

**EL DORADO COUNTY BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

**Meeting of
January 30, 2007**

AGENDA TITLE: Adoption of the 2007 Federal Legislative Platform

DEPARTMENT: Chief Administrative Office

DEPT SIGNOFF:

CAO USE ONLY:

CONTACT: Jim Wiltshire

DATE: 1/12/2007

PHONE: 5569

Jim Wiltshire

C: 1/16/07 *[Signature]*

DEPARTMENT SUMMARY AND REQUESTED BOARD ACTION:

Adopt 2006 Federal Platform to provide legislative direction to Potomac Partners.

CAO RECOMMENDATIONS:

*Recommend approval. Laura A. Glee
1/18/07*

Financial impact? () Yes (X) No

Funding Source: () Gen Fund () Other
Other:

BUDGET SUMMARY:

Total Est. Cost _____

Funding

Budgeted _____

New Funding _____

Savings _____

Other _____

Total Funding _____

Change in Net County Cost _____

CAO Office Use Only:

4/5's Vote Required () Yes () No

Change in Policy () Yes () No

New Personnel () Yes () No

CONCURRENCES:

Risk Management _____

County Counsel _____

Other _____

***Explain**

BOARD ACTIONS:

Vote: Unanimous _____ Or

Ayes:

Noes:

Abstentions:

Absent:

**I hereby certify that this is a true and correct copy of
an action taken and entered into the minutes of the
Board of Supervisors**

Date: _____

Attest: Cindy Keck, Board of Supervisors Clerk

By: _____



The County of El Dorado

Chief Administrative Office
Laura S. Gill, Chief Administrative Officer

Jim Wiltshire
Assistant Chief Administrative Officer

Phone (530) 621-5569
Fax (530) 626-5730

January 12, 2007

TO: Board of Supervisors

RE: 2007 Federal Legislative Platform

Recommendation: Adopt the 2007 Federal Legislative Platform.

Reason for Recommendation: The Board of Supervisors has executed a contract with the firm Potomac Partners to engage on behalf of El Dorado County legislative advocacy services in Washington D.C. for the upcoming legislative year. Staff have compiled a list of legislative and budgetary issues with the assistance of Potomac Partners. This platform only reflects those items that are known today and can be amended at anytime. It is critical to adopt a platform each year so that the Federal lobbyist license to represent the county's interests for the upcoming year. It is important to note that the issues are listed in alphabetical order and do not necessarily reflect any prioritization.

Fiscal Impact: None.

County Cost: None.

Action to be taken following approval: Direct the Assistant CAO to provide Potomac Partners with sufficient copies of the adopted 2007 Federal Legislative Platforms to effectively communicate the County's interests.

EL DORADO COUNTY

2007 FEDERAL LEGISLATIVE PLATFORM



*Chief Administrative Office
&
Potomac Partners*

January 30, 2007

Funding Proposals

BROCKLISS BRIDGE – PONY EXPRESS TRAIL

Amount Requested: \$2,500,000

Background: The only segment of the original Pony Express Trail, from St. Joseph, Missouri to Sacramento, California, that is not connected is the over-crossing of the South Fork of the American River known as Brockliss Bridge. In 1988, the Forest Service deemed the bridge unsafe for vehicular traffic and demolished the bridge. Efforts to restore the National Historical Trail site have ensued over the nearly past two decades to reconstruct an eight foot by 300 foot pedestrian bridge across the American River Canyon.

In 1999, the United States Department of Interior, National Parks Service, final Environmental Impact Statement Comprehensive Management and Use Plan for the California National historic Trail and Pony Express National Historic Trail specifically identifies the Brockliss Bridge Crossing. It stated, “A new bridge needs constructed to provide a continuous route for the Pony Express. The site has significant potential as an interpretive site.”

The El Dorado National Forest Environment Assessment for the Brockliss Segment of the Pony Express Trail was completed in June 2001. The Decision Notice was issued October 2001 and Alternative #2 was selected. This alternative specifically identifies the site as “...near the confluence of the South Fork American River and Brockliss Creek between Pacific House and White Meadows Road along the Highway 50 corridor.”

This project has a broad base of support including Senators Dianne Feinstein, Barbara Boxer, Congressman Doolittle, National Pony Express Association, Tread Lightly, Inc., the El Dorado County Board of Supervisors, and the El Dorado trail advisory committee.

The \$2.5 million request would fund site survey, hydraulic and geotechnical investigation, structural engineering and design development, construction, interpretive signage and parking and access improvements. El Dorado County has \$300,000 in local matching funds dedicated towards trail improvements.

CAMINO AREA CONNECTIVITY STUDY

Amount Requested: \$1,000,000

Background: The community of Camino in El Dorado County is separated by US 50. Vehicular, pedestrian and bicycle access between northern and southern portions of this community are severely limited by at-grade connections to the highway. These conditions make travel to and from the City of Placerville difficult for Camino residents and creates safety and connectivity problems for this segment of US 50 which is a vital component of the El Dorado County transportation network. US 50 is the gateway to South Lake Tahoe and serves significant

recreational traffic from the Bay Area to the south shore of Lake Tahoe. There have been numerous accidents in this segment of US 50 and this project would realize an estimated 50% reduction in highway fatalities once complete.

The estimated construction cost of this project is \$45 million. The project, when complete, will eliminate at grade intersections by providing a bridge overcrossing and connecting frontage roads thereby eliminating cross traffic along the US 50 corridor. The required preparation of both the Project Report and Environmental Document could cost as much as \$10 million. El Dorado County, in conjunction with the El Dorado County Transportation Commission requests a FY06 House Transportation-Treasury Appropriation in the amount of \$1 million to implement the Camino Area Connectivity Study.

FOLSOM – EL DORADO CORRIDOR TRANSIT STRATEGY

Amount Requested: \$1,000,000

Background: The City of Folsom and the El Dorado County Transportation Commission (EDCTC) have the opportunity to pursue an extension of a high capacity transit line that would serve an east-west corridor running generally near US 50. This extension is essential to provide significant congestion relief along the US 50 corridor and provide improvements to the region's air quality. In an effort to move forward with the next steps identified in the Folsom El Dorado Corridor Transit Strategy report funding is necessary for right-of-way acquisition, project development and preliminary engineering designs to determine feasibility of extending light rail service from Folsom into the El Dorado Hills Business Park with a multi-modal transit station as the terminus.

GRIZZLY FLAT FIRE STATION & COMMUNITY CENTER

Amount Requested: \$1,500,000

Background: Grizzly Flat is located within a rural, unincorporated part of the County, with approximately 1,575 residents and 730 unimproved lots. The Pioneer Fire Protection District provides structural fire protection and emergency medical response to the Grizzly Flat region. The closest response equipment is located in Pioneer, approximately 20 miles away. For six to eight months during the year, the Forest Service provides personnel for a wild land fire engine and an eight-person hand crew at Grizzly Flat. There are several older buildings located at the proposed joint-use facility site, including an office with living quarters, a small garage, and a leased barracks trailer. The fire engine does not fit inside the garage, and must be emptied of water, and stored elsewhere during the winter.

Grizzly Flat has been identified as a community at risk from wild land fire. This area has been a focus for the Forest Service in implementing the direction contained in the National Fire Plan and in the Healthy Forest Restoration Act. The Last Chance Fuels Reduction Project, located on the National Forest around the eastern and southern boundaries of the community, was one of six national pilot projects under the Healthy Forests Initiative. Fuels are now being removed under an

Integrated Resource Contract. The Forest Service also provided grants through the El Dorado County Fire Safe Council to prepare a Community Action Plan and through the California Department of Forestry and Fire Protection to begin reducing fuels on private property adjacent to the National Forest. The community has formed its own Fire Safe Council, and is applying for additional grants through FEMA to address emergency egress issues.

The proposed facility will consist of two buildings, a fire station including a drive-through apparatus bay, a large meeting/training room, and a community center with a kitchen, storage, offices and bathrooms. This joint-use facility will provide numerous opportunities for the residents: a location for the delivery of senior nutrition services; an indoor recreation area for local school children; and a gathering place for meetings, celebrations and emergencies. The building will also provide garage space for the Forest Service wild land fire engine, and parking for any emergency service vehicles.

El Dorado County has committed \$200,000 of County Community Enhancement Funds to contribute to this project. The El Dorado National Forest has offered to provide a location for the building, on a 40-acre administrative site. This site is the location of a Forest Service fire station, and has existing utilities and road access. Additionally, the Forest Service has completed environmental surveys and preliminary design work for a new engine station.

LAKE TAHOE WILDLIFE PARK & REHABILITATION CENTER

Amount Requested: \$1,000,000

Background: Lake Tahoe Wildlife Care Inc., is an independent, non-profit, volunteer organization which cares for orphaned and injured wild birds and animals in and around the Lake Tahoe Basin under a permit issued by the State of California Fish and Game and the United States Department of the Interior and Wildlife Service. It is recognized by the Internal Revenue Service as a 501(c)(3) tax exempt organization and is the only acknowledged wildlife rehabilitation facility within the Tahoe Basin.

Founded in 1978 by Tom and Cheryl Millham, LTWC has cared for more than 15,000 sick, injured, orphaned and displaced wildlife at Lake Tahoe and has returned over 10,000 rehabilitated and healthy animals back into the wild. The success rate of LTWC is a remarkable 67%.

Lake Tahoe Wildlife Care desperately needs a new home. The facility is currently located on two lots within a residential neighborhood and after 27 years, the once rural community is now yielding to urban sprawl. The goal of LTWC to find a site that could provide a year round, educationally based, natural environment for the care and rehabilitation of wild animals while offering programs to visitors, students and volunteers. Specifically, the project includes a wildlife sanctuary with free-roaming areas for recuperating animals; a welcome center for visitors to learn about wildlife communities; an amphitheater for educational programs; a viewing room to teach and experience the care and treatment of wild animals; interpretive nature trails; a training center with classrooms for interns and volunteers; resident's quarters for intern-caretaker, and a retail outlet area with complete visitor services.

The Board of Supervisors for the County of El Dorado supports LTWC to move its facility within 5 years. The City of South Lake Tahoe, along with El Dorado County, is working to find a suitable location and is in discussions with the United States Forest Service, Lake Tahoe Basin Management Unit, to donate land that is currently encumbered by an environmental mitigation lawsuit. The site would be a perfect location and negotiations continue. In anticipation of land becoming available it is necessary to begin the design work of the project.

PLACERVILLE JAIL INCREASED CAPACITY

Amount Requested: \$1,750,000

Background: The Placerville jail was constructed in 1988 and was designed to accommodate 196 inmates in a mix of single cells (128) and dormitories (16). The jail's current rated capacity is 243 beds due to double bunking within the single cells. The county population on the West Slope in 1990 was 95,000 and has grown by 40,000 or 42%. The additional 47 beds from double bunking only provided an increased capacity of 19%. In addition to population increases the District Attorney has reported a 36% increase in cases prosecuted in the past five years alone. The result of increased demand with a stagnant supply is early release of inmates. Jail records show that over 1,500 inmates are released early per year since 1995.

The El Dorado County Sheriff commissioned and completed a Needs Assessment in April 2005. The recommendations from this analysis range from the construction of an additional pod, in the long term, to expanding existing capacity by 40 beds. In order to achieve additional bed capacity improvements to support services within the facility also needs to occur. Specifically, propane tank capacity, vacated laundry, kitchen and dining areas need remodeling or relocation to allow for space to build a 40 bed dorm in Housing Unit 1 on the bottom floor. The County has identified \$440,000 to build a new laundry facility and provide additional storage space of inmate clothing and supplies. The Sheriff is participating in a statewide effort to explore a State bond for the 2008 ballot to fund a larger expansion of the jail.

RUBICON TRAIL ENVIRONMENTAL IMPROVEMENTS

Amount Requested: \$1,475,000

Background: The Rubicon Trail is widely recognized as the premiere off-highway vehicle (OHV) route in the United States and has been called the "crown jewel of all off-highway trails." The Rubicon Trail is located in El Dorado and Placer Counties in the California High Sierra, due west of Lake Tahoe and approximately 80 miles east of Sacramento. The Rubicon Trail attracts thousands of visitors each year to pass through the El Dorado National Forest and its numerous narrow passages and steep rocky climbs. The trail lies adjacent to the Desolation Wilderness and is used as an access route by hikers, backpackers, anglers in addition to the OHV enthusiasts from around the world.

With the extensive use of the trail local trail user groups, El Dorado County and the State of California have commissioned the development of a Rubicon Master Plan. One critical element of

the Master Plan is focused on environmental protection, specifically to address human waste. While every user of the Rubicon Trail has the responsibility to conserve and protect this valuable natural resource the infrastructure to handle the volume of human waste is inadequate. Restrooms are desperately needed at the trail head and along the trail itself. The environmental component of the Master Plan identifies three major components to address this issue: 3 vaulted Toilet units (one at each entrance and one at Loon Lake Dam); 10 composting units (along the trail due to terrain); 3 stream bed crossings (to protect watersheds).

WEBER CREEK BRIDGE ENHANCEMENTS

Amount Requested: \$7,000,000

Background: The County is making enhancements to the Missouri Flat Interchange to provide much needed congestion relief in a vital commercial district within the County. This congestion relief will provide significant improvements to regional air quality issues. The improvements to Highway 50 are critical as this corridor has been federally designated as the alternate route should Highway 80 be closed for any extended period. Also, because of existing deficiencies on the Webber Creek Bridge, the county must perform seismic retrofit and other improvements to meet current standards. This additional work is above and beyond what is necessary to complete the primary scope of the project.

Platform Issues

NATURALLY OCCURRING ASBESTOS

Background: Naturally Occurring Asbestos (NOA) deposits have been found in 44 California counties and in 20 states. Asbestos, including NOA, is a hazardous substance and a known carcinogen. Suspension of NOA fibers into air occurs incidentally with natural processes or human activity, such as construction, soil tilling, or automobile traffic over unpaved road containing NOA. Breathing any type of NOA fibers increases the risk of contracting asbestos related disease. The risk increases with increased duration, level and frequency of exposure. Contracting a disease depends on time elapsed since first exposure, the size and type of asbestos and person's lifestyle and preexisting lung condition. El Dorado County has been dealing with NOA issues since early 1990.

Legislative Platform:

- Support activities and legislation to define the level of health risk from NOA exposure.
- Support activities and legislation to develop and promulgate NOA testing methods (in soil and air) that will provide reproducible results.
- Support activities and legislation to establish and promulgate NOA standards in air and soil, to facilitate enforcement activities.
- Support legislation to provide funds for more accurate NOA mapping and identification techniques.

SECURE RURAL SCHOOLS AND COMMUNITIES

Background: The Federal government developed this program due to the sharp decline in the volume of Federal Timber Sales. This legislation, using the State's highest three years of Federal Forest Revenue as a baseline, provided for a stabilized payment option for six years beginning FY 01/02. The program is currently being reviewed in Congress (H.R. 517), and the Senate (S267). A continuation of the program would provide needed revenue to supplement the road fund to provide for necessary maintenance on our county roadways. In addition to the revenue for the road fund, the county also receives Title III money that is used to provide Search and Rescue funding for the Sheriff's Department.

Legislative Platform:

- Reauthorization of PL 106-93, the Secure Rural Schools and Community Self-Determination Act of 2000.

NPDES PERMIT COMPLIANCE

Background: The California State Regional Water Quality Control Board's expectations under NPDES continues to impact the County's General and Road Funds. The County is now under a Phase II General Permit on the Western Slope and the existing NPDES permit for the Tahoe Basin will be considered for renewal at the October meeting of the Lahontan Region Board.

The NPDES program is a federally required program that is administered by the State of California. The Regional Water Quality Control Boards expect the County to develop funding mechanisms to pay for mandated programs and/or increased levels of services associated with permit requirements. Appropriate local funding mechanisms would likely be bonds, fees, services charges and/or assessments. Local support to establish these kinds of revenue sources is uncertain.

The El Dorado County Department of Transportation is forecasting future revenue deficiencies for the Road Fund while there continues to be unmet needs for critical road system preservation. Federal Funding earmarked for NPDES storm water compliance would assist the County in meeting NPDES compliance while allowing for the County to target limited road fund revenues for use in system preservation.

Legislative Platform:

- Support funding for federally mandated NPDES permit compliance.

STATE CRIMINAL ALIEN ASSISTANCE PROGRAM

Background: State and local government budgets in areas near United States borders are significantly impacted by federal immigration policies. To address this situation, the State Criminal Alien Assistance Program (SCAAP) was created to reimburse state and local costs of incarcerating undocumented criminal aliens. SCAAP reimbursements have not come close to covering the costs incurred. The FFY 2001 SCAAP appropriation of \$564 million is \$21 million

less than in previous years. In some border state counties, their share of the total only covered about a quarter of their incarceration costs.

Incarceration costs represent only a small portion of the expense incurred by a county in dealing with criminal illegal aliens. Counties also must pay for the costs of law enforcement, prosecution, indigent defense, and a share of trial costs as well. In addition, these detainees frequently endure dehydration, exposure, and serious injury trying to enter the country illegally and are entitled to emergency medical care as indigents and ongoing medical care as jail inmates. In California, these are county expenses. Furthermore, costs for incarcerating undocumented criminal aliens who are juveniles are not allowable under the current program, unless the juvenile was tried as an adult.

Counties faced additional hurdles in receiving SCAAP cost reimbursement last year. Without a change in law or regulation, eligible reimbursement costs were limited to straight-time correctional officer salary costs. Another change limited counties' ability to be reimbursed for the costs of incarcerating undocumented criminal aliens who have never been arrested by the Immigration and Naturalization Service and therefore lack an "A" number used by the Department of Justice to determine SLIAG reimbursable costs. In addition, since counties can only receive funds for persons convicted of a felony or multiple misdemeanors under SCAAP, they must search records, often manually, to document that each case involves multiple misdemeanors or a felony. These restrictions should be eliminated.

When Congress considers the reauthorization of SCAAP this year, it should do so at a level of funding that recognizes the true state and local costs associated with implementation of US border policies.

Legislative Platform:

- Increase the appropriation for the State Criminal Alien Assistance Program (SCAAP) to \$750 million to more fully reimburse states and localities for the cost of incarcerating undocumented criminal aliens.
- Enact a long-term reauthorization of the SCAAP program, which remains expired, at the highest possible funding level.
- Support efforts (HR 823/S 169) to reimburse states and localities for the indirect costs of incarcerating illegal aliens (i.e., court costs, county attorney costs, non-trial criminal proceedings, indigent defense, unsupervised probation costs, and emergency health services).

FUNDING FOR HOMELAND SECURITY

Background: Emergency preparedness and response has an elevated significance in public policy since the events of September 11, 2001. Due to that tragedy, Congress approved the creation of the Federal Department of Homeland Security (DHS). Homeland Security Secretary Michael Chertoff has recently reorganized the agency and a FY 2006 Budget of \$40.6 billion has been appropriated. The FY 2006 Appropriations Act provides \$4.0 billion for a Preparedness Directorate to enhance coordination and deployment of preparedness assets, facilitate grants, and

oversee nationwide preparedness efforts supporting first responder training, citizen awareness, public health, and critical planning functions to build capacity, protect critical infrastructure, and strengthen cyber systems. Unfortunately, first responder grants have been cut by 17% and there is a strong trend to allocate the money according to the risk of terrorist attack or natural disaster. This could lead to less funding at the local and rural levels and most of the funding going to the State or large urban cities.

Legislative Platform:

- Support the distribution of funds to the local agencies in order to continue to provide “All Hazards” response at the local level.
- Support funding flexibility and enhancement of local authority.
- Support the review of mass evacuation planning from large urban areas in the event of a terrorist attack or natural disaster, including consideration of the impact on those communities where evacuees are going.
- Support training programs for first responders and public health responders.
- Support regional “all hazards” mutual aid and the Emergency Management Assistance Compact (EMAC) for interstate mutual aid.
- Support public education regarding family and business Disaster Preparedness.
- Oppose allowance of excessive “rake-off” for State administration of funds.
- Support funding flexibility and enhancement of local authority.

RESTORE BIOTERRORISM FUNDING

Background: The Department of Health and Human Services’ state and local bioterrorism preparedness grant program comprises the foundation of an effective national strategy for preparedness and emergency response to bioterrorism. Preparedness incorporates more than the immediate response to threats such as biological and chemical terrorism; it also encompasses the broader components of public health infrastructure that provide the essential foundation for immediate and effective emergency responses.

The President’s FY2006 budget request disproportionately cuts funding for local and state governmental public health. The request would reduce the budget for the Centers for Disease Control (CDC) bioterrorism preparedness funding for state and local health departments by \$130 million. Additionally, the budget request proposes the complete elimination of the \$131 million Preventive Health and Health Services block grant, of which about 40 percent goes to local entities. Overall, the President’s budget would cut CDC by over 6 percent and the Health Resources and Services Administration (HRSA) by over 11 percent. In fact, overall cuts to federal discretionary health funding would total \$1 billion and will cause widespread harm to the nation’s ability to respond to future public health and terrorist threats.

County public health agencies are being asked to address a growing number of health threats and problems, including influenza, vaccine shortages and preparedness for bioterrorism. The cut of 14 percent, or \$130 million, in bioterrorism preparedness funding for public health departments, is wholly inconsistent with national goals to improve preparedness for terrorism. Such a cut will cause counties to move backward, rather than forward, in preparing their communities for terrorist threats. A reduction in state and local preparedness funding for public health departments is

wholly inconsistent with national goals to prepare, prevent, respond, and recover from future terrorist threats.

Legislative Platform:

- Support restoration of the Administration's FY06 budget reduction state and local governmental bioterrorism preparedness grant program.

HELP AMERICANS VOTE ACT

Background: The Help American's Vote Act (HAVA) contained \$650 million to replace punch card and lever voting machines and begin state implementation plans and was appropriated and disbursed for FY 2003. An additional \$2.3 billion in requirements grants for states was appropriated for FY 2003 and FY 2004. However, none of these funds were disbursed until June 2004 and no funds were provided in FY 2005. Appointment of the Technical Guidelines Development Committee that, with support from the National Institute of Standards and Technology, is required to develop guidelines for implementation of HAVA, was delayed by sixteen months and their guidelines – originally expected in January 2004 – will not be released in draft form until at least April 2005. It will be impossible for independent labs to test and certify voting equipment to the federal standards until well after the deadline for implementation under HAVA.

As a result of the federal delays and resulting uncertainty, many county officials are concerned that they will be unable to meet the deadline specified in HAVA and that their state and/or county will be subject to enforcement action by the Justice Department. Many counties' compliance costs are increasing, as they must require vendors to deploy equipment in a rush basis or retrofit their equipment to the federal standards once they are released. County officials will be more able to assure voters that their voting equipment is secure and that taxpayer funding is being used efficiently if the deadline is deferred from January 1, 2006 to January 1, 2008.

Many counties are making significant expenditures to comply with the mandates in the Help America Vote Act. Federal appropriations are \$860 million short of the full authorization, including \$600 million for grants to states. States are not required to distribute federal funds to counties. No federal funds are available after FY2005. Counties' costs will likely be reduced if the compliance deadline is deferred.

Legislative Platform:

Support full funding for the Help America Vote Act of 2002 and support the implementation efforts of the Election Assistance Commission. In addition, El Dorado County urges the federal government to review the long-term unfunded liabilities that the Help America Vote Act has imposed on states and counties, provide ongoing federal funding for replacement of mandated equipment and the administration of federal elections and provide additional time for states and counties to meet the deadlines mandated in HAVA.

VETERANS PROGRAMS AND BENEFITS

Background: The United States Department of Veterans Affairs (USDVA) administers various programs in areas such as health care, financial assistance, and burial benefits to assist veterans who have sacrificed so much to serve their country. Unfortunately, the pressure to cut federal spending in veterans' programs is intense. Over the past two decades, for example, funding of VA medical programs has decreased substantially as measured in constant dollars. As a result, facilities are deteriorating, and each month thousands of vets are left with no source for the medical treatment they need.

The U. S. Department of Veterans Affairs, and its programs, faces an annual funding dilemma. At the local level, County Veterans Service Offices strive to assist veterans as they navigate the often frustrating process of securing claims and benefits to which they are entitled, and are often faced with the difficulty arising from the increasing needs of aging veterans and the timely receipt of benefits and services.

Legislation and advocacy efforts are needed to ensure that County Veteran Service Offices can continue to assist veterans in need of compensation, medical, rehabilitative, educational, and employment services.

Legislative Platform:

- Support legislation and advocacy efforts on behalf of veterans, using the recommendations outlined in the California Association of County Veterans Service Officers' 2005 federal platform, such as:
 - Supporting legislative, regulatory or policy changes that would create a federal - state - local government partnership to reduce the USDVA veterans claims backlog and expand outreach services to veterans.
 - Supporting legislation that would eliminate the Financial Means Test for veterans to qualify for VA medical care.
 - Supporting legislation that would provide increased access for CVSOs to USDVA automated information systems for use in developing and monitoring claims submitted on behalf of veterans.
 - Supporting legislation that would increase funding for the Vet Center Counseling Program. Current funding does not current needs and with increasing usage by returning combat veterans.
 - Opposing any adverse changes to disability compensation benefits for veterans.

COUNTY PEST EXCLUSION REQUEST

Background: Today there is a greater need than ever before to protect our nation's food supply and the environment, from the accidental or intentional introduction of exotic and invasive pests. The California County Agricultural Commissioners (CACs) provide 1200 trained biologists, who work in coordination with the USDA and the California Department of Food and Agriculture (CDFA). These biologists are on the front line providing protection by making the inspections and performing other pest detection activities.

In addition to making the inspections, CACs are called on to assist in federal quarantine actions, including, swift recalls (Spanish Clementine Oranges), trace forwards (Sudden Oak Death), and issue hold notices and monitor quarantine situations.

California, with its diversity of environment, agriculture and population, plays a critical role in the efforts to prevent biological contamination throughout the United States. California has the largest single land border point of entry at San Ysidro and the 6th busiest port in the world in Los Angeles. We are home to over 10% of the nation's population, and an annual agricultural production value of over \$30 billion.

California's pest prevention program against biological pollution has not kept pace with the increased risks caused by the tremendous increase in interstate and international movement of people and commerce. Since 1993, the value of U.S. imports has doubled to approximately \$42 billion, and exports have increased by 68%. Between 1980 and 2000, international passenger arrivals increased by 127%. Air cargo is doubling every 5 to 6 years and the proportion of perishable items with pest introducing capability is also increasing. As the demand for exotic ethnic fruits and vegetables skyrockets, and means of transporting these items into California and the USA become ever more sophisticated, the threat of exotic pest introductions, both accidental and intentional is at an all time high.

Legislative Platform:

- Request for a continuing appropriation of \$13 million statewide for the County Pest Exclusion program in California.
- Support the passage of HR 4049 (Pombo/Costa) The Early Pest Detection and Surveillance Act.

COUNTY PEST DETECTION REQUEST

Background: California's pest detection program against biological pollution has not kept pace with the increased risks caused by the tremendous increase in interstate and international movement of people and commerce. Since 1993, the value of U.S. imports has doubled to approximately \$42 billion, and exports have increased by 68%. Between 1980 and 2000, international passenger arrivals increased by 127%. Air cargo is doubling every 5 to 6 years and the proportion of perishable items with pest introducing capability is also increasing. As the demand for exotic ethnic fruits and vegetables skyrockets, and means of transporting these items into California and the USA become ever more sophisticated, the threat of exotic pest introductions, both accidental and intentional is at an all time high.

Legislative Platform:

- Request for a \$7.4 million continuing appropriation for the County Pest Detection program in California.
- Support the passage of HR 4049 (Pombo/Costa) The Early Pest Detection and Surveillance Act.

CALIFORNIA'S COOPERATIVE WILDLIFE SERVICES

Background: The California Cooperative Wildlife Management Services programs provide a variety of invaluable services to both the general population and the agricultural community. Cooperating counties receive the services of trained professional Wildlife Specialists through the USDA-APHIS Wildlife Service budget. These professionals educate the public on non-lethal methods of addressing conflicts with wildlife and protect the public from predatory animal attacks and exposure to rabies. They also protect the traveling public, preventing collisions between wildlife and aircraft around airports and they provide protection to numerous threatened and endangered species. They also safeguard California's agricultural producers, protecting livestock, fruit, vineyard, nut, and row crops, apiaries, as well as mitigating damage to levees and flood control areas.

The level of federal funding has remained constant at approximately \$1.5 million annually for the past decade while program costs have continued to rise. State funding has been eliminated and cooperating counties have had to fund these increasing costs. While it has been difficult, most of the cooperating counties have been able to absorb the increased costs to date. Given California's and the counties precarious financial positions and the projected increases that the federal program managers have announced must be passed on to local cooperators, unless additional federal dollars are allocated for California, it appears that some counties may either have to reduce or eliminate their local programs in the coming year.

We are requesting a review of the appropriation criteria, and an increase in continuous appropriation to USDA-APHIS, Wildlife Services budget from \$1.5 million to \$3.0 million, to support the California Wildlife Management Services Program at a level that is more reflective of the state's size, topography, diversity of habitat and wildlife species, and agricultural production as compared to other states in the Western Region. Although California has the largest agricultural economy and population in the nation and is the third largest state in terms of geography, the state continually receives less funding than most of the other states in the Western Region. In FY03 it ranked 16th out of the 19 states comprising this region.

In spite of the population growth in California, expected to rise from its current 36,000,000 to 49,000,000 in 2025 according to U.S. Census Bureau, it is still the leading agricultural state in the nation. An increase in the continuous appropriation for California's program is vital in order to protect its exploding population and its agricultural and natural resources.

Legislative Platform:

- Request for an increase in the continuing appropriation for the USDA-APHIS Wildlife Services Budget of California's Cooperative Wildlife Services Program.

COMMUNITY SERVICES BLOCK GRANT

Background: The Community Services Block Grant (CSBG) provides assistance to local jurisdictions in the reduction of poverty, the revitalization of communities, and the empowerment of families and individuals in rural and urban areas to become fully self-sufficient. CSBG is a crucial resource for El Dorado County, and counties nationwide, because it is a resource that allows for local control and determination in how we address our local needs. It is one of those rare funding sources that is not fully restricted in its use. For El Dorado County, it has allowed for the expansion of services to at-risk seniors, developing a volunteer base, being able to keep open a Tahoe office and other important local initiatives.

El Dorado County potentially stands to gain, or lose, \$250,000 in CSBG support next year, depending on the level at which it is funded. CSBG has strong bipartisan support in Congress. It likely will be funded; ideally it would be funded at an increased level. At a time when poverty is resurfacing as a concern nationwide, CSBG provides a relatively low-cost (\$700 million) way for Congress to support local community efforts to meet basic needs, as determined at the local level.

Legislative Platform:

- Support, at a minimum, reauthorization of CSBG funding at existing levels.

ELDER JUSTICE ACT

Background: Although the number of older Americans is fast growing, the problem of elder abuse, neglect, and exploitation has long been invisible and presents among the gravest issues facing millions of American families. A program is needed at the national level to provide federal resources to support State and community efforts on the front lines dedicated to fighting elder abuse with scarce resources and fragmented systems. From a social perspective, elder justice means assuring adequate public-private infrastructure and resources to prevent, detect, treat, understand, intervene in, and where appropriate, prosecute elder abuse, neglect, and exploitation. From an individual perspective, elder justice is the right of every older person to be free of abuse, neglect, and exploitation.

In 2003, Congress brought this issue to the forefront with the introduction of legislation to establish an Office within the Department of Health and Human Services to serve as a clearinghouse for the collection and sharing of information regarding Adult Protective Services practices, elder abuse statistics, forensics, victim assistance, abuse prevention, and successful prosecution practices. In addition, the newly established Office would make grants available to fund state and local elder justice programs. Although the 2003 legislation did not move in Congress, it is expected that the legislation will be introduced in the next session.

Passage of the Elder Justice Act legislation will give states and local entities the resources to address the growing issues of elder abuse, neglect, and exploitation. It should provide a dedicated source of funding for Adult Protective Services.

Legislative Platform:

- Support Elder Justice Act legislation establishing and providing full funding for a federal elder justice program to assist states and counties address elder abuse.

TARGETED CASE MANAGEMENT AND THE PUBLIC GUARDIAN

Background: Provisions under the federal Social Security Act permit states to use Medicaid funding (Medi-Cal in California) for case management services to assist an individual eligible under the State plan in gaining access to needed medical, social, educational, and other services. Case management services are referred to as targeted case management (TCM) services when the services are not furnished in accordance with Medicaid state-wideness or comparability requirements. This flexibility enables States to target case management services to specific classes of individuals and/or to individuals who reside in specified areas.

Because statutes of the Act permit states flexibility to target Medicaid case management services based on any characteristic or combination of characteristics, States may use eligibility for, or participation in, a state social welfare program or other programs as the basis for defining the target population among Medicaid eligible individuals.

States desiring to provide these case management services may do so by amending their Medicaid State plans. Given the targeted nature of the program, States must submit a separate plan amendment for each target group. In September 2003, California submitted a State Plan Amendment (SPA) to the Center for Medicaid and Medicare Services (CMS) to allow county public guardians to provide TCM services for conservatees under their care.

The El Dorado County Public Guardian uses TCM funding to recoup expenses in providing Targeted Case Management services to the population serviced by the Public Guardian. However, at one point the federal government sought to disallow the Public Guardian State Plan Amendment because they believed that Public Guardians in California might be claiming reimbursement for activities that should be paid for at the local level. Currently, reimbursements continue to be allowed. If this issue should arise again, maintaining the status quo would be important.

Legislative Platform:

- Should this issue resurface, work to maintain the status quo Medicaid practice of allowing reimbursement for Targeted Case Management Services by the Public Guardian.

SOCIAL SERVICES PRIORITIES

Background: The following are applicable federal legislative priorities identified by the California County Welfare Directors Association (CWDA).

SSI Benefits - Change federal law to allow application to be made for SSI benefits for foster youth approaching 18 with enough time for the SSA to determine eligibility. Current rules do not allow applicants to be receiving Title IV-E, placing counties in a difficult position

regarding when to apply for these benefits for youth who are likely eligible, but are also receiving Title IV-E funding for their foster care placements.

Medicaid Citizenship fixes - Based on feedback provided to the federal government on its Interim Final Rule implementing the citizenship documentation requirements, specific changes that CWDA would advocate for include:

Legislative Platform:

- Exempt foster children, adopted children and children with guardians.
- Allow coverage while documents are being obtained for new applicants who are otherwise eligible.
- Allow documents that match up with the CalWORKs list of documents, which is broader than the list proposed in the federal regulations.
- Allow self-certification under penalty of perjury.
- Newborns - (currently newborns cannot be deemed eligible for one year when born to undocumented mothers).

TANF fixes - Based on feedback provided to the federal government on its Interim Final Rule implementing the TANF reauthorization changes, specific changes that CWDA would advocate for include:

Legislative Platform:

- Eliminate or change the 90 percent two-Parent participation rate requirement.
- Enable partial credit for partial participation.
- Change federal exemptions to mirror California exemptions.
- Seek opportunities to secure legislative changes to objectionable portions of TANF regulations issued by the federal government.

SUBSTANCE ABUSE PARITY

Background: It is estimated that over 120,000 Americans die each year as a result of drug and alcohol abuse. The estimated cost to taxpayers is nearly \$276 billion per year and includes increased health care, law enforcement, automobile accident, drug related criminal activity and lost productivity per year. Despite these statistics, many health plans do not offer substance abuse treatment to their subscribers, and many other plans severely limit the services provided.

As a result, many individuals who are covered by health care service plans or disability insurance for other medical conditions, wind up competing with the indigent and other categorical clients for the very limited publicly- funded treatment slots contracted for by the County.

Additionally, a 2001 study by the independent Legislative Analysts Office (LAO) shows that while substance abuse treatment is relatively expensive on an individual basis, the cost is comparatively small when compared to overall health expenditures and when spread out over all enrolled members because few members receive substance abuse treatment. In addition, in the longer term, the LAO states there appear to be offsetting savings from avoided future medical care. This avoided expense would tend to hold down total health expenditures and offset the cost of treatment for alcohol and drug abuse.

Although some states (including California) have mandated that health insurers provide substance abuse treatment, state laws (again including California) still permit insurers to time-limit outpatient and inpatient services, unlike treatment offered for physical diseases or injuries. Federal legislation requiring health insurers to offer substance abuse treatment on the same basis as that for physical disorders is needed.

Legislative Platform:

- Support federal legislation that would require health care service plans and private disability insurers to provide substance abuse treatment to their subscribers on the same basis as that provided for physical disorders.

MEDICARE MENTAL HEALTH AND SUBSTANCE ABUSE TREATMENT PARITY

Background: Medicare covers only half of the cost of mental health care but 80 percent of the cost of general doctors' visits. Medicare's inpatient psychiatric hospital benefit has a lifetime limit of 190 days, but there is no lifetime limit for general inpatient hospital care. A recent survey found that 38 percent of older and disabled persons with Medicare had difficulty paying for mental health services.

Providing less coverage for mental health services than for general health services is problematic; it financially discriminates against those seeking mental health treatment, perpetuates the stigma of mental health care as different from general health care, and, to the extent these persons make use of county mental health services, creates a drain on county resources.

In addition, Medicare, with the exception of smoking cessation, does not cover alcohol and drug abuse treatment. It does, however, pay large amounts of money to treat substance abuse-related illnesses among the elderly. It is estimated that nearly one out of every four dollars Medicare spends on inpatient hospital care, and one out of every five Medicare hospital admissions, are attributable to substance abuse. Treating substance abuse-related illnesses will cost the Medicare program one trillion dollars over the next 20 years. Even a ten percent reduction in the amount of substance abuse would save the Medicare Trust Fund \$100 billion over the next 20 years. Additionally, to the extent that Medicare beneficiaries make use of county substance abuse treatment services, scarce county funds for these services could be preserved for other treatment purposes.

Legislative Platform:

- Support legislation to treat Medicare reimbursement for mental health care services the same as Medicare reimbursement for general health services.
- Support legislation that would include substance abuse treatment in the list of Medicare services.

340B DRUG PRICING PROGRAM

Background: The federal 340b Drug Pricing Program was established 1992, and is now contained in Section 256b of Title 42 of the United State Code. This program is administered by the Office of Pharmacy Affairs of the Bureau of Primary Health Care that is part of the Health Resources and Services Administration, an agency within the federal Department of Health and Human Services.

Section 340b of this law limits the cost of drugs to federal purchasers and to certain guarantees of federal agencies. These discounts can range from 15% to 60%. Discounted outpatient drugs are available directly from the federal government to certain local federally funded grantees and other organizations known as "covered entities" in this program. Generally speaking, these "covered entities" are federally qualified health centers, certain public and nonprofit hospitals, and various federal health programs administered by local public and private healthcare entities that are funded, at least in part, through federal grants. The federal government has guidelines as to patient and entity eligibility and also what requirements must be met by those entities participating in the program. As qualified entities, ARMC and certain DPH programs are able to participate in the 340b program

When the original legislation creating the 340(b) program was written, local mental health agencies, both public and private, were specifically excluded from the list of "covered entities" at the insistence of the major drug companies. Vastly more effective (and expensive) psychotropic medications were just making their appearance, and the drug companies claimed that the discounts would impede their ability to make a profit sufficient to cover the development costs of the new class of drugs.

The Behavioral Health Department distributes these medications through both their clinics and through their jail medications program. If DBH was able to make use of the 340b program, the department and the county could substantially reduce the expenditures for these medications.

Legislative Platform:

- Support legislation that would place county mental health programs on the list of covered entities in the federal 340b Drug Pricing Program.

CHILD SUPPORT PENALTY RELIEF

Background: Federal fiscal penalties were levied against California totaling \$220 million for fiscal year 2004-05. Counties are not responsible for the State's failure to implement a single, statewide-automated child support collection system (by Oct. 1, 1997) as required in the federal guidelines of the 1988 Family Support Act. California has not paid penalties for 2006 and has applied for relief in a timely fashion. At this point the Federal government has not pursued any penalty payments and are in the process to verify the alternative system configuration meets federal automation standards. If California passes the configuration and system review, California will be relieved from future penalties. If the review concludes that California has not meet the federal automation standards and are in compliance the FY 2005, FY 2006 and FY 2007 penalties will become due.

In FY 2003-04 the State of California passed through those federal penalties to counties and El Dorado County's share that year exceeded \$450,000.

Legislative Platform:

- Continue to oppose any attempt by the State to pass on federal automation penalties imposed on the state to the counties.