriculture, Environment & Natural Resources (AENR) Policy Committee
From: Karen Keene, CSAC Senior Legislative Representative
RE: **NACo Policy Committee Process**

As many of you may already know, NACo's Policy Steering Committees play a crucial role in NACo's advocacy process. Steering Committees annually review and make recommendations on federal policy issues and legislative items that are important to the nation's counties. Through this process, the committees advise the NACo Board of Directors and voting delegates who set NACo policy each year. NACo's policy platform guides the county government message presented to the Administration, Congress, U.S. Courts, and the American public. To ensure that the California's county perspectives are well represented, CSAC encourages you to review the following information and give some thought to joining a NACo Steering Committee.

As a member of a Steering Committee, individuals may introduce policy resolutions and platform changes and vote on other proposed resolutions and platform changes within the jurisdiction of their committee. Throughout the year, committee members participate in regular conference calls and receive email updates from NACo staff to stay up to date on matters relevant to the committee's work.

California county officials wishing to serve on a NACo Policy Steering Committee must apply through CSAC. After receiving a recommendation from CSAC, NACo's president appoints members of each committee. Appointments are made after the NACo Annual Conference in July each year. Policy Steering Committee members serve one-year terms.

Please note that only eight county officials from the same state can be appointed to any one steering committee, and no more than two persons from the same county may serve on any one steering committee. This does not include NACo presidential appointments including steering committee chairs and vice chairs.

NACo maintains ten (10) Policy Steering Committees that cover the full range of county policy issues:

- **Agriculture and Rural Affairs** – Responsible for all matters pertaining to USDA agriculture, rural development programs, rural renewable energy development, food safety, and conservation programs.
- **Community, Economic, and Workforce Development** – Responsible for all matters pertaining to housing, community and economic development, public works, and workforce development.

- **Environment, Energy, and Land Use** – Responsible for all matters pertaining to air, water, energy, and land use, including water resource management, air quality standards, national energy policy, coastal management, oceans, and parks and recreation.
- **Finance, Pensions, and Intergovernmental Affairs** – Responsible for all matters pertaining to the financial resources of counties, fiscal management, municipal borrowing, county revenues, pensions, the federal budget, tax reform, elections, and Native American issues.
- **Health** – Responsible for all matters pertaining to public health and healthy communities, including disease prevention, health insurance, Medicaid, Medicare, and long term care.
- **Human Services and Education** – Responsible for all matters pertaining to children’s issues, public assistance and income support, services to senior citizens and individuals with disabilities, immigration policy, and elementary, secondary, and early childhood education.
- **Justice and Public Safety** – Responsible for all matters pertaining to criminal justice and public safety systems, including law enforcement, courts, corrections, community crime prevention, and emergency management.
- **Public Lands** – Responsible for all matters pertaining to federally-owned public lands, including federal land management programs, natural resource revenue sharing payments, payments in lieu of taxes, and property tax immunity concerns.
- **Telecommunications and Technology** – Responsible for all matters pertaining to telecommunications and technology policy, including the county role as a telecommunications regulator, service provider, and consumer.

For those interested in joining a NACo Policy Steering Committee, additional information is available at: <http://www.naco.org/about/committees-state-associations-affiliates/how-join-committee>. You are also welcome to contact CSAC or NACo staff if you have any questions regarding California County participation on the Steering Committees.