



County Administrative Office
COUNTY OF TULARE
AGENDA ITEM

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

PETE VANDER POEL
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: April 1, 2014

Public Hearing Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Published Notice Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Advertised Published Notice	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Meet & Confer Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Personnel Resolution attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>

CONTACT PERSON: Debbie Vaughn PHONE: 636-5005

SUBJECT: Federal legislative priorities

REQUEST(S):

That the Board of Supervisors:

Receive input and provide direction regarding the federal legislative priorities to be addressed during the advocacy trip to Washington, D.C. during April 8-10, 2014.

SUMMARY:

The Board of Supervisors addressed several key federal priorities during its trip to Washington, D.C. during April 9-11, 2013. A summary of those issues is contained in Exhibit A.

Exhibit B contains a potential list of federal priority issues for discussion during this year's advocacy trip scheduled for April 8-10, 2014. Staff is requesting that the Board provide direction regarding the issues and corresponding requests it wishes to address during the trip.

FISCAL IMPACT/FINANCING:

N/A

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's Strategic Plan includes the four initiatives of 1) Safety and Security, 2) Economic Well-Being, 3) Quality of Life, and 4) Organizational Performance. Each of the proposed federal priority issues addresses one or more of these initiatives.

SUBJECT: Federal legislative priorities

DATE: April 1, 2014

ADMINISTRATIVE SIGN-OFF:

Debbie Vaughn
Senior Administrative Analyst

Cc: Auditor-Controller
County Counsel
County Administrative Office (2)

Attachment(s) Exhibit A
Exhibit B

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

**IN THE MATTER OF FEDERAL
LEGISLATIVE PRIORITIES**

)
) Resolution No. _____
) Agreement No. _____

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

Received input and provided direction regarding the federal legislative priorities to be addressed during the advocacy trip to Washington, D.C. during April 8-10, 2014.

Exhibit A

Federal Priority Issues

The Tulare County Board of Supervisors addressed the following Federal priority issues during its meetings in Washington, D.C. in April, 2013.

Payment in Lieu of Taxes (PILT)

Payments in Lieu of Taxes" (or PILT) are Federal payments to local governments that help offset losses in property taxes due to nontaxable Federal lands within their boundaries. The Moving Ahead for Progress in the 21st Century Act (MAP-21) was signed into law on July 6, 2012 and included a one year extension of the PILT program. Tulare County received \$2,914,692 in 2012 for 1,533,603 acres.

Request: Reauthorization of Payment in Lieu of Taxes.

State Criminal Alien Assistance Program (SCAAP)

Bureau of Justice Assistance, U.S. Department of Justice administers the State Criminal Alien Assistance Program (SCAAP) in conjunction with the Bureau of Immigration and Customs Enforcement (ICE) and Citizenship and Immigration Services, Department of Homeland Security (DHS). SCAAP provides federal payments to states and localities that incurred correctional officer salary costs for incarcerating undocumented criminal aliens with at least one felony or two misdemeanor convictions for violations of state or local law, and incarcerated for at least 4 consecutive days during the reporting period. The Department of Justice extended, through 2012 only, its reimbursements for the unknown category of SCAAP inmates. Tulare County received \$734,292 in 2012.

Request: Full funding for SCAAP and elimination of plans to discontinue SCAAP reimbursements for criminal aliens not currently tagged as "known" in the Immigration and Customs Enforcement database.

Secure Rural Schools and Community Self-Determination Act

The Moving Ahead for Progress in the 21st Century Act (MAP-21) was signed into law on July 6, 2012 and included a one year extension of the Secure Rural Schools and Community Self-Determination Act, providing funding at 95% of the 2011 levels.

Request: Reauthorization for the Secure Rural Schools and Community Self-Determination Act.

Marijuana Eradication

Provide an update on the 2012 marijuana eradication efforts within the County, including activity on Federal lands.

Request: Remove the overtime cap restriction on federal funding and provide continued funding for investigation and eradication on federal lands.

Request: Request funding from U.S. National Park Service and Bureau of Land Management.

Request: Continue to increase collaboration with U.S. Attorney's office, including increased federal prosecution. Provide funding to the Eastern District in order to support prosecution efforts.

Request: Encourage Federal agencies to utilize new, supplemental methods of combating illegal cultivation such as Drug Enforcement Agency Agent placement within Sheriff's Department Marijuana Task Force to allow for enhanced enforcement of Federal law.

Request: Review the status of marijuana as a federal Schedule 1 controlled substance.

Eastern District of California/Federal Judges

The United States District Court, Eastern District of California currently ranks first in the nation in workload with filings double the average number in the nation and the Circuit. The Fresno Division of the Eastern District Court is overburdened which creates a significant impediment to intensified and timely prosecution of illegal marijuana activities.

Request: Provide funding to increase the number of Federal Judges in the Eastern District, including the Fresno Division.

Lake Success

Since 2003, delays associated with the Seismic Remediation Project for Lake Success have created hardships for the local community, limiting storage and reducing irrigation and flood control storage for the Tule River Basin. Currently, the Final Baseline Risk Assessment Report is being prepared for review and approval by the Senior Oversight Group and final approval by Assistant Secretary of the Army for Civil Works.

Request: Signature on a letter requesting the Assistant Secretary of the Army for Civil Works to ensure that the timeline for review and approval of the Final Baseline Risk Assessment Report remains on schedule.

Farm Bill

The prior 2008 Farm Bill expired in 2012 and portions of the bill were extended for nine months through September 30, 2013. A new five-year bill has not been introduced.

Request: A new five-year Farm Bill which includes the Dairy Security Act. The Dairy Security Act offers a voluntary margin protection program, including a market stabilization element.

Rural Community Water Systems

Tulare County has a large number of public water systems unable to provide safe drinking water. The vast majority of these systems are in disadvantaged or severely disadvantaged communities which lack the resources to fund preliminary design and/or engineering in order to develop sustainable solutions.

Request: Modification of USDA grant guidelines to allow for full project funding from preliminary engineering through construction.

Exhibit B Federal Priority Issues

The following federal priority issues are recommended for the Board of Supervisor's meetings in Washington, D.C. during April 8-10, 2014.

Payment in Lieu of Taxes (PILT)

Payments in Lieu of Taxes" (or PILT) are Federal payments to local governments that help offset losses in property taxes due to nontaxable Federal lands within their boundaries. H.R. 2642 (Farm Bill) included a one year extension of PILT through 2014. The 2013 authorized level of \$421.7 million was subject to sequestration and reduced by \$21.5 million. Tulare County received \$2,938,661 in 2013 for 1,533,662 acres.

Request: Reauthorization of Payment in Lieu of Taxes at full funding.

State Criminal Alien Assistance Program (SCAAP)

Bureau of Justice Assistance, U.S. Department of Justice administers the State Criminal Alien Assistance Program (SCAAP) in conjunction with the Bureau of Immigration and Customs Enforcement (ICE) and Citizenship and Immigration Services, Department of Homeland Security (DHS). SCAAP provides federal payments to states and localities that incurred correctional officer salary costs for incarcerating undocumented criminal aliens with at least one felony or two misdemeanor convictions for violations of state or local law, and incarcerated for at least 4 consecutive days during the reporting period. In 2013, the Department of Justice continued reimbursements for the unknown category of SCAAP inmates. SCAAP funding has decreased 65% since 2010. Tulare County received \$892,103 in 2012 which is approximately 10% of the actual costs incurred.

Request: Full funding for SCAAP and elimination of plans to discontinue SCAAP reimbursements for criminal aliens not currently tagged as "known" in the Immigration and Customs Enforcement database.

Secure Rural Schools and Community Self-Determination Act

Congress passed a one year reauthorization of the Secure Rural Schools and Community Self-Determination Act as part of HR 527 Helium Stewardship Act on October 2, 2013 at 95% of the 2012 levels. The 2012 levels were funded by a one year extension included in the Moving Ahead for Progress in the 21st Century Act (MAP-21) which was signed into law on July 6, 2012 and also provided funding at 95% of the 2011 levels.

Request: Reauthorization for the Secure Rural Schools and Community Self-Determination Act.

Marijuana Eradication

Provide an update on the 2013 marijuana eradication efforts within the County, including activity on Federal lands.

Request: Remove the overtime cap restriction on federal funding and provide continued funding for investigation and eradication on federal lands.

Request: Request that the Office of National Drug Control Policy fund the Central Valley High Intensity Drug Trafficking Area program.

Request: Continue to increase collaboration with U.S. Attorney's office, including increased federal prosecution. Provide funding to the Eastern District in order to support prosecution efforts.

Request: Encourage Federal agencies to utilize new, supplemental methods of combating illegal cultivation such as Drug Enforcement Agency Agent placement within Sheriff's Department Marijuana Task Force to allow for enhanced enforcement of Federal law.

Eastern District of California/Federal Judges

The United States District Court, Eastern District of California currently ranks first in the nation in workload with filings double the average number in the nation and the Circuit. The Fresno Division of the Eastern District Court is overburdened which creates a significant impediment to intensified and timely prosecution of illegal marijuana activities.

Request: Provide funding to increase the number of Federal Judges in the Eastern District, including the Fresno Division.

Lake Success

Since 2003, delays associated with the Seismic Remediation Project for Lake Success have created hardships for the local community, limiting storage and reducing irrigation and flood control storage for the Tule River Basin. The Final Baseline Risk Assessment Report is being prepared for review and approval by the Senior Oversight Group and final approval by Assistant Secretary of the Army for Civil Works. The report has been delayed four times in the past year.

Request: Send a letter asking that there be no additional delays in the report process; that the dam is issued a DSAC IV rating ; or that, should a DSAC III rating be issued, a clearly identified and feasible process for moving forward with simultaneously with widening the spillway (to achieve a DSAC IV) and enlarging the reservoir be developed immediately.

Water Infrastructure/Drought Relief

Request: Appropriations for water storage with an emphasis on surface storage and continuing appropriations to fund the necessary feasibility, environmental, and design pre-construction activities.

Request: Emergency drought relief in the form of grants to replace permanent crops which will be lost this year due to the lack of water.

Rural Community Water Systems

Tulare County has a large number of public water systems unable to provide safe drinking water. The vast majority of these systems are in disadvantaged or severely disadvantaged communities which lack the resources to fund preliminary design and/or engineering in order to develop sustainable solutions.

Request: Modification of USDA grant guidelines to allow for full project funding from preliminary engineering through construction.