

COUNTY OF SAN BERNARDINO



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EXECUTIVE SUMMARY

Prior to the collapse of the housing and financial market, the County of San Bernardino experienced a robust economy. However, with the decline of traditional revenue streams such as property and sales tax, the County was forced to make difficult budget decisions. Recently, the County adopted a balanced budget that avoided utilizing one-time monies to finance ongoing cost and the use of County general reserves to fund ongoing operations. Nevertheless, lagging revenues coupled with the uncertainty of the State of California's fiscal condition has the potential to jeopardize the County's fiscal well being. In order for the County to continue to provide quality services, assistance from the Federal Government and continued partnership with our Congressional delegation is imperative to maintain success. In this platform, you will find San Bernardino County's Federal legislative priorities for 2011, including funding requests and policy positions.

Based on the principles of fiscal stability, preservation of local control, promotion of inter-agency cooperation, efficient service delivery and operations the San Bernardino County Board of Supervisors provide specific direction and overall policy guidance through the adoption of an annual platform each legislative session.

In order to accomplish a vision of creating a safe, clean and healthy environment that appeals to families and individuals and attracts the best business and industry, the County of San Bernardino provides multiple services, ranging from public safety, transportation and land use to public works and recreational services. In addition to providing direct constituent services, the County also serves as a conduit for the Federal Government by administering a variety of health and human service programs. The County continues to face ongoing population growth and presently over two million residents located throughout the County's 20,000 square miles have access to and utilize a great deal of resources.

The 2011 Federal legislative platform, developed in coordination with the Board of Supervisors, County departments and regional stakeholders is an expression of the direction of comprehensive Board legislative policy on a range of issues and needs facing the County. The platform has been compiled into various sections, including funding requests and policy proposals. Each legislative item contains a brief background, legislative position and a funding amount request when applicable.

FUNDING REQUESTS AND POLICY OBJECTIVES

Federal legislation, regulations and funding have a significant impact on County operations, service delivery and the organization's fiscal well-being. The County of San Bernardino supports a Federal regulatory system that protects and improves the overall safety, health, and quality of life of the residents of San Bernardino County. Furthermore, the County supports the reform of the Congressional Funding Direction (earmarking) process. All of the funding proposals comply with current Congressional earmark reform standards that include direct recipient funding requests, justification of use of taxpayer funding and appropriate applicable matching funds to each request. The following are the County's general Federal legislative funding requests, guiding principles and policies:

- Support funding requests, legislation or regulatory efforts that will provide a larger allocation of total available Federal funding and oppose proposals that would reduce the State and local government's share of total funding.

- Support funding requests, legislation or regulatory efforts that will provide flexibility and greater decision-making authority over the use of Federal funds including direct grants and mandatory pass-through allocations.
- Support funding requests, legislation or regulatory efforts that will reduce or eliminate unnecessary and restrictive regulatory/administrative/oversight requirements of Federal programs.
- Support funding requests, legislation or regulatory efforts that ensure the development of a well-planned, balanced, and sustainable County.
- Support funding requests, legislation or regulatory efforts that will create, maintain and grow jobs and economic value.
- Support funding requests, legislation or regulatory efforts that provide for the health and social service needs of county residents.
- Support funding requests, legislation or regulatory efforts that improve goods movement, mitigate traffic congestion and improve infrastructure within the region's trade corridors.
- Support funding requests, legislation or regulatory efforts that maintain public safety.
- Oppose legislative funding requests or regulatory efforts that will impose new unfunded Federal mandates.

FUNDING REQUESTS

TRANSPORTATION

With over two million residents located throughout the 20,000 square miles of San Bernardino County, transportation funding is vital to public safety, the region's economic development and the movement of goods and services. Areas of funding requests in the Transportation section involve corridor, interchange, bridge repair or enhancement and related grade separation projects. The following are San Bernardino County's Transportation funding challenges:

INTERSTATE 10 CORRIDOR IMPROVEMENTS

Interstate (I-10) is the principal east/west circulation route for automobiles and trucks into and out of the Los Angeles basin. Interstate 10 currently handles 185,000 vehicles a day with a projected traffic count of over 250,000 trips per day in 2020. Interchanges along I-10 throughout the Inland Empire were typically built at every mile with overpasses or underpasses (grade separations) at every half-mile. However, in this area, most interchanges are spaced at two-mile intervals and no midpoint grade separations exist. The lack of midpoint grade separations places extraordinary pressure on the existing interchanges.

CEDAR AVENUE/I-10 INTERCHANGE

Funding Request: \$53 Million

Estimated Total project Cost: \$53 Million

Cedar Avenue is a regionally significant north/south highway with average daily traffic of 38,000 trips per day and a projected traffic count of over 74,000 by 2025. The Cedar Avenue/I-10 Interchange experiences heavy congestion with over 20 minute delays in local cross over traffic during the afternoon peak hours. Alterations to the interchange configuration are complicated by the parallel railroad tracks immediately to the south of I-10. Cedar Avenue is a multi-function arterial route, serving as a truck route, providing access to industrial sites in south Fontana. Cedar Avenue is also a heavily traveled school transportation corridor with a

large middle school on the northeast corner of Slover Avenue at Cedar Avenue. The over-crossing provides a gateway for a large and growing residential core south of the rail tracks

Project Description: A joint project between Caltrans and the County of San Bernardino to widen Cedar Avenue to seven lanes and improve the I-10 Interchange. The amount requested is to complete project work through Plans, Specifications, and Estimates (PS&E), right-of-way and construction. Project Approval & Environmental Documentation (PA&ED) is near completion.

CHERRY AVENUE/I-10 INTERCHANGE

Funding Request: \$46 Million
Estimated Total Project Cost: \$77 Million

Cherry Avenue is a multi-function arterial route. It is a truck route providing access to industrial sites in north Fontana. Cherry Avenue provides access to the Auto Club Speedway and provides a gateway for a large and growing residential core south of the rail tracks. Cherry Avenue is a regionally significant north/south highway with average daily traffic of over 26,000 trips per day with projected traffic count of over 38,000 by 2035. The Cherry Avenue/I-10 Interchange experiences heavy congestion with over 20 minute delays in local cross over traffic during the afternoon peak hours. Alterations to the interchange configuration are complicated by the parallel railroad tracks immediately to the south of I-10.

Project Description: A joint project between SANBAG, the County of San Bernardino and the City of Fontana to widen Cherry Avenue to seven lanes and improve the I-10 Interchange.

CITRUS AVENUE/I-10 INTERCHANGE

Funding Request: \$54 Million
Estimated Total Project Cost: \$54 Million

Citrus Avenue is a regionally significant north/south highway with heavy truck traffic because it serves major industrial sites in Fontana and unincorporated areas of San Bernardino County. The Citrus Avenue/I-10 Interchange is experiencing significant vehicle congestion with over 20 minute delays in local cross over traffic during afternoon peak hours. Parallel railroad tracks immediately to the south of I-10 complicate alterations to the interchange configuration and will significantly increase project costs. With the environmental phase completed, the project is now in final design and right-of-way acquisition.

Project Description: A project sponsored by the City of Fontana with the County of San Bernardino to complete project work through Plans, Specifications and Estimates (PS&E).

GROVE AVENUE/I-10 INTERCHANGE

Funding Request: \$2.1 Million
Estimated Total Project Cost: \$130 Million

Ontario International Airport (ONT) continues to be a major catalyst that attracts and supports job creation and economic activity in the region, especially in the area of goods movement. Adequate infrastructure around the airport is essential to ensure the asset is leveraged to its full potential. However, inhibited by the current design of the I-10/Fourth Street Interchange, truck traffic is forced to utilize alternative routes to access cargo logistic centers adjacent to ONT as well as other industrial sites in the surrounding area. The proposed project will replace

the inadequate and underutilized existing interchange at I-10/Fourth Street with a new interchange at I-10/Grove Avenue as well as the Grove Avenue corridor that would serve as a multi-function arterial route and provide direct access to Ontario Airport and its surrounding commercial areas.

Project Description: A project sponsored by the City of Ontario to construct the Grove Avenue/I-10 Interchange and enhance the Grove Avenue corridor.

PEPPER AVENUE/I-10 INTERCHANGE

Funding Request: \$54 Million

Estimated Total Project Cost: \$54 Million

Pepper Avenue provides access to the Arrowhead Regional Medical Center and provides a gateway for growing local residential and commercial development. Pepper Avenue is a regionally significant north/south highway. The Pepper Avenue/I-10 Interchange experiences heavy congestion with traffic backing up into the freeway lanes during peak hours, significantly slowing interstate traffic including goods movement and contributing to air quality issues and lengthened commute times. There are no plans to alter rail overhead or construct to the south. A significant first phase of the project has already been constructed.

Project Description: A joint project between SANBAG, the City of Colton and the County of San Bernardino to widen Pepper Avenue to seven lanes and improve the I-10 Interchange.

HIGH DESERT CORRIDOR

Funding Request: \$20 Million

Estimated Total project Cost: \$4.3 Billion

The High Desert Corridor (HDC) provides a vital missing link in the National Highway System between California's two major north/south Interstates, the I-5 and the I-15. In SAFTEA-LU, the HDC was designated as a High Priority Corridor (E-220) on the National Highway System from Los Angeles to Las Vegas, via Palmdale and Victorville. The E-220 was designated as the 50-mile segment of the HDC between the SR 14 in Palmdale and I-15 in Victorville, with inland ports at each end which will provide for improved goods movement and congestion relief throughout Southern California, better air quality in the SCAQMD region by the diversion of trucks to rail and the economic stimulus of almost 100,000 construction and logistics jobs. The HDC Joint Powers Authority (JPA) was formed by the counties of Los Angeles and San Bernardino as the legal public sector entity to govern and provide oversight of the development of the E-220 as a Public Private Partnership (P3).

General P3 language in the six-year Transportation Reauthorization legislation should include: continued support of P3 from the administration; support for the National Infrastructure Bank; expanded use of the Private Activity Bond (PAB) Program (authorization for tax exempt-financing to be mixed with private equity) and elimination of the current \$15 billion cap on PABs; expanded use of the Transportation Infrastructure Finance and Innovation Act (TIFIA) Program, either inside or separate from the National Infrastructure Bank and streamlining of National Environmental Policy Act (NEPA) for P3s. Specific language/ funding to the HDC JPA: Seek funding for costs associated with P3 project development, including environmental document preparation up to \$50 million, expedited right-of-way agreements with the Bureau of Land Management (BLM), funding, and stimulus for Multi Modal Inland Port development, including access roads, railroad spurs and airport runway improvements.

Project Description: HDC JPA governance and oversight of a P3 for planning, programming, environmental, design, construction, maintenance and operation of a six-lane expressway connecting Inland Ports in Victorville and Palmdale and costs associated with project development.

ARROWBEAR DRIVE REALIGNMENT AND WIDENING

Funding Request: \$2 Million

Estimated Total Project Cost: \$2 Million

The Arrowbear Community off California State Highway 18 has limited access to Highway 138. The existing bridge/spillway and road needs to be realigned and widened. The project is not capacity increasing. Regionally, improvements to this road will mitigate traffic safety issues. Arrowbear Drive is the only evacuation route for the Arrowbear community. Recent flooding closed the road for several days.

Project Description: Remove and replace bridge/spillway and realign and widen road to improve traffic safety and provide easier egress access in an emergency.

CEDAR GLEN FIRE ACCESS

Funding Request: \$2.5 Million

Estimated Total Project Cost: \$2.5 Million

The Old Fire decimated the Cedar Glen area east of Highway 173 and Lake Arrowhead in 2003. The area residences had been built over a series of very steep ridges and gullies. Traversing the terrain of a nearly 5,000 ft. elevation pine forest, vehicles are required to ascend or descend steep grades and tight curves on roads that have been cut as benches into the sides of the ridges of decomposing granite bedrock. One of the major issues to surface in a report and internal analysis of the Cedar Glen area was the lack of paved roads to facilitate traffic circulation and an ability to enter and exit the area without backtracking. The area has in effect roads that were long cul-de-sacs that inhibited emergency evacuation and left emergency personnel extremely vulnerable with no means of escape from the area. In all, several hundred structures were destroyed. The study and analysis suggested linking paved county-maintained Torrey Road and Pine Ridge Drive that in turn links to Hook Creek Road along the alignment of Little Bear Creek Road and Elder Drive. Little Bear Creek and Elder Drive currently are dirt roads that could be widened, and when paved, have a longitudinal slope-grade that would enable fire equipment to safely traverse these roads.

Project Description: Construct road and drainage improvements to Little Bear Creek Road and Elder Drive in the Cedar Glen Area east of Highway 173 in the San Bernardino Mountains.

CUMBERLAND DRIVE: STATE HIGHWAY-18 BALD EAGLE RIDGE

Funding Request: \$6 Million

Estimated Total Project Cost: \$6 Million

Current subdivisions off State Highway 18 have limited access to State Highway 18 and needed improvements to this road will mitigate traffic safety issues. Cumberland Drive would also serve as a vital evacuation route for several vulnerable residential areas. The road would improve fire emergency response times for these highly vulnerable residential areas.

Project Description: The road will require, at a minimum, a paved traffic lane in each direction between State Highway 18 to an existing paved cul-de-sac road within Bald Eagle Ridge.

DALEY CANYON ROAD INTERSECTION IMPROVEMENTS

Funding Request: \$500,000

Estimated Total Project Cost: \$500,000

Daley Canyon road is a busy access road for the mountain communities off State Highway 18. The proximity of the local high school to Daley Canyon Road and State Highway 18 creates a traffic bottleneck for drivers attempting to make right turn movements onto the State Highway, creating significant delays during the morning peak hour. After evaluating several alternatives and discussions with members of the community, it was determined that the best approach to alleviate congestion for the right turn movement would be to widen a portion of Daley Canyon Road north of Daley Canyon Access Road. The proposed project would create a right turn lane on Daley Canyon Road to separate traffic turning right onto the State Highway from the left turn high school traffic. Construction of this project would also serve to facilitate evacuation of the community in the event of an emergency.

Project Description: Add a right turn lane along Daley Canyon Road from Daley Canyon Cutoff north to split right and left turns at the intersection of Daley Canyon Road at State Highway 18.

HELENDALE ROAD PAVING PROJECT

Funding Request: \$2 Million

Estimated Total Project Cost: \$14 Million

The proposal is to pave Helendale Road as an alternative route for National Trails Highway (Route 66) between the Silver Lakes/Helendale communities and Victorville. This alternative route avoids an at-grade rail crossing at Vista Road and a very narrow, functionally obsolete, road underpass at Oro Grande that inhibits traffic flow and reduces level of service. For commuters, this additional road would improve system connectivity, as commuting times can be more predictable, allowing commuters to efficiently access intermodal transportation systems, trains and rideshare/vanpools.

With the development of Southern California Logistics Airport (SCLA), an estimated additional 10,000 jobs will be generated. It is anticipated that multiple housing tracts will be developed north of the airport with Helendale Road as the primary road link. Constructing this road prior to known development patterns will significantly reduce project costs.

Project Description: Pave Helendale Road, which is currently a dirt road. Pave one lane in each direction within existing right-of-way from Colusa Road within the City of Victorville north to Silver Lakes Road.

INSTITUTION ROAD: GLEN HELEN REHABILITATION FACILITY TO CAJON BOULEVARD

Funding Request: \$10 Million

Estimated Total Project Cost: \$10 Million

Institution Road is the only paved access road for the Glen Helen Rehabilitation Facility, which lies on the west side of the Cajon Wash. Institution Road crosses the Cajon Wash approximately perpendicular to the line of flow. The road has several vertical sags or dips that correspond with seasonal streambeds. Institution Road is closed in inclement weather due to water and debris flows and debris is regularly deposited on the road. In significant storm events, the wash above the road creates braided channels and water and debris may flow across Institution Road at any point. In 2005, the significant rain flow forced lengthy road closures, necessitating the use of helicopters to ferry personnel to and from the facility. Due to significant environmental issues involving flow regimes

and endangered species migration patterns, more complex bridge structure must be built to create all weather access.

Project Description: Create an all weather access road for the Glen Helen Rehabilitation Facility by constructing pipes, arch culverts or other bridge structures acceptable to U.S. Fish and Wildlife, CA Fish & Game and U.S. Army Corps of Engineers. Institution Road will also serve as an alternate access road to Rosena Ranch.

LENWOOD ROAD GRADE SEPARATION PROJECT

Funding Request: \$32 Million

Estimated Total Project Cost: \$32 Million

The project is to provide grade separation between Lenwood Road and the BNSF rail tracks. Lenwood Road is utilized by a disproportionate volume of truck traffic because this crossing is a chokepoint for travel. This grade separation is part of the Alameda Rail Corridor (East) project that has examined the consequences of additional frequency and train length impacts on local communities. Lenwood Road is a major truck traffic connection between State Highway 58 to the north of the Mojave River and the community of Lenwood to the south. State Highway 58 carries significant levels of truck traffic from other states via I-15 and Las Vegas and from I-40 and points east. Main Street, otherwise known as National Trails Highway (Route 66), provides access to Barstow and Victorville. Barstow is a logical stopping point for many truck drivers, either for changing drivers or for mandatory rest stops. Potential safety issues will be mitigated upon completion and provide further support of the Lenwood Road grade separation project. The reduction in traffic congestion and improvements to air quality may be quantified to demonstrate a high benefit cost ratio for this project.

Project Description: Provide grade separation between Lenwood Road and the BNSF rail tracks. Project Approval & Environmental Documentation (PA&ED) is near completion.

MONTE VISTA AVENUE REALIGNMENT

Funding Request: \$6 Million

Estimated Total Project Cost: \$6 Million

Monte Vista Avenue is a north/south route scheduled for the construction of a grade separation over the railroad tracks north of State Street by 2011. The realignment of Monte Vista Avenue will complement local traffic circulation patterns, significantly reducing local congestion. The offset alignment is identified with increased congestion. The current four-way stop creates uncertainty over traffic precedent, slowing traffic efficiency and increasing safety concerns.

Project Description: Provide horizontal realignment at Philips Boulevard. The north/south alignment is offset due to Monte Vista Avenue following survey markings between old land grants.

NATIONAL TRAILS HIGHWAY BRIDGE REPLACEMENT PROJECT

Funding Request: \$52 Million

Estimated Total Project Cost: \$52 Million

National Trails Highway (Route 66) between Daggett and Interstate 40 at Mountain Springs Road serves as an alternate route to Interstate 40 during sand storms, traffic collisions and other safety concerns. The 135 bridges on National Trails Highway have exceeded their design life and replacement is necessary to accommodate heavy weight trucks, access to planned water and energy

projects and increased interstate and tourist travel. This project is a safety project to design and replace 135 1930's era timber trestle bridges that are significantly beyond their design life and replace them with AASHTO approved timber trestle bridges on National Trails Highway. National Trails Highway is a component of the National Historic Register. It is also in nomination as a World Heritage Site.

Project Description: This project is a safety project to design and replace 135 1930's era timber trestle bridges on National Trails Highway that are significantly beyond their design life and replace them with AASHTO approved timber trestle bridges.

NEEDLES HIGHWAY (Project 1)

Funding Request: \$60 Million

Estimated Total Project Cost: \$80 Million

Needles Highway is located within the tri-state regional area of Arizona, California and Nevada. Clark County, Nevada, the City of Needles, and the County of San Bernardino passed resolutions of support for the project. Needles Highway is the primary access road for the Fort Mojave Indian Reservation, north of the City of Needles and links I-40 and Aha McCav Parkway. Environmental documentation and a Record of Decision are near completion.

Project Description: Complete construction improvements to Needles Highway between "N" Street within the City of Needles, north to the Nevada State Line. The amount requested is to initiate construction on specific safety improvements that will integrate with future construction of the complete project.

NEEDLES HIGHWAY (Project 2)

Funding Request: \$15 Million

Estimated Total Project Cost: \$15 Million

The original Needles Highway Project is 15 miles long between "N" Street north to the Nevada State Line. Multiple cultural resource issues on the section between the Fort Mojave Indian Tribe and the State Line have significantly delayed implementation of safety improvements within the City of Needles. Numerous fatal traffic collisions have been recorded on Needles Highway within the City boundaries. The proposed construction is likely to reduce the frequency and severity of future traffic incidents.

Project Description: Realign and construct Needles Highway within the City of Needles between Interstate 40 and the northern city limit (which adjoins the Fort Mojave Indian Reservation Boundary) to a two-lane road to minimize horizontal curves and vertical dips, provide drainage improvements and add turn pockets at intersections.

NEWBERRY ROAD

Funding Request: \$104 Million

Estimated Total Project Cost: \$104 Million

Newberry Road serves both as a framework or reference point between radically different land uses and as paved access across Interstate 40 to the community hub to the south located around National Trails Highway. The community has limited north/south access, with physical barriers of the BNSF railroad tracks and the Mojave River bed. There is no direct traffic access between Interstate 40 and Interstate 15. The Mojave River Valley area is experiencing a resurgence of interest in solar energy

with several major projects anticipated to be constructed in the near future. At the same time, the proposed Mother Road National Monument to the east is likely to delineate development uses from conservation uses. Improvement of Newberry Road will provide access to Interstate 40 and Interstate 15 and serve to facilitate construction of several major projects slated to be developed in the future.

Project Description: Construction of a four-lane road on an existing two-lane paved alignment between Interstate 40 to the south and Interstate 15 to the north, crossing the Mojave River.

NISQUALLI YUCCA LOMA CORRIDOR

Funding Request: \$101 Million

Estimated Total Project Cost: \$101 Million

The Mojave River is a major east/west obstacle for transportation in the high desert area. The Mojave River is also a major watercourse and is subject to high water flows in the rainy winter months. With the urban development in this area, additional bridges are becoming necessary for ease of movement and safety. Construction of an additional bridge across the Mojave River and the AT&SF railroad tracks, connecting Yucca Loma Road via Yates Road to Green Tree Boulevard (a distance of approximately 3.4 miles) will provide a necessary structure to facilitate ease of movement across this natural barrier, provide a grade separation across the busy railroad tracks and lead traffic to the new La Mesa/Nisqualli Interchange at Interstate 15 (which will begin construction in 2011). There are only two crossing points across the Mojave River between Victorville and the Town of Apple Valley, both rapidly growing communities. One crossing links the two communities via State Highway 18 through the Mojave Rivers' upper narrows about four miles to the north and the second is located at Bear Valley Road about a mile to the south of the proposed Yucca Loma alignment.

Project Description: The Town of Apple Valley, City of Victorville and County of San Bernardino have developed a project to connect Yucca Loma Road, Yates Road and Green Tree Boulevard from Apple Valley Road to Hesperia Road. This project will provide an alternate east/west corridor in the Victor Valley Region. The project includes construction of the four-lane Yucca Loma Bridge over the Mojave River in the Town of Apple Valley, widening of Yates Road to four lanes in the County area and construction of the Green Tree Boulevard in Victorville. The new roadway and bridges will carry vehicles, bicyclists and pedestrians across the Mojave River and the BNSF railroad tracks.

ORO GRANDE OVERPASS

Funding Request: \$29 Million

Estimated Total Project Cost: \$29 Million

National Trails Highway (Route 66) at the railroad tracks is channeled through a very narrow, functionally obsolete underpass that inhibits traffic flow and prevents larger vehicles from utilizing a direct route from the Southern Logistics Airport on the outskirts of Victorville, north and east to Barstow and State Highway 58. The ports of Long Beach and Los Angeles receive and export goods through San Bernardino County to other states and regions. The current height restriction and narrow underpass (essentially one lane) bottleneck impacts this interstate commerce. Many trucks cannot utilize National Trails Highway as a route due to the height restriction. The construction of a multi-lane overpass fits well with an existing project that is on schedule to widen National Trails Highway for several miles north of the current underpass. Improvements to the Oro Grande underpass on National Trails Highway need to be constructed to improve traffic flow.

Project Description: Improve the existing grade separation for National Trails Highway under the BNSF and Union Pacific rail tracks at Oro Grande.

PHELAN ROAD

Funding Request: \$65 Million

Estimated Total Project Cost: \$65 Million

Phelan Road is projected in the County General Plan Circulation Element to become a multi-lane road, planned due to growth in housing and population along the corridor between U.S. 395 and State Highway 138 within the communities of Phelan and Piñon Hills. The road alignment has been prepared by grading and utility relocation for construction of multiple lanes. Currently, the road is two lanes and is heavily traveled.

Project Description: Construction of a four-lane road on existing alignment of a two-lane paved road between U.S. 395 and State Highway 138.

PIUTE WASH BRIDGE PROJECT

Funding Request: \$20 Million

Estimated Total Project Cost: \$20 Million

Piute Wash is a major drainage feature intersecting Needles Highway. Needles Highway is bounded on the east by the Colorado River, on the west by the Deadman Mountains, and extends from California to Nevada. Needles Highway is currently part of a county road network in both states and is under the local jurisdictions of Clark County Nevada, San Bernardino County, and the City of Needles. Piute Wash has the potential to generate large water flows where it intersects with Needles Highway. Early 1990's drainage studies estimate a 100-year peak flow in excess of 26,500 cubic feet per second and concluded that Piute Wash needs to be bridged. The recommendation is for a 500-foot long multi-lane all weather bridge to mitigate any future flooding potential. Although Piute Wash is located within the limits of a Needles Highway realignment and rehabilitation project, it has been excluded from the project because of the cost.

Project Description: Construct a 500-foot long, multi-lane all weather bridge on Needles Highway over the Piute wash.

ROCK SPRINGS ROAD BRIDGE PROJECT

Funding Request: \$30 Million

Estimated Total Project Cost: \$30 Million

Rock Springs Road is a major circulation link in the high desert between the Town of Apple Valley and the City of Hesperia. Rock Springs Road is a continuation of the alignment of Main Street and Phelan Road, which are major streets that intersect with Interstate 15. Because of that link, many residents of the Town of Apple Valley and the unincorporated County areas to the east of the Mojave River utilize Rock Springs Road for commuting to work in the Inland Empire, Orange County and Los Angeles County. The proposed project is to construct a four-lane road bridge across the Mojave River on the Rock Springs Road alignment. The road is a major artery between the Town of Apple Valley and the City of Hesperia with approximately 9,900 vehicles per day using the roadway. The Mojave River is a major watercourse and subject to high water flows, especially in the rainy winter months. At this location the river is estimated to carry over 26,000 cubic feet per second during a 100-year storm. With the urban development in this area, construction of Rock Springs Bridge is essential for ease of movement and for safety. The winter storms of 2004-05 destroyed the low flow crossing. The closure to restore the low flow crossing lasted nearly ten months. The closure of Rock Springs Road at the Mojave River necessitates a 12-mile detour to Bear Valley Road increasing the

commuting distance, cost and time per trip. Longer trips significantly impact emergency response. Delay in response time is critical to health and safety.

Project Description: Construct a four-lane road bridge across the Mojave River on the Rock Springs Road alignment. The funding request is to implement the environmental documentation through Plans, Specifications and Estimates (PS&E). A Request for Proposal has been issued for engineering and environmental services and a contractor has been selected.

SHADOW MOUNTAIN ROAD BRIDGE AND GRADE SEPARATION PROJECT

Funding Request: \$50 Million

Estimated Total Project Cost: \$50 Million

Shadow Mountain Road provides an east/west connection for the Silver Lakes community near the City of Victorville from U.S. 395 to Helendale. A logical extension of Shadow Mountain Road is to cross the Mojave River at this point to connect with National Trails Highway (Route 66). At the intersection of Shadow Mountain Road and Helendale Road, the Mojave River parallels Helendale Road and any traveler is required to detour to the north over the Vista Road bridge and over an at-grade railroad crossing to connect with National Trails Highway. Constructing the extension of Shadow Mountain Road, including the Mojave River Bridge and a grade separation at the BNSF tracks will avoid significant delays created by train traffic, estimated at 99 trains per day, and create an east/west circulation link from National Trails Highway in the Helendale Community to U.S. 395.

Project Description: Construct a four-lane road from National Trails Highway west to Helendale Road, including a grade separation at the BNSF tracks and a four-lane bridge over the Mojave River to complete the logical connection to Shadow Mountain Road.

STATE STREET STATE ROUTE 210 TO CAJON BOULEVARD

Funding Request: \$20 Million

Estimated Total Project Cost: \$20 Million

The proposed project will widen the existing two-lane section of State Street between State Route 210 and Cajon Boulevard into four lanes. State Street is designated as a Major Highway according to San Bernardino County Master Plan of Highways. A major highway designation specifies 104 feet of right-of-way and 80 feet of pavement curb-to-curb width. Caltrans has constructed an interchange with State Street as part of the new freeway extension connection to State Route 210. North of this new interchange is the California State University San Bernardino campus, currently serving over 20,000 students. State Street, from this interchange, will also provide a north/south link between State Route 210 and Interstate 215. In addition, an overpass grade separation is under construction with SANBAG, as the project lead agency, to relieve congestion at the current grade crossing over the BNSF tracks. The crossing is extremely busy with nearly 100 trains traveling in a 24-hour period.

State Street, as a north/south circulation link carrying traffic from State Route 210 to Interstate 215 and to Cal State San Bernardino through University Parkway, will have significantly increased volumes of traffic, yet for the most part, the State Street section of road is only two lanes wide. Even before this interchange is constructed, the Average Daily Traffic (ADT) in this section of road is 10,520. The increased capacity of State Street is regionally important and will complement infrastructure improvements that are in construction or in the forward planning stages for the area.

Project Description: Construct a four-lane road on existing alignment between State Route 210 and grade separation at Cajon. The 2011 fiscal year funds requested are to implement the environmental

documentation through Plans, Specifications and Estimates (PS&E), the necessary right-of-way, and construction.

SUMMIT VALLEY ROAD

Funding Request: \$21 Million

Estimated Total Project Cost: \$21 Million

Summit Valley Road, branching from State Highway 18, is proposed as a vital project, an alternative paved access route between the San Bernardino/Los Angeles Basin and the High Desert communities. The San Gabriel and San Bernardino Mountains create a formidable barrier to road and rail transportation between the Pacific Rim Port Cities, the densely populated Los Angeles Basin and Inland Valleys to the High Desert communities and on to other states. The Cajon Pass, created by the San Andreas Fault system, is the most direct and feasible transportation corridor link between Inland Southern California, the High Desert and ultimately Nevada and Northern Arizona. Burlington Northern/Santa Fe and Union Pacific Railroads use this corridor. Interstate 15 and State Highway 138 routes are currently the only paved highways through Cajon Pass. State Highway 138 near the Summit Valley Road intersection also provides critical access to the San Bernardino National Forest. Summit Valley Road provides alternative access to the Victor Valley area in the event of closures on State Highway 138 and Interstate 15. A cooperative agreement will be necessary with both Caltrans (junction of State Highway 138) and the City of Hesperia. Interim paving of the road on the existing alignment has been completed with local monies. An agreement with the City of Hesperia has been formulated for a proportionate share of costs. This interim road is a paving of one lane in each direction and does not address the ultimate design envisioned in the County Master Plan of a multi-lane major highway on a different alignment, connecting State Highway 138 with Rancho Road, which is currently under design to provide a grade separation at the railroad tracks. Ultimately, a newly aligned four-lane major arterial road is the preferred outcome for this item.

Project Description: Continue planning efforts and pre-construction activities and upgrade Summit Valley Road from State Highway 138 to the Hesperia City limits to a four-lane arterial.

WILD WASH ROAD

Funding Request: \$25 Million

Estimated Total Project Cost: \$25 Million

The unincorporated community of Helendale is committed to the Community Service District successfully assuming responsibility for water, sewer and other services, with the ultimate aim of incorporation of Helendale as a city. Additional paved access to the community is needed to relieve congestion on National Trails Highway and to provide the most direct access to Interstate 15. The Local Agency Formation Commission for San Bernardino County (LAFCO) has apportioned a significant area around the community as a sphere of influence independent of the City of Victorville to the south. Current links within the community include National Trails Highway (essentially a north/south connection between Barstow and Victorville), Helendale Road (which connects Victorville with State Highway 58 in the north) and Shadow Mountain Road to the west, which provides access to U.S. 395. There is an existing freeway interchange at Wild Wash Road, but the road is unpaved beyond a few hundred feet. Construction of Wild Wash Road would provide a needed easterly access to Interstate 15.

Project Description: Construct a two-lane paved road from I-15 west to Helendale on an alignment currently served by an unpaved road.

FLOOD CONTROL AND WATER RESOURCES

San Bernardino County is responsible for the development and management of an extensive system of regional flood control and water conservation facilities, consisting of over 1,100 facilities including dams, channels, storm drains, debris basins, detention basins and water conservation basins. The purpose of these facilities is to intercept and convey flood flows through and away from the major developed areas of the County. The County provides emergency services during storm events, reviews FEMA Flood Insurance Rate Maps and provides support to Zone Advisory Committees. It is a priority to increase groundwater recharge services at flood control district facilities in support of maintaining adequate water supplies for the people of San Bernardino County. The following are San Bernardino County's Flood Control and Water Resources funding challenges:

SANTA ANA RIVER MAINSTEM FLOOD PROTECTION PROJECT

Funding Request: \$81.5 Million

Estimated Total Project Cost: \$1.7 Billion

The Santa Ana River Mainstem Project includes seven interdependent features: Mill Creek Levee, Oak Street Drain, San Timoteo Creek, Lower Santa Ana River, Seven Oaks Dam, Prado Dam and Santiago Creek. As of this date, Seven Oaks Dam, Mill Creek Levee, Oak Street Drain, San Timoteo Creek Reaches 1, 2 and 3A and the Lower Santa Ana River (LSAR) Reaches 1-8 and 10 are complete.

Project Description: Appropriate \$81.5 million for the remaining portion requested for funding that includes \$108.6 million for engineering, construction, and right-of-way acquisition, environmental mitigation for Prado Dam (\$56.5 million), Seven Oaks Dam (\$8.6 million) and Reach 9 of the Lower Santa Ana River reach (\$43.5 million).

SAN TIMOTEO CREEK BASINS FLOOD PROTECTION PROJECT

Funding Request: \$4 Million

Estimated Total Project Cost: \$4 Million

The San Timoteo Creek basins were constructed by the U.S. Army Corp of Engineers (USACE) in 2005 to help provide flood protection. Last year, minor storms completely filled all 18 basins, showing that the amount of sediment and debris was drastically underestimated. This resulted in exacerbated maintenance and operations cost that cannot be sustained by the District.

Project Description: Authorize and appropriate \$4 million for the USACE to study methods to reduce the amount and frequency of sediment deposit into San Timoteo Basins 1 through 18.

LYTLE-CAJON CREEK FLOOD PROTECTION PROJECT

Funding Request: \$4 Million

Estimated Total Project Cost: \$6 Million

The U.S. Army Corps of Engineers (USACE) originally built the Lytle-Cajon Creek Channel in 1948. The preliminary construction cost estimate is \$6 million.

Project Description: Authorize and appropriate the construction of the Lytle-Cajon Creek flood protection project in the amount of \$4 million. The project fits in with the USACE's mission to reduce

public risk from disasters and to promote an energized economy. The proposed improvements will reduce the potential for major flooding along the project site and preserve the safety and well-being of both life and structures. The improvements will also provide and sustain vital infrastructure necessary to allow the community to continue to grow.

LYTLE-CAJON BASIN FLOOD PROTECTION AND WATER CONSERVATION PROJECT

Funding Request: \$1 Million

Estimated Total Project Cost: \$1 Million

The San Bernardino County Flood Control District requests that the U.S. Army Corps of Engineers (USACE) study the use and function of the inlet gate on the channel and potential debris basin upstream to help reduce future damage and maintenance needs. The estimated cost of the study is \$1 million.

Project Description: Authorize and appropriate the Lytle-Cajon Basin flood protection and water conservation project in the amount of \$1 million. The study will find a long-term solution to the channel's maintenance needs. The project fits in with the USACE's mission to reduce public risk from disasters and to promote an energized economy.

SEVEN OAKS DAM WATER QUALITY SPECIAL STUDY

Funding Request: \$6.5 Million

Estimated Total Project Cost: \$8.6 Million

The U.S. Army Corps of Engineers, Los Angeles District, is conducting a feasibility level study to investigate water quality issues related to Seven Oaks Dam and Reservoir. This effort is proceeding in partnership with the existing non-Federal sponsor for the Santa Ana River Mainstem Project, the flood control districts of Orange, Riverside and San Bernardino counties.

Project Description: Appropriate \$6.5 million toward the feasibility phase study and to start identifying alternatives and develop plans for implementation. The current cost estimate is \$8.6 million.

SHEEP CREEK FLOOD PROTECTION PROJECT

Funding Request: \$1 Million

Estimated Total Project Cost: \$2 Million

The San Bernardino County Flood Control District provides ongoing maintenance to segments of the Sheep Canyon Creek in the Wrightwood area to assist in the reduction of flood hazards. The District has proposed a long-term channel stabilization and erosion control project to protect property, restore the channel gradient and reduce further bank erosion.

Project Description: Construct the Sheep Creek flood protection project, emphasizing the national goals of the Environmental Protection Agency to plan the development and use of land through preservation and enhancement of rivers, tributaries and streams as well as the land drained thereby. The project will incorporate the latest science, engineering technology and climate models to assist in the effort of meeting flood protection needs and foster sustainable development.

CACTUS BASIN #3 FLOOD PROTECTION, WATER QUALITY AND WATER CONSERVATION PROJECT

Funding Request: \$6 Million

Estimated Total Project Cost: \$10.6 Million

The San Bernardino County Flood Control District is currently designing the expansion of Cactus Basin #3 and the plans are in the final stages of review and environmental clearance. The project will provide flood protection, water quality improvement and allow for water recharge.

Project Description: Construct the Cactus Basin #3 flood protection, water quality and water conservation project. The project fits in with the U.S. Army Corps of Engineer's mission to reduce public risk from disasters and to promote an energized economy. The project will incorporate the latest science, engineering technology, climate models and dual-purpose basin innovation. The Basin project will help meet water demands and foster sustainable development.

WILDWOOD CREEK FLOOD PROTECTION PROJECT

Funding Request: \$3 Million

Estimated Total Project Cost: \$6 Million

The Wildwood Creek flood protection project is a joint effort between the San Bernardino County Flood Control District and the City of Yucaipa. The city has begun construction of the basins and outlet structure. The District has engineered plans to substantially reduce the flood hazard along the downstream conveyance system between the basins and Interstate 10.

Project Description: Construct the Wildwood Creek flood protection project to reduce flood hazard risk in the area, incorporating preventative floodplain management tools. The project emphasizes the national goals of the Environmental Protection Agency to plan the development and use of land through preservation and enhancement of rivers, tributaries, streams, as well as the land drained thereby. The project will incorporate the latest science, engineering technology and climate models to assist the effort in meeting water demands and foster sustainable development.

CACTUS BASINS #4 AND #5 FLOOD PROTECTION, WATER QUALITY AND WATER CONSERVATION PROJECT

Funding Request: \$10 Million

Estimated Total Project Cost: \$22 Million

The final phase of the Cactus Basins improvement project will be Basins #4 and #5. Completion of the project will bring the Cactus Basin system to ultimate conditions. The project will provide flood protection, water quality improvement and allow for water recharge.

Project Description: Construct the Cactus Basins #4 and #5 flood protection, water quality and water conservation project. The project fits in with the U.S. Army Corps of Engineer's mission to reduce public risk from disasters and to promote an energized economy. The project will incorporate the latest science, engineering technology, climate models and dual-purpose basin innovation. The project will help meet water demands and foster sustainable development.

CABLE CREEK FLOOD PROTECTION AND WATER CONSERVATION PROJECT

Funding Request: \$12 Million

Estimated Total project Cost: \$20 Million

The levee system at Cable Creek was evaluated in 2008 and did not meet the freeboard and erosion requirements necessary to obtain FEMA certification. The improvements would not only allow the facility to be certified but would take a number of commercial and residential areas out of a floodplain.

Project Description: Construct the Cable Creek flood protection and water conservation project. The proposed improvements will reduce the potential for major flooding along the project site and preserve the safety and well-being of both life and structures. The proposed improvements will remove homeowners from the FEMA FIRM floodplain designations, potentially saving them thousands of dollars in flood insurance. The project also fits in with the U.S. Army Corps of Engineer's mission to reduce public risk from disasters and to promote an energized economy. The project will incorporate the latest science, engineering technology, climate models and dual-purpose basin innovation. The project will help meet water demands and foster sustainable development.

RIALTO CHANNEL FLOOD PROTECTION PROJECT

Funding Request: \$10 Million
Estimated Total Project Cost: \$16.4 Million

The Rialto Channel has numerous road crossings and channel sections that cannot handle the increased run off from the 210 Freeway and Cactus Channel project. The project includes channel improvements, including upgraded road crossings and the improvement of the channel at Riverside Avenue.

Project Description: Construct the Rialto Channel flood protection project. The proposed improvements will reduce the potential for major flooding along the project site and preserve the safety and well-being of both life and structures. The improvements will also provide and sustain vital infrastructure necessary to allow the community to continue to grow. The project fits in with the U.S. Army Corps of Engineer's mission to reduce public risk from disasters and to promote an energized economy.

MOJAVE FORKS DAM FLOOD PROTECTION PROJECT

Funding Request: \$18 Million
Estimated Total Project Cost: \$24 Million

The Mojave Forks Dam was constructed for flood protection and water conservation purposes and was completed in 1972 by the U.S. Army Corp of Engineers. The project includes installing gates at the dam outlet and dam modification to increase the storage capacity of the existing dam. The project best meets the requirements of the National Economic Development. In order to enhance the groundwater recharge activity, in March 1986, the U.S. Army Corps of Engineers, Los Angeles District, published a report titled Mojave River Dam, containing various alternatives. The alternatives include installing gates at the dam outlet and dam modification to increase the storage capacity of the existing dam. The plan which best met the requirements of the National Economic Development was estimated at \$24 million.

Project Description: Authorize and appropriate \$18 million for the engineering and construction of gates at the dam outlet and dam modification to increase storage capacity of the existing dam.

COMPREHENSIVE STORM DRAIN PLAN 3-5/3-8 FLOOD PROTECTION PROJECT

Funding Request: \$15 Million
Estimated Total Project Cost: \$21 Million

The District is coordinating with the City of Colton on funding for the construction of the Comprehensive Storm Drain Plan 3-5/3-8 flood protection project. This system protects residences, commercial properties and major transportation corridors, including main routes to the regional hospital.

Project Description: Construct Phases II and III of the Comprehensive Storm Drain Plan 3-5/3-8 flood protection project in the amount of \$6 million. The project fits in with the U.S. Army Corps of Engineer's mission to reduce public risk from disasters and to promote an energized economy.

FLUVIAL GEOMORPHOLOGIC STUDY OF THE MOJAVE RIVER

Funding Request: \$1 Million

Estimated Total Project Cost: \$1 Million

It is essential to the flood protection efforts in the High Desert to maintain and, when needed, improve portions of the Mojave River. A fluvial geomorphologic study of the Mojave River that identifies the hydrology and sediment transport processes is needed to update the current Mojave River Floodplain Maintenance Plan prepared by the U.S. Army Corp of Engineers in 1997.

Project Description: Authorize and appropriate \$1 million for the U.S. Army Corp of Engineers to perform a fluvial geomorphologic level study of the Mojave River.

SAN TIMOTEO U.S. ARMY CORPS OF ENGINEERS LOAN

Funding Request: \$4 Million

Estimated Total Project Cost: \$6 Million

The San Bernardino County Flood Control District has a \$6 million loan with the U.S. Army Corps of Engineers for the construction of San Timoteo. The District has already repaid \$2 million of this loan. If the remaining \$4 million did not have to be repaid a number of other important projects providing flood protection, water quality and water conservation could be completed.

Project Description: Waive the remaining U.S. Army Corps of Engineers loan in the amount of \$4 million.

FEMA LEVEE CLARIFICATION USACE COSTS

Funding Request: \$1 Million

Estimated Total Project Cost: \$1 Million

FEMA has initiated a countywide Flood Insurance Study (FIS) and Digital Flood Insurance Rate Map (DFIRM). FEMA intends to show those levees that cannot be certified on time as not providing any flood protection. The U.S. Army Corps of Engineers (USACE) built many of the facilities.

Project Description: Allocate funding to the USACE in order for them to review documents and provide letters to local governments verifying the construction of the facilities. It is estimated the effort to certify the USACE levees will cost \$250,000 in USACE personnel.

SAN SEVAINE BASINS AND SPREADING GROUNDS FLOOD PROTECTION STUDY

Funding Request: \$1 Million

Estimated Total Project Cost: \$1 Million

The Bureau of Reclamation's Etiwanda and San Sevaine project did not include a debris basin at the mouth of San Sevaine Canyon. Consequently, a study is necessary to address potential debris flows that could come out of the San Sevaine canyon and enter the San Sevaine Spreading Grounds and San Sevaine Basins 1-4.

Project Description: Conduct the San Sevaine Basin 1-4 and Spreading Grounds Flood Protection Study. The project fits in with the Bureau of Reclamation and U.S. Army Corps of Engineers missions.

DEER CREEK DEBRIS BASIN FLOOD PROTECTION PROJECT

Funding Request: \$4.7 Million

Estimated Total Project Cost: \$6.2 Million

The San Bernardino County Flood Control District worked with the U.S. Army Corps of Engineers to determine how to improve the basin's capacity. The District estimates the cost to expand the basin to 310 acre-feet, standard capacity for Corps facilities to be \$6.2 million.

Project Description: Authorize and appropriate funding in the amount of \$4.7 million for the U.S. Army Corps of Engineers to construct the Deer Creek Debris Basin Flood Protection project.

ELDER CREEK FLOOD PROTECTION PROJECT

Funding Request: \$1.5 Million

Estimated Total Project Cost: \$2.5 Million

Per the Comprehensive Storm Drain Plan #6, it was determined that Elder Basin did not have the capacity to contain a 100-year storm event. The San Bernardino County Flood Control District and the City of Highland are working together to complete the environmental study and engineering design for the project.

Project Description: Construction of the Elder Creek flood protection project. The project emphasizes the national goals of the Environmental Protection Agency to plan the development and use of land through preservation and enhancement of rivers, tributaries and streams, as well as the land drained thereby. The project will incorporate the latest science, engineering technology and climate models to assist in meeting water demands and foster sustainable development.

DESERT KNOLLS WASH, REACHES II AND III FLOOD PROTECTION, WATER QUALITY AND WATER CONSERVATION PROJECT

Funding Request: \$8 Million

Estimated Total Project Cost: \$13.4 Million

The Town of Apple Valley has experienced rapid development in recent years, creating a need for increased flood protection. Two sections of the Desert Knolls Wash are planned for improvements to assist with increasing the flood protection in the area. The project will provide flood protection, water quality and water conservation desperately needed in the area.

Project Description: Construct the Desert Knolls Wash Reaches II and III flood protection, water quality and water conservation project. The project emphasizes the national goals of the Environmental Protection Agency to plan the development and use of land through preservation and enhancement of rivers, tributaries and streams, as well as the land drained thereby. The project will

incorporate the latest science, engineering technology and climate models to assist the effort in meeting water demands and foster sustainable development.

SAN SEVAINE CHANNEL FLOOD PROTECTION AND WATER CONSERVATION PROJECT

Funding Request: \$500,000

Estimated Total project Cost: \$1.2 Million

The San Sevaire Channel was damaged in 2003. FEMA denied the claim due to construction work that was being conducted prior to the failure. The project will re-establish the 100-year flood protection level for that area and will provide water conservation with a turnout to Victoria Basin.

Project Description: Construction of the San Sevaire Channel flood protection and water conservation project. The proposed improvements will reduce the potential for major flooding along the project site and preserve the safety and well-being of both life and structures. The improvements will also provide and sustain vital infrastructure necessary to allow the community to continue to grow. The project fits in with the U.S. Army Corps of Engineer's mission to reduce public risk from disasters and to promote an energized economy.

MOUNTAIN VIEW ACRES FLOOD PROTECTION, WATER QUALITY AND WATER CONSERVATION PROJECT

Funding Request: \$4 Million

Estimated Total Project Cost: \$6.7 Million

The Mountain View Acres flood protection and water conservation project will alleviate downstream flooding resulting from a box culvert out-letting north of Palmdale Road/State Highway 18 in the Victorville area. The flooding threat has been exacerbated by the recent development and numerous housing tracts constructed upstream that have increased the flood event occurrence.

Project Description: Construct the Mountain View Acres flood protection, water quality and water conservation project in the amount of \$4 million. The project emphasizes the national goals of the Environmental Protection Agency to plan the development and use of land through preservation and enhancement of rivers, tributaries, streams, as well as the land drained thereby. The project will incorporate the latest science, engineering technology, climate models and dual-purpose basin innovation. The project will help meet water demands and foster sustainable development.

TWIN CREEK LEVEE FLOOD PROTECTION PROJECT

Funding Request: \$2 Million

Estimated Total Project Cost: \$2.7 Million

The levee system at Twin Creek was evaluated in 2008 and found to not meet the freeboard and erosion requirements to obtain FEMA certification. The improvements would not only allow the facility to be certified but would take a number of commercial and residential areas out of a floodplain.

Project Description: Authorize and appropriate funding for the construction of the Twin Creek Levee flood protection project. The proposed improvements will reduce the potential for major flooding along the project site and preserve the safety and well-being of both life and structures. The improvements will also provide and sustain vital infrastructure necessary to allow the community to continue to grow. The project fits in with the U.S. Army Corps of Engineer's mission to reduce public risk from disasters and to promote an energized economy.

ORO GRANDE BASIN FLOOD PROTECTION, WATER QUALITY AND WATER CONSERVATION PROJECT

Funding Request: \$6 Million

Estimated Total Project Cost: \$10.8 Million

The City of Victorville has experienced a prevalent need for increased flood protection. The existing U.S. Army Corps of Engineers constructed drainage facility, the Mojave River Forks Dam, does not have adequate capacity to convey the design flows. Oro Grande basin No. 9 was identified as one of primary facilities needing improvement to provide flood protection for the community.

Project Description: Construct the Oro Grande Basin flood protection, water quality and water conservation project. The project will incorporate the latest science, engineering technology, climate models and dual-purpose basin innovation. The Basin project will help meet water demands and foster sustainable development.

WEST FONTANA FLOOD PROTECTION, WATER QUALITY AND WATER CONSERVATION PROJECT

Federal Funding Request: \$15 Million

Estimated Total Project Cost: \$30.2 Million

The West Fontana flood protection, water quality and water conservation project is located in the City of Fontana and unincorporated areas of the County of San Bernardino. The project consists of construction of an open-channel storm drain, catch basins, culverts at street crossings and flow-by basin.

Project Description: Construct the West Fontana flood protection, water quality and water conservation project. The proposed improvements will reduce the potential for major flooding along the project site and preserve the safety and well-being of both life and structures. The improvements will also provide and sustain vital infrastructure necessary to allow the community to continue to grow. The project fits in with the U.S. Army Corps of Engineer's mission to reduce public risk from disasters and to promote an energized economy. The project will incorporate the latest science, engineering technology, climate models and dual purpose basin innovation. The project will help meet water demands and foster sustainable development.

SAND AND WARM CREEKS FLOOD PROTECTION AND WATER CONSERVATION PROJECT

Funding Request: \$1.5 Million

Estimated Total Project Cost: \$2.5 Million

The Sand and Warm Creeks flood protection and water conservation project is located in the City of San Bernardino near the City of Highland. This project consists of improving the rail and wire walls and rock lining the soft-bottoms. The confluence is critical since it is located where Sand Creek makes a ninety-degree turn.

Project Description: Construct the Sand and Warm Creeks flood protection and water conservation project. The proposed improvements will reduce the potential for major flooding along the project site and preserve the safety and well-being of both life and structures. The improvements will also provide and sustain vital infrastructure necessary to allow the community to continue to grow. The project fits in with the U.S. Army Corps of Engineer's mission to reduce public risk from disasters and to promote an energized economy.

RANCHERO BASIN FLOOD PROTECTION, WATER QUALITY AND WATER CONSERVATION PROJECT

Funding Request: \$7 Million

Estimated Total Project Cost: \$12 Million

The Antelope Valley in the High Desert area has experienced rapid development in recent years, creating a need for increased flood protection. The County of San Bernardino Flood Control District and the City of Hesperia have identified Rancho Basin in the Hesperia Master Plan of Drainage as a priority facility for flood protection.

Project Description: Construct the Rancho Basin flood protection, water quality and water conservation project to help meet water demands and foster sustainable development in the rapidly developing communities, incorporating the latest science, engineering technology, climate models and dual-purpose basin innovation.

MOJAVE LEVEE PHASE II FLOOD PROTECTION PROJECT

Funding Request: \$700,000

Estimated Total Project Cost: \$1.2 Million

The Mojave River Levee Phase II flood protection project is an extension of the Mojave River Levee Phase I project up to the Oro Grande Wash Box in the High Desert area. The preliminary project estimate is \$1.2 million. Currently, San Bernardino County Flood Control District staff is preparing the final engineering plans and acquiring the necessary right of way.

Project Description: Construct the Mojave Levee Phase II flood protection project in the amount of \$700,000. The project emphasizes the national goals of the Environmental Protection Agency to plan the development and use of land through preservation and enhancement of rivers, tributaries, streams, as well as the land drained thereby. The project will incorporate the latest science, engineering technology and climate models to assist the effort in meeting water demands and foster sustainable development.

CULTURAL, EDUCATIONAL AND RECREATIONAL SERVICES

The County of San Bernardino's large geographical area covers nearly every recreational niche, from desert wilderness to alpine lakes. The County also contains many institutions of higher education and a unique cultural and historical background that enriches residents and visitors alike. Areas of funding request and policy development include museums, libraries and parks and recreation. The following are San Bernardino County's Cultural, Educational and Recreational funding challenges:

MUSEUM HALL OF GEOLOGICAL WONDERS EXHIBITIONS AND PROGRAMS

Funding Request: \$1 Million

Estimated Total Project Cost: \$1 Million

The County Museum campus buildings were constructed in 1974. Since that time, museum conservation practices and public needs have changed. It is extremely important to the residents of San Bernardino County and the region that the museum provides contemporary exhibitions, modern museum collection care, diverse learning programs and greater opportunities for public education and appreciation of regional, natural and cultural heritage. The San Bernardino County Museum has

systematically assessed needs for short and long term enhancements of County services for County and regional residents and visitors. A critical aspect of the Museum capital improvement plan is modernizing the Museum's facilities. The Museum's 12,000 square foot Hall of Geological Wonders will be the benchmark for enhancing exhibitions and public programs for visitors, benefitting the region economically. In order to serve the growing cultural and informal education needs of inland Southern California, the County Museum will showcase and interpret the rich geologic and paleontologic history of the region.

Project Description: Complete the Hall of Geological Wonders exhibitions and programs.

MOJAVE RIVER WATERSHED INTERPRETIVE JOINT VENTURE PROJECT

Funding Request: \$1.2 Million

Estimated Total Project Cost: \$1.2 Million

A collaborative project between San Bernardino County's Museum and Regional Parks, the Mojave River Watershed Interpretive project is a proposed multi-diverse plan to interpret the cultural, historic, biologic and geologic past and present of the Mojave River Watershed. With the significant growing populations of county residents in the High Desert, there is a vital need to provide non-formal education to residents and visitors. The High Desert cultural and natural heritage is a critical part of the heritage of California. The story platform will center on the unique natural resource qualities of the Mojave River watershed and the importance of the watershed culturally and historically. In addition, the human value economically, culturally and esthetically will be interpreted.

Project Description: Create the Mojave River Watershed Interpretive Joint Venture Project, including kiosks, interpretive signage and additional educational material.

EARTHQUAKE PARK JOINT VENTURE PROJECT

Funding Request: \$1.5 Million

Estimated Total Project Cost: \$1.5 Million

A collaborative project between San Bernardino County's Museum and Regional Parks, the Earthquake Park is a public partnership effort developed to educate residents and visitors to the region about the unique characteristics of a 10,000-acre tract of land within the San Bernardino National Forest and located in the Cajon Pass in San Bernardino County. This area has a rich natural and cultural history that is well suited to interpretation through the implementation of an earthquake park.

Project Description: Create the Earthquake Park Joint Venture project to include tours, kiosks, interpretive signage and additional educational material.

MOONRIDGE ANIMAL PARK (ZOO)

Funding Request: \$2 Million

Total Project Cost: \$15 Million

Background: Moonridge Animal Park is the only zoo in San Bernardino County. In February 2009, the Moonridge Zoo lost its lease at its historical location. San Bernardino County recently acquired 10 acres of land for the park located in Big Bear Valley. This land, as the new home for the animals - most of which were injured, orphaned, or considered a public nuisance and cannot be returned to the wild - will allow for a modern expanded facility to be built. The cost of a new facility is estimated at \$15

million. Grants and local contribution to date have raised approximately \$7 million. There is tremendous public approval for this project. Membership to the Animal Park is worldwide.

Project Description: Construct the new animal park facility. These funds, with the already raised \$7 million will insure that the first phase of the project can be completed. This phase is to build the critical infrastructure and animal facilities needed to move the animals from their current location to the new facility. Other needed but less critical facilities such as gift shops, education centers, etc. will be built as other funds are received through various fund raising efforts.

SANTA ANA RIVER WATERSHED INTERPRETIVE JOINT VENTURE PROJECT

Funding Request: \$1.2 Million

Estimated Total Project Cost: \$1.2 Million

A collaborative project between San Bernardino County's Museum and Regional Parks, the Santa Ana River Watershed Interpretive Project offers an exciting innovative educational venture that allows for shared resources and expertise to establish a stellar interpretative project for one of the most recognized regional resources, the Santa Ana River Watershed in Southern California.

Project Description: Create the Santa Ana Watershed Interpretive Joint Venture Project, including tours, kiosk, interpretive signage, additional educational material and maps.

YUCAIPA VALLEY REGIONAL SOCCER COMPLEX (PHASE II)

Funding Request: \$450,000

Total Project Cost: \$3.4 Million

The Yucaipa Valley Regional Soccer Complex is a cooperative effort between San Bernardino County and the Yucaipa Valley Youth Soccer Organization. The Organization has completed the Phase I design and construction, and is maintaining and programming this 30-acre complex adjacent to Yucaipa Regional Park. Phase II adds the necessary amenities that will allow the facility to be used for larger regional and statewide tournaments, scouting jamborees and community activities. The complex will complement the existing Regional Park and the City of Yucaipa by providing enhanced family activities, along with meeting the need for fields for youth and adult leagues.

Project Description: Construct Phase II of the Yucaipa Valley Regional Soccer Complex, which includes upgrading the primary access road from Oak Glen Road to the soccer complex, additional parking lots with an internal roadway and enlargement of the upper field with lighting and related recreational equipment.

PUBLIC SAFETY

The overall safety and security of the residents of the County remains a top priority for the County of San Bernardino. With State proposals to shift State inmates to counties and the early release of prisoners, the County will continue to monitor corrections reform. In addition, in light of recent fire devastation as well as recent State proposals to realign fire protection services and medical emergency response local governments, comprehensive fire protection and emergency response is imperative for the safety of the people and property of the County. Regional Public Safety communications interoperability is essential to responding effectively to emergencies occurring in and around the County of San Bernardino. The areas of funding challenges and policy development included in the Public Safety section consist of issues ranging from public safety infrastructure

expansion and recuperating the cost of detaining illegal immigrants. The following are San Bernardino County's Public Safety funding challenges:

PUBLIC SAFETY REGIONAL EMERGENCY OPERATIONS CENTER

Estimated Total Cost: \$85 Million

Several factors, including the natural conditions of our geography and seismological faults in the region, make San Bernardino County susceptible to a catastrophic disaster. In order to ensure the safety within the region and the preservation of public property throughout the County during an emergency, cooperation between multiple agencies is essential. Currently, the County's public safety communications agencies are jointly located in a temporary operational complex in Rialto. This complex, as it exists today, includes the Sheriff's Valley and County Fire's dispatch centers, which provide support for fourteen contract cities and the unincorporated areas of the County, the County Office of Emergency Services and the 800 MHz Radio Group. This facility has far exceeded its useful life based upon physical constraints, building life safety, building maintenance life cycle cost value, existing technology, infrastructure, security, proximity to other San Bernardino key public safety facilities and anticipated County population growth. Public safety operational centers are an essential element of a comprehensive emergency management system and are necessary to ensure a concentrated and systematic response to catastrophes.

Project Description: Construct and equip a permanent public safety operational center that has the capability to withstand devastating natural disasters; is strategically located and fully redundant; equipped with state of the art technology to ensure the safety and well-being of the residents of San Bernardino County.

PUBLIC SAFETY REGIONAL EMERGENCY RADIO SYSTEM UPGRADE

Estimated Total Cost: \$150 Million

San Bernardino County's 800 MHz Public Safety Radio System became operational in 1990 as a master planned two-way radio system for all of the county's emergency and public service providers. The 21 year old analog radio system is used daily by law enforcement, fire service, and emergency medical service first responders, as well as general governmental service providers as their mission critical lifeline to transmit and receive calls for public service. The current system serves the county and incorporated cities through a series of 38 radio communications sites, approximately 16,000 deployed mobile and portable field radios, and nearly 100 dispatch console installations.

There is a pressing need to upgrade the radio system. For the last ten years, the radio system has not been technologically current. The legacy technology does not provide radio signal encryption nor does it provide automatic roaming. This lack of encryption presents a large security risk of unauthorized reception of critical communications, and user operation is very cumbersome in the absence of automatic roaming. The current system was discontinued by the manufacturer in the late 1990's, and no technical support exists today. Repair parts, if available, are obtained through the used or surplus market. An upgrade to a modern, standards based digital radio system provides encryption and automatic roaming, and goes beyond the existing system capabilities by providing increased hardware redundancy, better audio fidelity, and improved interoperability with regional counties. The digital radio system platform is industry standard and is fully supported by the manufacturer for technical support and repair parts availability.

Project Description: Convert San Bernardino County, on a regional basis, to a modern digital radio system over the next six years. This includes the replacement of existing remote radio site analog equipment with current digital equipment, the procurement and construction of an estimated 33

additional radio sites to maximize digital signal coverage, and the conversion of existing customer owned mobile, portable and dispatch console equipment to operate in a digital environment. Funding at \$25 million would be needed for the next six years to complete the project.

PUBLIC SAFETY REGIONAL FIRE TRAINING CENTER

Estimated Total Cost: \$18 Million

San Bernardino County's Fire Department currently operates the Richard Sewell Training Center (RSTC) at the former Norton Air Force Base. The Training Division has the responsibility for supervising the training and education for all suppression firefighting personnel and is a California State Fire Training Certified Regional Training Center. Additionally, Fire Department and law enforcement personnel from many other agencies throughout Southern California receive training at RSTC.

The lease for the facility at Norton Air Base is scheduled to expire in 2016. Consequently, plans for a new facility need to be considered. The acquisition of a state of the art facility that can accommodate multiple classrooms, fleet maintenance and services, material management, outdoor training activities to include training towers, live fire simulators with a water recovery system and related rescue props with a large area suitable for ladder, ventilation and hose evolutions. This area would also include sufficient parking, essential to ensure the long-term viability of the program.

Project Description: Acquire a state of the art public safety regional training center facility to accommodate the didactic and manipulative fire training needs of the region.

EMERGENCY VEHICLE OPERATIONS CENTER RENOVATION PROJECT

Funding Request: \$1 Million

Estimated Total Project Cost: \$3 Million

The San Bernardino Sheriff's Regional Training Center has been on the existing site for over 30 years and works with over 100 public safety affiliates, including representatives from local, state and Federal agencies that include the FBI, U.S. Military and ATF. The Training Center is responsible for facilitating the training of approximately 25,000 students annually. The Emergency Vehicle Operations Center (EVOC) facility was built in 1991 on approximately 78 acres. The administration building contains two 40-person classrooms and one 20-person classroom. The driving facility trains over 3,500 students per year, including local and out of state law enforcement agencies, fire, ambulance and Federal agencies.

Since its opening, the Sheriff's Department has attempted to keep the track safe and operational through regular maintenance and unexpected repairs within budgetary constraints. Recently a slurry cover was applied to the cracked and crumbling lane change area at a cost of \$70,000. Despite these efforts, a recent county inspection audit and recertification inspection by the State Commission on Peace Officers Standards and Training (POST) identified various areas of safety concern in need of attention. The areas of identified concern include large cracks throughout the asphalt roadways in need of repair. The poor condition of the roadway (track) surfaces is deteriorating due to heavy use, weather conditions and deferred maintenance.

There is a need to renovate the existing two lane city grid networks, the asphalt roadway surface of the slow speed maneuvers/accident avoidance area and the high-speed performance track area at the San Bernardino Sheriff's EVOC facility. The city grid networks, slow speed maneuvers/accident avoidance and high-speed performance track areas are mandated as performance exercises required by POST in the State of California.

Project Description: Complete the EVOC Renovation Project in three phases, to include the cleaning of existing roadway, application of hot oil/petromat material with approximately one-inch asphalt overlay and re-stripe pavement markings. The Sheriff's Training Center will be responsible for on-going maintenance expenses. Total project cost is \$3 million.

SCIENTIFIC INVESTIGATIONS DIVISION PROGRAM FUNDING

Funding Request: \$350,000

Estimated Total Project Cost: \$500,000

The San Bernardino County Sheriff's Department's Scientific Investigations Division (SID) is the workplace of 100 law enforcement, scientific, technical and support personnel. SID's mission is to provide forensic support (criminalistics, identification and crime scene investigation) to Sheriff's stations, divisions and outside agencies. SID is also home to Sheriff's Central Property/Evidence unit and the photography Laboratory.

Project Description: Modernize equipment and criminal programs to meet the needs of various divisions throughout the Sheriff's department. Funding is requested for the Sheriff's Crime Analysis Unit, which includes Law Enforcement Investigative Computer Software, Blood Alcohol Analysis System, Polarized Light Microscopes for Controlled Substance Analysis, Energy Dispersive X-Ray Spectrometer, Stereomicroscope, Skeletal Remains Predictive Profiling Research Program and Data Information Management System (DIMS).

POLICY PROPOSALS

GOVERNMENT OPERATIONS

The County of San Bernardino's mission is to satisfy its customers by providing services that promote the health, safety, well being and quality of life for its residents. Effective partnerships between the County and Federal agencies are pivotal to adequately finance these services and responsibilities.

Despite inadequate state and Federal funding, local governments are required to provide the same level of service. Counties are left with the option of reducing staff, compromising service delivery, or filling budgetary gaps with local funds, which few counties have the ability to do. Multiple years of Federal funding reductions have undermined critical programs. The following are San Bernardino County's Government Operations priority policy proposals:

AIRPORTS

AIRPORT IMPROVEMENT PROGRAM

The Airport Improvement Program (AIP), through the Federal Aviation Administration (FAA), primarily funds airport capital improvements. Currently, there is no multi-year program authorized by Congress, hence capital developments are delayed. This not only impacts the County owned airports, but also impacts Los Angeles and Ontario along with other airports in the County and the greater Los Angeles area.

Legislative Position: Support legislative and regulatory efforts that will provide for multi-year funding of the Airport Improvement Program.

PERCHLORATE CONTAMINATION

Soil and groundwater investigations have determined that perchlorate is not emanating from the existing Mid Valley Sanitary Landfill (MVSL). In 1994, after an extensive environmental investigation report found no significant issues, the County purchased a portion of the Rialto Ammunition Backup Storage Point to use for future expansion of the MVSL. In 1999, perchlorate was discovered to be potentially emanating from on or near the property the County purchased in 1994. Therefore, in an effort to protect the citizens of the area, the Solid Waste Management Division (SWMD) has spent approximately \$3.5 million to investigate and characterize perchlorate-related impacts to groundwater that are believed to have originated on or near this property. Soil on private property occupied by a fireworks manufacturer is directly downstream of future expansion areas. Areas surrounding expansion sites have tested positive for perchlorate in large amounts. The SWMD is expected to spend another \$4 to \$5 million to intercept and contain the identified perchlorate plume, and to construct a treatment plant that assures continued delivery of drinking water to the City of Rialto at its Well No. 3. The County will also spend approximately \$1 million per year through the life of the cleanup, through 2023, to keep the treatment plant operating. Additionally, extensive testing of soil on the property will be required and removal and disposal of any contaminated soil will be required. This is currently budgeted at \$5 million.

The County is involved in a legal process to recoup funding from private companies and the Department of Defense who previously owned or conducted operations on the property, which is believed to have resulted in the presence of perchlorate. Most of these private companies are either defunct, bankrupt or cannot be located. Funding gained from these sources, if any, is years away.

Legislative Position:

- Appropriate (Fund) the California Reclamation Groundwater Remediation Initiative to assist the County in efforts to clean up impacts created by the existence of perchlorate contamination to soil and groundwater in and around future landfill sites.
- Request funding from the Environmental Protection Agency's State & Tribal Assistance Grant account to remediate contaminated water/wellhead treatment located within the natural watershed of the Santa Ana River.
- Request funding from the Department of Defense, Defense-Wide, Operations & Maintenance Account - Environmental Restoration or Environmental Restoration, Formerly Used Sites to remediate contaminated water/wellhead treatment located within the natural watershed of the Santa Ana River.

PURCHASING

TAX INCREASE PREVENTION AND RECONCILIATION ACT (TIPRA)

The County supports the repeal of Section 511 of the Tax Increase Prevention and Reconciliation Act (TIPRA) in HR275 and S292. Section 511 requires governments that spend \$100 million or more to withhold 3% on payments for goods and services. The 3% collection is aimed at collecting taxes to help cover the difference between taxes owed and taxed paid. Numerous governmental organizations oppose it, including the National Association of Counties Organization (NACO) and Governmental Finance Officers Association (GFOA). NACO estimates that costs of compliance would be more than the amount collected. Additional potential impacts of the 3% withholding are that vendors will increase their pricing to adjust for it and small vendors would be at a competitive disadvantage. There is concern that it would discourage businesses from bidding on government contracts. This is in opposition to the competitive process for government contracts.

Legislative Position: Support legislative efforts that will repeal Section 511 of the Tax Increase Prevention and Reconciliation Act (TIPRA).

WORKFORCE INVESTMENT

LOCAL WORKFORCE INVESTMENT BOARDS (LWIB)

The Governor of the State of California, pursuant to the Workforce Investment Act of 1998, has designated the County of San Bernardino as a Local Workforce Investment Area for the operation of comprehensive workforce investment system activities and provides funding for such activities. San Bernardino County supports guidance for employment services at the private sector level through the Local Workforce Investment Boards (LWIBs). LWIBs are strategically charged to address major workforce issues and build a community based on community leaders, business investment in human capital, a strong and diverse economy, an integrated infrastructure, effective and articulated education system and clearly defined and accessible career pathways to prepare a ready, willing and able workforce. The role of the LWIBs is to convene appropriate parties around these issues, create dialogue among relevant parties and generate creative, innovative solutions through consensus and to enlist community commitments to action. LWIBs are the secure pulse of the communities they serve and have influential insight to guide communities to address the needs of our region to meet the economic needs of our State.

The current downturn in the economy has, more than ever, increased the need for employment services to operate under the guidance of the LWIBs to effectively fuel the current economic recovery, rapidly respond to businesses that are downsizing, service employees who are laid off, put people back to work quickly and prepare communities for future growth. The current economic insecurity and the need for change in economic career paths greatly increases the need for private sector LWIBs to be the foundation for local communities as the secure employment agency that local businesses and residents can depend on for stability and guidance.

Legislative Position: Support legislative and regulatory efforts that will support private sector Local Workforce Investment Boards.

WORKFORCE INVESTMENT ACT REAUTHORIZATION

The Workforce Investment Act (WIA) of 1998 (Public Law 105-220) was signed into law August 7, 1998. It was enacted to induce businesses to participate in the local delivery of workforce development services. Authorized by Congress for a five-year period, it has been up for reauthorization since 2003, and has been funded only by continuing resolutions from Congress pending reauthorization.

The nation is facing its worst economic crisis since the Great Depression, with the unemployment rate rising to its highest level since April of 1983. Under the American Recovery and Reinvestment Act signed into law February 17, 2009, Congress set a goal of creating or saving as many as four million jobs through investment in a broad range of industry demand sectors. The reauthorization of WIA would provide an opportunity to meet this goal by ensuring our workforce receive the services and support they need to go back to work and develop the necessary skills to begin rebuilding our economy.

As Congress debates reauthorization of the program for the 112th Congress, San Bernardino County's Workforce Investment Board believes that the locally administered workforce development system established under WIA has been effective and should be continued. In addition, the roles and responsibilities of the chief local elected officials and locally appointed Workforce Boards should continue, as the local Boards determine how local public-private partnerships can best support and

enhance local workforce development. Any reauthorization of the program should ensure that workforce development activities continue to support career growth and job advancement opportunities to meet economic development initiatives. The One-Stop Centers should be continued, as should the Individual Training Accounts (ITAs), which provide individuals a range of choices in selecting occupational training. Local Boards should have discretion in establishing ITA funding levels in an effort to maximize the use of available resources in the local area, and local areas should have the flexibility to match training investments to the needs of local demands. Career pathway programs to meet strategic planning goals for building a workforce customized to meet the demand should be encouraged. The current required sequence of services should be eliminated so local WIA systems can offer services (core, intensive, training) in any order or combination as required by the individual job seeker and local market demand conditions. Finally, a program should be established that ensures every worker has access to life-long learning opportunities at all ages and in numerous contexts.

Legislative Position: Support reauthorization of the Workforce Investment Act and support legislative and regulatory efforts that will include the above recommendations in any reauthorization of the Act.

FLOOD CONTROL AND WATER RESOURCES

FEDERAL FLOOD CONTROL AND WATER RESOURCES MITIGATION FUNDING

San Bernardino County has long endured the impacts from federally owned lands that often require significant local resources to maintain. Past federal funding offsets to local governments do not fully address certain impacts that include, but are not limited to, storm runoff into clean water supplies, flooding and wildfires, which further burden some of the most economically hard hit regions of the State. A significant case can be made from Southern California's severe winter storms beginning on December 18, 2010. Most of the County's damaged areas to homes, businesses and infrastructure can be directly related to runoff from lands owned and managed by the Federal Government. Addressing these impacts can help improve local area's environmental protection, flood/storm damage reduction and water supply.

Legislative Position: Support legislative and regulatory efforts that will enhance Federal funding for counties and other local jurisdictions that are impacted by Federal lands to help to defray costs associated with supporting these public lands within their boundaries.

ENDANGERED SPECIES ACT AMENDMENT

The Federal government passed the Endangered Species Act to prevent and reduce the destruction of habitat for various threatened and endangered species. Resource agency's narrow interpretation of the Endangered Species Act has limited local agencies' ability to maintain their various types of flood control and other public facilities. Flood control districts have been impacted the most by this interpretation since they have not been allowed to maintain or clean existing basin and channel facilities. These facilities must be cleaned out before the start of the normal storm season, which begins annually on October 15th. The consequences of not having flood control facilities ready for the storm season can result in flood risks to life and properties.

Legislative Position: Support legislative and regulatory efforts that will clarify or limit interpretation of the Endangered Species Act to exempt regular maintenance of existing flood control and other public facilities.

CLEAN WATER ACT CLARIFICATION

The Federal government passed the Clean Water Act to prevent and reduce the contamination of water. Resource agency's interpretations of Sections 401 and 404 of the Clean Water Act have limited the ability of local agencies to maintain their various types of facilities. Flood control districts have been impacted the most by this narrow interpretation, since they have not been allowed to implement routine maintenance or clean out basin and channel facilities. These facilities must be cleared and repaired before the start of the normal storm season, which begins October 15th. The consequences of not having flood control facilities ready for the storm season can result in unnecessary risk to life and property.

Legislative Position: Support legislative and regulatory efforts that will clarify or limit interpretation of the Clean Water Act (sections 401 and 404) to exempt regular maintenance of existing flood control and other public facilities. Support legislation consistent with Clean Air Act applications requiring enforcement agencies to develop specific checklists that identify exactly what documentation is required for each project to receive a 401 water quality certification and consistently apply the checklists from project to project.

FEMA ARID REGIONAL LEVEE CERTIFICATION CRITERIA

Under direction from Congress, the Federal Emergency Management Administration (FEMA) is requiring levees throughout the nation to be certified within a very short timeline. Though the timeline has been extended to two years, the cost of this unfunded mandate is overwhelming many of the County Flood Control Districts' financial and personnel resources. The emphasis on levees is understandable in the wake of the levee failures in New Orleans and the California Central Valley/Delta levee problems. However, many areas have levees that do not function in the same way the Central Valley and New Orleans levees are meant to perform. Some of these levees are dry most of the year and merely direct flows during storm events; they do not continuously retain water. FEMA should recognize the difference in levee systems and not generate such a blanket demand. Levees should be certified but those levees that are not continuous water retaining type system should be allowed a longer time to gain certification without adversely affecting the FEMA Flood Insurance Rate Maps.

Legislative Position: Support legislative and regulatory efforts that will allow levees that are not continuous water retaining type systems a longer time to gain certification without adversely affecting the FEMA Flood Insurance Rate Maps.

FLOOD CONTROL INFRASTRUCTURE IMPROVEMENT FUNDING

Throughout the State, much of the existing flood control infrastructure is inadequate to handle 100-year storm flows. The existing facilities are aged and in serious disrepair. With the State's continued population growth and subsequent development in new and in-fill areas, most of the existing flood control systems are strained beyond capacity. The flood control districts and local jurisdictions do not have funding to repair, replace and construct new infrastructure.

Legislative Position: Support legislative, regulatory efforts and funding sources that will provide for the repair, improvement and construction of flood control infrastructure projects outside the Delta/Central Valley region.

MIGRATORY BIRD TREATY ACT CLARIFICATION

The Federal government passed the Migratory Bird Treaty Act meant to prevent and reduce the hunting of birds during their nesting and migration season. Resource agency interpretation of the

Migratory Bird Treaty Act has limited local agency ability to maintain their various types of facilities. The flood control districts have been hit hardest by this interpretation since they have not been allowed to clean out basin and channel facilities, which must be cleaned out before the start of the normal storm season that begins October 15. The migratory bird season ends in September and therefore only allows a brief period to perform maintenance. The consequences of not readying flood control facilities for the storm season is jeopardizing to life and property.

Legislative Position: Support legislative and regulatory efforts that will clarify or limit interpretation of the Migratory Bird Treaty Act to allow regular maintenance of flood control and other public facilities.

U.S. ARMY CORPS OF ENGINEERS FLOOD PROTECTION INFRASTRUCTURE IMPROVEMENT FUNDING PROGRAM

The U.S. Army Corps of Engineers (USACE) built many of the flood protection facilities within the San Bernardino County Flood Control District's jurisdiction. The District took over operation and maintenance of these facilities once they were constructed. The existing facilities are aged and some are in serious disrepair. With the population growth and development over the past few decades, most of the existing flood protection systems are strained beyond capacity. The flood control districts and local jurisdictions do not have funding to repair, replace and construct new infrastructure.

Legislative Position: Support legislative and regulatory efforts that will address the ongoing repair, improvement and construction of U.S. Army Corps of Engineer built flood protection infrastructure improvement projects.

U.S. ARMY CORPS OF ENGINEERS LEVEE REPAIR FUNDING PROGRAM

As part of the Federal Emergency Management Agency's (FEMA) nationwide Map Modernization Program, FEMA initiated a countywide Flood Insurance Study (FIS) and Digital Flood Insurance Rate Map (DFIRM) for San Bernardino County and all incorporated communities within the County. FEMA has implemented a policy to verify the certification status of all levees currently depicted on the effective FIRM as providing protection from the base (1% annual chance) flood. The regulatory requirements for accrediting levees as providing base flood protection on FIRMs is found in Title 44 of the Code of Federal Regulations (CFR), Section 65.10. FEMA intended to show those levees that cannot be certified on time as not providing any flood protection. This could place hundreds of homeowners in FIRM floodplains designations, potentially costing them thousands of dollars in flood insurance. The U.S. Army Corps of Engineers (USACE) built many of the facilities listed by FEMA, some of which do not meet the FEMA certification criteria. These levees need to be brought up to the criteria specified but no funding is available to accomplish this goal.

Legislative Position: Support legislative and regulatory efforts that will address the engineering and construction of levee repairs for all U.S. Army Corps of Engineer levees not able to meet FEMA certification requirements.

HUMAN SERVICES

San Bernardino County's Human Services Group administers aging and long term care services, mental health treatment, alcohol and drug treatment, public health services, healthcare for indigents, the Temporary Assistance to Needy Families (TANF) program, foster care, child welfare services, adult protective services, the In-Home Supportive Services (IHSS) program, the General Assistance (GA) program, medical care, emergency medical services, homeless services and services to children aged five and younger. Many of these programs are Federal government mandates, where counties

act as an agent of the state. Federal budgetary actions and laws are vital to the successful administration of these programs. Most of these services are federally mandated. The following are San Bernardino County's Human Services priority policy proposals:

AGING AND ADULT SERVICES

COMMUNITY SERVICES BLOCK GRANT

In all states, the Community Services Block Grant program is designed to provide a range of services to assist low-income people in attaining the skills, knowledge, and motivation necessary to achieve self-sufficiency. The program also provides low-income people with immediate life necessities such as food, shelter, health care needs, etc. In addition, services are provided to local communities for the revitalization of low-income communities, the reduction of poverty and to help provider agencies improve and increase their capacity to achieve results and develop community resources, which link services and funding. These flexible dollars build on the Older Americans Act core programs that help provide affordable housing, transportation services and other critical supports for older Americans.

Legislative Platform: Support legislative and regulatory efforts that will provide stable funding for the Community Services Block Grant Program.

SECTION 202 ELDERLY HOUSING

The Section 202 program helps expand the supply of affordable housing with supportive services for the elderly. It provides very low-income elderly with options that allow them to live independently, while in an environment that provides support activities such as cleaning, cooking, transportation, etc. Funding for the Section 202 elderly housing program has sharply declined during the past decade and in recent years has permitted construction of just 5,200 dwellings, only .003 percent of the minimum 1.5 million units needed to house seniors, according to 2009 estimates. An increase in funding for the program is needed to increase the number of housing units for seniors.

Legislative Platform: Support legislative and regulatory efforts that will increase funding for the Section 202 Elderly Housing Program.

ELDER JUSTICE ACT

As part of the health care reform package, the Elder Justice Act authorized approximately \$777 million over four years, of which \$195 million is authorized for FY 2011 to fund elder abuse prevention. Fully appropriating the Elder Justice Act would have a direct and immediate impact on the individuals it was designed to protect. It would provide urgently needed support for both state and local governments by assuring that Adult Protective Services continues to be on the forefront in fighting elder abuse.

Long-term care ombudsmen at the state and local levels are also contained within the Elder Justice Act. Funding at the authorized level would provide those who respond to complaints of abuse and neglect in the nation's long-term care facilities with critically needed resources. The number of very complex cases being referred to long-term care ombudsmen has been increasing at an alarming pace.

Legislative Position: Support legislative and regulatory efforts that will fully fund the Elder Justice Act.

FEDERAL TRANSIT ADMINISTRATION'S FORMULA GRANT PROGRAM

The Section 5310 Formula Grant Program provides formula funding to States for the purpose of assisting private nonprofit groups in meeting the transportation needs of the elderly and persons with disabilities when the transportation service provided is unavailable, insufficient or inappropriate to meeting these needs. Funds are apportioned based on each state's share of population for these groups of people.

The Transportation Equity Act, which contains the Special Needs of Elderly Individuals and Individuals with Disabilities Program, received \$133 million in the 2009 Federal Budget and was due for reauthorization in 2010. However, Congress has failed to reauthorize the program in 2010. A Continuing Appropriations Resolution has continued the program at the 2009 level. The appropriation is not enough to meet current needs; much less, the anticipated needs of the millions of baby boomers who have already started to turn 60.

Legislative Position: Support legislative and regulatory efforts that will significantly increase funding for the Section 5310 program when the Transportation Equity Act is reauthorized.

OLDER AMERICANS ACT

The Older Americans Act (OAA) is the backbone of services to America's aging population. First enacted in 1965, the OAA helps seniors to stay independent and healthy through a wide range of services and programs, including: Meals on Wheels, congregate meals, senior center services, transportation, support for family caregivers, home and community services, health promotion, disease prevention and community service employment for low-income older workers. Spending money on OAA programs saves taxpayer dollars in the long run, because it cuts Medicaid and Medicare expenditures by reducing premature nursing home placements, averting malnutrition and controlling chronic health conditions.

Legislative Position: Support legislative and regulatory efforts that will increase funding for the Older Americans Act programs by an amount sufficient to keep up with the growth of the population it serves. Support a cost of living adjustment to the program. Support a reasonable increase in administrative costs.

ARROWHEAD REGIONAL MEDICAL CENTER

PRIMARY CARE PHYSICIANS

In the United States, the number of medical students entering family practice training dropped by 50% between 1997 and 2005. In 1998, half of internal medicine residents chose primary care, but by 2006, over 80% became specialists. A survey by the University of Missouri-Columbia and the U.S. Department of Health and Human Services predicts that by 2025 the United States will be short 35,000 to 44,000 adult care primary care physicians. In addition, the Patient Protection and Affordable Care Act will bring many more individuals into the health care system in the next 3 years. It is imperative to have a sufficient number of primary care physicians available to provide care to this additional population.

Legislative Position: Support legislative and regulatory efforts that will increase the number of primary care physicians.

HEALTH CARE REFORM

Given California's mounting coverage gap and rising health care costs, the State will benefit significantly from the health care reform legislation. The Patient Protection and Affordable Care Act (PPACA) is a historic and comprehensive Federal health care reform law. Through the next ten years, the law will put in place policies to provide new consumer protections and new oversight and rules for insurers, make coverage affordable for individuals and families and encourage efforts to tame the costs of health care. The PPACA is unique in that some of its provisions are going into effect this year and other elements start to phase in over the next several months and years.

Legislative Position: Support legislative and regulatory efforts that will focus on providing patient-centered, timely and effective care. Maintain HIPAA standards while ensuring confidentiality and patient safety. Support policies that will encourage healthy lifestyles and the integration of mental health and primary care.

HOMELESS ASSISTANCE PROGRAMS

Homelessness is a persistent national problem that impacts cities and communities throughout San Bernardino County. In 2009, the San Bernardino County Homeless Census found that more than one fifth of the homeless population of the County consists of children and youth, and 17.8% are homeless veterans. In addition, with roughly 25% (primarily women and children) of the County population living under the poverty line, the "at-risk" population in the County of San Bernardino poses serious societal and economic implications.

Legislative Position: Support legislative and regulatory efforts that will provide a more focused approach to the issues of homelessness and provide a system of care that is inclusive, well planned, coordinated, evaluated and accessible to all who are homeless or at-risk of becoming homeless.

MEDICAID REIMBURSEMENT FOR INSTITUTIONS TREATING MENTAL DISEASE

When enacting Medicaid, the Federal government specifically excluded payments for patients in state psychiatric hospitals and other "institutions for mental diseases," or IMDs. Medicaid will not cover an individual if he or she is between the ages of 21 and 65, has a disease in his or her brain and needs care in a psychiatric hospital. The Federal government's IMD exclusion prohibits Medicaid from covering any treatment (even non-psychiatric) in state and private psychiatric hospitals and other IMDs.

Legislative Position: Support legislative and regulatory efforts that will provide Medicaid reimbursement for patients in Institutions for Mental Diseases and in freestanding settings.

MEDICARE MENTAL HEALTH AND SUBSTANCE USE DISORDER TREATMENT PARITY

Medicare covers only 55 percent 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. 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 physical illnesses among the elderly.

Legislative Position: Support legislative and regulatory efforts that will remove discriminatory features from the Medicare mental health benefits.

FEDERAL FUNDING FOR INTEGRATED TREATMENT

Mental health and physical health are inter-related, each contributes to the other. Data showing the high co-occurrence of mental illness and chronic physical health conditions indicates the vital need for integrated health care. Yet historically, mental health and physical health have been treated separately.

Legislative Position: Support legislative and regulatory efforts that will fund integrated treatment for mental health, substance use disorders, primary and specialty care and Federal funding to recruit qualified primary care professionals for integrated settings.

CHILDREN AND FAMILY SERVICES

CHILD WELFARE FINANCING REFORM

Federal child welfare financing is disproportionately directed toward funding out-of-home care. Only 10% of Federal funds are available to provide front-end prevention, post-permanency and reunification services to keep children safely at home with their families, a much less expensive alternative than foster care. This lack of flexibility prevents states and counties from effectively developing the array of services needed to improve outcomes for families and children and that research shows are effective. Current funding consists of multiple and complex funding streams, each with their own audit, review, and data reporting systems governing separate sets of requirements and rules that are costly due to staff time and resources needed to administer. Additionally, the current Children and Families Services Reviews do not measure what they are designed to. States are concerned for a variety of reasons that the measures are flawed and that this poorly designed review system sets all states up to fail.

Legislative Position: Support legislative and regulatory efforts that will create a single, dedicated flexible funding stream for child welfare that allows and supports local control to direct resources based on need and adequately funds cost effective prevention services. States should be allowed to reinvest Federal dollars saved in reducing foster care into ongoing prevention and post permanency services to sustain achieved improvements. The current review process should be reevaluated and redesigned to create a process that better tracks measurable performance and incentivizes improvements.

FOSTER CARE FUNDING ELIGIBILITY

When the TANF welfare reform law was passed, Congress elected to freeze the eligibility rules for the payment of Title IV-E foster care maintenance payments to prior AFDC rules as of July 16, 1996. Ever since, states are required to “look-back” to these rules when determining foster care eligibility, instead of using the family’s CalWORKs eligibility status. Since income and assets are frozen to the 1996 standards, which are not adjusted for inflation, the rate of Federal reimbursement decreases over time, resulting in loss of Federal funds. Additionally, under welfare reform, children in out-of-home care must be determined eligible for Federal Title IV-E funds, with eligibility based on their eligibility for the former Aid to Families with Dependent Children (AFDC) program. This system of determining eligibility for Title IV-E is administratively burdensome because it is based on a program that no longer exists and income limitations that have never been increased for inflation.

Legislative Position: Support legislative and regulatory efforts that will de-link Title IV-E eligibility from the 1996 AFDC income eligibility standards and enable states to claim Title IV-E expenditures for

children removed from their homes for the purposes of ensuring their safety and well-being, regardless of the family's income.

FIRST 5

FIRST 5 FUNDING

First 5 San Bernardino has improved the lives of children ages 0-5 and their families through a comprehensive system of education, health services, childcare, and other crucial programs. The Proposition 10 Tobacco Tax passed in 1998, which funds programs that help children prenatal through age five. Since that time, the organization's revenue stream was fairly consistent until the national tobacco tax was raised in 2009. As a result, revenue has decreased about 15%. If the Federal tobacco tax is raised in the future, revenue will decline further. Recently, First 5 San Bernardino entered into agreements with over 90 partner agencies in the area to continue services for three years. The organization has committed to pay \$67.5 million for the next three years. Yet, after this three-year cycle, funding will be cut significantly due to lower reserves and projected revenue decreases.

Legislative Position: Support First 5 San Bernardino's advocacy efforts at the Federal level in regards to health care, childcare, childcare quality improvement, nurse-family partnerships, and home visitation models.

PUBLIC HEALTH

HEALTHCARE DISPARITIES

Striking disparities in health status exist among various communities and populations throughout the United States, which include shorter life expectancy and higher rates of chronic health conditions and disability. According to the Agency for Healthcare Research and Quality, disparities are also observed in most aspects of disease prevention and treatment, including care for mental health disorders and substance use, HIV/AIDS, cancer, diabetes, heart disease, stroke, oral health conditions, maternal and child health, respiratory disease and end stage renal disease.

Healthcare disparities is a public health problem, not only for those having difficulty accessing equal healthcare, but also for the general public, who may be exposed to communicable diseases that should have been addressed by the healthcare system.

Legislative Position: Support legislative and regulatory efforts that will address healthcare disparities, especially among minority groups.

FOOD SAFETY

The need to improve oversight of our nation's food supply has never been greater. Every year, food-borne illnesses in the United States cause 5,000 deaths, 325,000 hospitalizations and 76 million illnesses, at a cost of billions of dollars. Outbreaks of food-borne illness from contaminated food products, produce and infant formula regularly make the headlines.

The national recall of California-grown spinach and the international recall of Chinese produced foodstuffs have proven that food has become a global commodity and that impurities at any step of production can have wide public health impacts.

Legislative Position: Support legislative and regulatory efforts that will enhance food safety.

PUBLIC HEALTH FUNDING

Past budget cuts, coupled with new challenges and responsibilities, have caused the Center for Disease Control (CDC) to do more with less and struggle to provide basic public health services, as well as to effectively respond to public health emergencies and natural or man-made disasters. A larger investment is required in our public health agencies and programs to equip them with the necessary resources to restore their effectiveness and adequately protect the health of the American public. Most importantly, increased Federal funding for expanded immunization programs and tuberculosis monitoring are badly needed.

Legislative Position: Support legislative and regulatory efforts that will increase and stabilize funding for the CDC, Health Resources and Services Administration and other Federal public health agencies.

PUBLIC HEALTH WORKFORCE

An adequate supply of well-prepared public health professionals is essential to an effective public health system in America. A study by the National Center for Health Workforce Analysis found that recruitment difficulty for public health (PH) professionals is widespread. The inability to fill vacant PH positions has led to chronic understaffing and difficult working conditions. Many local public health departments report that they have learned to 'do more with less', but in many instances they were unable to maintain the level of services provided.

Legislative Position: Support legislative and regulatory efforts that will increase the number of qualified public health medical professionals

FEDERAL MEDICAID ASSISTANCE PERCENTAGES

The Federal Medicaid Assistance Percentages (FMAP), which is the Federal match rate for Medicaid assistance costs, is determined based on per capita state income with higher match rates provided to states with lower per capita income relative to the national average. Despite the recent increase in the State's FMAP, California's FMAP will return to the statutory minimum of 50% in July, 2011. California historically has had among the lowest Federal Medicaid assistance funding per recipient of any state.

Legislative Position: Support legislative and regulatory efforts that will raise California's base FMAP.

NURSE VISITATION PROGRAM

Every year, approximately 600,000 children are born to low-income, first-time mothers in the U.S. who are at the greatest risk of suffering health, education and economic disparities. By offering support to this vulnerable population, Nurse Visitation programs empower pregnant women and their families to improve their health, education and economic self-sufficiency. However, consistent Federal funding is essential if Nurse Visitation programs are made available to every eligible first-time, low-income family.

Legislative Position: Support legislative and regulatory efforts that will provide funding for nurse visitation programs.

FEDERAL FUNDING FOR THE FAMILY PACT PROGRAM

The Family Planning, Access, Care, and Treatment (Family PACT) Program provides services to women and men who earn less than 200 percent of the Federal poverty level. Participants can receive birth control, reproductive health services and education about sexually transmitted diseases. The program does not provide abortion counseling. The Federal government covers \$315 million of the \$432 million annual cost. The State picks up the remainder.

Under a proposed Federal plan, people would have to produce a passport, birth certificate, government photo ID or other documents to establish citizenship. This paperwork would need to be reviewed by a state employee who would verify eligibility before service provision. The State estimates it would need 1,300 additional employees to scrutinize the 2.4 million applications it receives each year. That would add \$175 to the cost of serving each client in the program. The average amount spent now per person is \$261.

Legislative Position: Oppose efforts that will increase the eligibility verification required for Family PACT. Support legislation that will protect Federal funding for the Family PACT program.

FEDERAL BIOTERRORISM GRANT PROGRAMS

After the erosion of public health infrastructure over the past several decades, the Federal Bioterrorism Preparedness grants from the Centers for Disease Control and Prevention have provided much needed investment in local public health systems. However, after an initial surge in funding to state and local public health departments, Federal funding for this vital program is now declining.

Bioterrorism grants are complex to administer, and counties have found that developing plans, budgets and reporting requirements requires a stable funding source to enable them to plan ahead. In the absence of stable Federal funding, local public health departments may be required to eliminate some programs, or, in a worst-case scenario, rely on county general funds to continue these programs.

Legislative Position: Support legislative and regulatory efforts that will stabilize Federal bioterrorism grant funding and increase pandemic influenza funding to states and local public health departments.

TRANSITIONAL ASSISTANCE

PROMPT AND CONTINUOUS SERVICE TO NEEDY FAMILIES WITH CHILDREN

Public Law 104-193 changed Aid to Families with Dependent Children to the Temporary Assistance for Needy Families (TANF) block grant, removing the perception of entitlement to aid for eligible families. The new provisions of TANF eliminated many of the requirements imposed upon the states in providing for prompt payment to eligible individuals and notification prior to the termination of or delay in aid payments. Under the current provisions of TANF, even after a state has chosen to participate in TANF, the state may choose not to fund a public assistance program for needy families with children, thereby passing the burden of assistance to the counties and cities without the benefit of Federal funding to support such programs.

Legislative Position: Support legislative and regulatory efforts that will amend Section 401 [42 U.S.C. 601] (a) of the Social Security Act to reinstate the requirement for states to participate in TANF and provide prompt and continuous payments to fund services to needy families with children.

TEMPORARY ASSISTANCE FOR NEEDY FAMILIES REAUTHORIZATION

The Temporary Assistance for Needy families (TANF) program expired September 30, 2010. Congress has extended the program through September 2011. The American Public Human Services Association (APHSA) strongly believes that the TANF program should be reauthorized with adequate funding, additional flexibility for states, and a continued emphasis on preparing clients for work, moving clients into employment and facilitating access to work supports by low-income workers. The flexibility within the original TANF block grant, included in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, allowed states to develop programs to address the self-sufficiency needs of each family, not just those who may be ready for full-time employment. Unfortunately the Deficit Reduction Act of 2005 (DRA) greatly reduced the very state flexibility that made the program successful.

Legislative Position: Support legislative and regulatory actions proposed by APHSA that will lead to increased local flexibility and decrease Federal penalties that are subsequently passed down to the counties.

VETERANS AFFAIRS

DISABILITY COMPENSATION BENEFITS

Under section 101(13) of title 38, United States Code, disability “compensation” means a monthly payment made by the Department of Veterans Affairs to a veteran because of service-connected disability, or to a surviving spouse, child, or parent of a veteran because of the service-connected death of the veteran. The individual’s unemployability due to a service-connected disability is the basis of this benefit. This benefit is intended to compensate the individual veteran solely for the effects of a service-connected disability, and should not be based on their age, retirement, or socioeconomic status. It would be a disservice to these disabled veterans to treat this benefit like a pension or to implement means testing as a determinant of eligibility to disability compensation, doing so would have the effect of reducing the significance of this benefit.

Legislative Position: Support legislative and regulatory efforts that will oppose any adverse changes to 38 U.S.C. regarding disability compensation benefits.

PRESCRIPTIONS WRITTEN BY NON-VA PHYSICIANS

Currently the Veterans Affairs (VA) healthcare system is only authorized to fill prescriptions written by authorized VA physicians. This policy does not address the fact that many veterans do not live in close proximity to a VA facility and that others lack access to either public or private transportation. This hardship is especially pronounced in certain geographic areas where the veteran population is spread out over sparsely populated areas. Allowing veterans to see a local physician and subsequently submitting the prescription to the VA pharmacy via mail would be a cost savings as it would eliminate the need for a veteran to see a VA physician for the sole purpose of receiving authorization for medication that has already been prescribed by the veteran’s non-VA physician. The current process lends itself duplication of effort by the VA.

Legislative Position: Support legislative and regulatory efforts that will authorize VA pharmacies to honor prescriptions written by non-VA physicians.

VETERANS ADMINISTRATION INFORMATION SYSTEMS

More often than not County Veterans Service Officers (CVSOs) are the first and most frequently utilized point of contact for veterans and their families. Currently CVSOs have limited access to the

information contained the Veterans Affairs (VA) information systems. Allowing CVSOs access to the information contained in the VA information systems would increase efficiencies as well as reduce the current backlog of claims, which is still growing. Additionally, allowing CVSOs unrestricted access to Federal data sources would reduce local costs, as veterans would have timelier access to Federal benefits and there would be a reduction in the workload at VA call centers. It is important to note that in 2009, the VA received one million claims, a first in the agency's 80-year history.

Legislative Position: Support legislative and regulatory efforts that will provide increased access for CVSOs to Veterans Affairs information systems for use in developing and monitoring claims submitted on behalf of veterans.

VETERANS PROGRAMS

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 veterans are left with no source for the medical treatment they need.

The USDVA and its programs, face 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.

Legislative Position: Support legislative and regulatory efforts that will fully fund the Federal responsibility to provide comprehensive veterans services.

VA BURIAL/PLOT ALLOWANCES

Under current regulations, not all honorably discharged veterans are eligible to receive the Department of Veterans Affairs (VA) burial/plot allowance. In order to receive these benefits the veteran must have died because of a service-related disability, was receiving VA pension or compensation at the time of death, was eligible to receive VA pension or compensation but choose to receive retirement benefits or have died in a VA hospital, a nursing home under VA contract or in an approved state nursing home. Unless one of the previously mentioned conditions was met, an honorably discharged veteran is not eligible to the benefit and the family is left with the full burial and plot costs. All honorably discharged veterans deserve to receive this benefit in death.

Currently benefits for a service-related death are up to \$1,500 toward burial expenses for deaths prior to September 10, 2001. For deaths on or after September 11, 2001, VA will pay \$2,000. For a nonservice-related death, the VA will pay up to \$300 toward burial and funeral expenses, and a \$150 plot interment allowance for deaths prior to December 1, 2001. The plot-interment allowance is \$300 for deaths on or after December 1, 2001. These benefit amounts have not been increased since 2001, while inflation has caused the average cost of a funeral to rise to nearly \$6000.00. There is no expectation that the VA will pay for the funeral cost in its entirety, but the benefit amounts should be adjusted periodically to account for increases in the cost-of-living.

Legislative Position: Support legislative and regulatory efforts that will re-instate the Burial/Plot Allowance for all honorably discharged veterans and provides an annual increase based on the cost-of-living.

PUBLIC SAFETY

AIR MEDICAL SAFETY

San Bernardino County opposes legislation that would duplicate efforts addressed in current regulations governing emergency medical services flights and voluntary safety measures already being implemented by the industry. The county opposes legislation that would place the communities that we serve in needless danger and subject to the financial demands of the private emergency medical services companies.

Legislative Position: Oppose legislation that will impose undue and dangerous emergency medical service requirements on counties.

AVIATION AIR RESCUE OPERATIONS PROTECTION

The County is concerned that the removal of Federal oversight over private aviation operators has great potential to harm San Bernardino County Sheriff's air rescue operations. Private air ambulance operator's influence over state and local authorities, as witnessed in the past, can be dangerous and harmful to air rescue in San Bernardino County without Federal regulation. State regulation of the economic issues could serve to limit market entry and could ultimately have a negative effect on available services.

Legislative Position: Oppose legislation that will change current oversight authorities to regulate air ambulance aviation operations.

FOREST MANAGEMENT & PROTECTION PROGRAMS

The San Bernardino and Angeles National Forests have experienced nearly a decade of drought, too many trees due to previous regulations regarding tree removal and the increased activity of the Bark Beetle, all causing the number of dead and dying trees to reach epidemic proportions. Over 1 million coniferous trees in the San Bernardino Mountains are currently dead or dying. This situation has resulted in a severe fire hazard that poses an immediate threat to public safety, the local economy, and the ecology within these mountain communities.

On September 24, 2002, the County of San Bernardino declared a local emergency regarding the Bark Beetle infestation. The State of California declared a State of Emergency on March 7, 2003. This declaration continues to date.

Through the efforts of the United States Congress, FEMA, U.S. Forest Service (USFS), and National Resources Conservation Services (NRCS), San Bernardino County has been awarded grant funds for hazardous mitigation within the mountain areas, which includes dead/dying tree and brush removal, clearing of evacuation routes, and public education and awareness.

Legislative Position:

- Support legislative and regulatory efforts that will create a stable source of Hazard Mitigation funding that can be used to combat such emergencies now and in the future.
- Support legislative and regulatory efforts that will create a stable source of Hazard Mitigation funding from USFS and any other Federal Source to allocate to agencies that continue to contend with the infestation and drought problems and have a proven record of using prior mitigation funds for the purposes intended.

- Support legislative and regulatory efforts that will allow the use of Caltrans equipment, California Department of Forestry Resources and the National Guard to collaborate with the counties in developing and implementing their action plans.
- Support legislative and regulatory efforts that will allow a Federal income tax deduction for homeowners who expend personal funds for the removal of infested trees from their property.

HOMELAND SECURITY GRANT FUNDING

San Bernardino County is responsible for providing services in the areas of emergency communications, fire suppression, search and rescue, hazardous material response and emergency medical services for over 16,000 square miles of land. 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. Over the years, San Bernardino County has received grant funds from the Federal Department of Homeland Security.

As a result, qualified public safety agencies within San Bernardino County have benefited greatly from the grant awards within the Assistance to Firefighters Grants (AFG) Program, State Homeland Security Program (SHSP), the Interoperable Emergency Communications Grant Program (IECGP) and other related programs. It is critical that funding continues for these programs in the coming year.

When successful in receiving Homeland Security Grants funding, portions are used by the State for administrative oversight and other budget activities, thereby decreasing the available funding for local public safety programs. The County, along with other local agencies that receive these funds, needs to remain proactive ensuring that the State does not rake-off or arbitrarily withhold reimbursements due to State budget problems.

Legislative Position:

- Support continued and increased funding of the Department of Homeland Security Firefighter Assistance Program for local agencies costs of fire suppression.
- Support the continuance and increase of funding available to counties and local governments that will mitigate costs associated with helping communities prepare, respond and recover from all facets of disaster.
- Support the continuance and increase of funding available to counties and local governments within the Interoperable Emergency Communications Grant Program that will improve local, tribal, regional, statewide and national interoperable emergency communications, including communications in collective response to natural disasters, acts of terrorism and other man-made disasters.
- Oppose Federal allowance of excessive rake-off for State administration of funds and withholding of reimbursements due to State budget issues. Support funding flexibility and enhancement of local authority.

PROBATION SERVICES COSTS FOR ILLEGAL IMMIGRANTS

Illegal Immigrants are often detained in Probation-operated Juvenile Detention and Assessment facilities while awaiting adjudication. Once adjudicated, if placed on Probation Supervision Services, the Department bears the cost of providing supervision and counseling services. Illegal immigration has been identified as a Federal issue, and a program to reimburse probation agencies for Detention and Supervision Services needs to be developed. In the 2009 calendar year, based on the number of juvenile Mexican born citizens detained during the last fiscal year, it is estimated that up to 7,314 detention bed days were used. In addition, an estimated 68,065 juvenile supervision days and 771,686 adult supervision days for illegal immigrants were used.

Legislative Position: Support legislative and regulatory efforts that will provide funding to counties to mitigate costs associated for probation service costs of undocumented aliens.

STATE CRIMINAL ALIEN ASSISTANCE PROGRAM FUNDING (SCAAP)

The State Criminal Alien Assistance Program (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 four consecutive days during the reporting period. SCAAP is administered through the Bureau of Justice Assistance (BJA), in conjunction with the Bureau of Immigration and Customs Enforcement and Citizenship and Immigration Services, Department of Homeland Security (DHS).

In 2009, San Bernardino County housed immigration offenders for a total of 329,504 inmate days, which was estimated to cost \$21,292,578. SCAAP funding is critical to cost mitigation related to the housing of undocumented aliens.

Legislative Position: Support continuance and increase of funding available to counties that will mitigate costs associated with the incarceration of undocumented aliens.

UNFUNDED FIRE PROTECTION AREAS

Northern and eastern portions of San Bernardino County that are surrounded by public owned lands are known as “unfunded fire protection areas” since these are areas within the San Bernardino County Fire Protection District but do not contribute Fire Protection funds. The majority of the area is land owned by the Federal government and bisected by Interstate 15 and Interstate 40. In addition, several state highways, including routes 58, 62, 95, 127, and 395 transect these public lands. Within the last couple of years, additional acres of private lands have been transferred to Federal government ownership within San Bernardino County. Historically, San Bernardino County provides fire and rescue services in this portion of the county. In the 2006-07 fiscal year, County Fire, now the San Bernardino County Fire Protection District, built a fire station in the community of Baker. \$2.1 million was funded by a one-time allocation from the San Bernardino County Board of Supervisors, as well as a one-time allocation from County Fire of \$1.42 million. The station serves the northerly portions of the unfunded fire protection area, specifically Interstate 15 from Barstow to the Nevada state line. This station’s first in service area is approximately 4,000 square miles of primarily public lands. The part-time paid-call firefighters and fire apparatus assigned to Baker are now housed at the station. The Baker personnel respond to approximately 950 incidents per year, primarily traffic accidents that occur over a hundred miles of Interstate 15 and State Highway 127.

Current funding sources are not available to properly staff the requirements of the Baker Fire Station. An appropriate staffing level is critical since the next closest fire station to support the Baker Fire Station personnel is the County Fire Station in Harvard, which is 46 miles away.

Legislative Position: Support legislative or regulatory efforts that will fund staffing, operations and maintenance of County fire department operations within federally owned areas such as the Interstate 15 and 40 corridors through Bureau of Land Management and National Park lands.

LAND USE MANAGEMENT

With over two million residents located throughout the 20,000 square miles of San Bernardino County, areas of policy development include in the Land Use Management section consists of community development, regional planning, land use and environmental impacts. The various departments in this section provide services ranging from housing policies, planning to environmental impact mitigation. The following are San Bernardino County's Land Use Management priority policy proposals:

CALIFORNIA DESERT CONSERVATION AND RECREATION

During the 111th Congress, comprehensive California Desert Protection legislation was introduced which would establish two National Monuments within San Bernardino County, and add to existing Congressionally dedicated wilderness areas within the County. The legislation also provided direction for processing renewable energy applications, organizing for processing and distribution of lease and rental receipts. The legislation was praised due to efforts to include public activities and outdoor recreational use. However, concerns were also raised regarding the potential locking up of areas that have been used for mining, energy development and military training exercises.

The legislation was unable to meet the legislative deadline at the conclusion of the legislative session. It is anticipated that this legislation will be reintroduced for the 112th Congress.

A major theme for this legislative effort is to provide "protection" for the former private lands held by Catellus Development and transferred to the Federal Government (the Bureau of Land Management) in 1999. These lands are part of the 809,000 acres San Bernardino County has lost from the tax base over the past decade. The lands were railroad land grants provided for construction of the transcontinental railroad in the 1880's and later acquired by a conservancy to eliminate the "checkerboard" land pattern in the California desert and provide uniform management by the BLM.

Legislative Position:

- Support legislative efforts that will designate permanent off-highway vehicle recreational areas.
- Support legislative efforts that will require Federal agencies to identify jurisdictional zones where renewable energy production is in the public good, giving preference to appropriate industry groups that would be displaced by a designated protection area.
- Support legislative efforts that will implement a regional fire management plan that calls for coordination between the BLM and National Park Service in development of a joint plan, which includes the study of additional public safety facilities.
- Support legislative efforts that will implement an ongoing Federal maintenance program for the National Trails Highway.

MANAGEMENT OF FEDERALLY DESIGNATED WILD LANDS

On December 22, 2010, The Department of the Interior Secretary Salazar released Secretarial Order 3310 creating a new category of land management on Bureau of Land Management (BLM) administered public lands as "Wild Lands." In essence, the order creates a new round of wilderness inventory and creates a category of wilderness management by administrative designation absent Congressional direction, oversight or enactment. Because of the late release date, the full effects of this order are unclear.

Under the California Desert Protection Act passed in 1994, over 4 million acres of Federal public land was placed in the National Wilderness System. This includes land under both BLM and National Park Service administration, and removed significant areas of public use and potential minerals development from use and location.

Extending wilderness management to lands that have not been placed in the National Wilderness System by Congress will further limit development and outdoor recreation opportunities without public input or Congressional oversight and enactment.

Legislative Position: Support legislative efforts that will rescind Secretarial Order 3310, and assure that if additional public lands are placed in the National Wilderness System that it is done with direct input from affected local governments with full Congressional oversight.

MINING LAW REFORM

Mining activities under current law remain an important source of employment and investment within San Bernardino County. The County can ill-afford any attempts that would curtail those operations from continuing at their current levels. The mining of locatable minerals has basically ceased within the County since the passage of the California Desert Protection Act, but many important mines do exist.

One of the last remaining hi-profile national mining operations in San Bernardino County is the Mountain Pass operation for rare earths by Molycorp Minerals, Inc. an organization specializing in rare earth technology and products vital to Green Energy, High Tech, and Defense Applications for current and future generations. To date, a majority of rare earth mining comes from sources outside the United States.

While Congress did not enact any major mining reform legislation during the last Congressional session, successful efforts were made to require environmental considerations and reclamation, essentially duplicating current State mining laws and regulations. Further efforts could decrease current and future operations crucial to domestic security and the economy.

Legislative Position: Oppose legislation changing the current Mining Law of 1872 as amended. Support legislation that supports domestic production of rare earths materials. Oppose legislation that provides for withdrawal of public land areas from the operation of current mining laws.

MITIGATION FOR IMPACTS RESULTING FROM RENEWABLE ENERGY DEVELOPMENT PROJECTS

Renewable energy projects, particularly large-scale solar development, often transfer large blocks of Federal land to private use. This leads to the elimination of current multiple use activities including dispersed recreation, livestock grazing and general public access. Impacts to wildlife as a result of these large-scale developments are mitigated by a variety of measures, including the acquisition of private land and the transfer of these lands to governmental agencies. Cultural resources are mitigated through avoidance or salvage of the particular resource.

However, other uses of land generally receive mention in environmental documentation, but are seldom offset, replaced, or otherwise mitigated. This issue is particularly acute relative to recreational activities such as off-highway vehicle (OHV) usage, since development project proponents often seek out areas that the Federal Bureau of Land Management (BLM) has designated as open for OHV use. Renewable energy projects, particularly large-scale solar development, also increase impacts to local government activities with little to no funding mechanisms. These projects generally utilize significant parts of local government infrastructure, including the use of county roads, solid waste disposal,

public health and safety.

Federal land and wildlife management agencies additionally have insisted upon mitigation packages, which, among other requirements, mandate that leasees/permittees acquire private land and donate it to the Federal agencies at ratios of at least 2 for 1, often at 3 for 1, and in some cases 5 for 1. In addition, Federal “fast track” leases for solar development were recently issued on a number of tracts in both California and Nevada. Although all within the same habitat, the California decision contained a stipulation that a 2 for 1 mitigation where concurrently, a development in Nevada was approved with no similar mitigation requirement for compensation.

This “compensation” is required as mitigation for loss of desert tortoise habitat in the desert, a concept based on an attempt to prevent development of other acreage in lieu of an approval to develop a federal site. It serves to increase the Federal estate within San Bernardino County, which already has over 8 million acres of Federal land, not counting military bases. Of critical concern to the County is further erosion of the tax base. Because of the ceiling contained in the Federal Payment in Lieu of Taxes (PILT) Act, the County receives no offsetting PILT payment for this loss of private land.

Legislative Position:

- Support legislative and regulatory efforts encouraging Federal agencies with authority over renewable energy projects to minimize and mitigate local government impacts from the loss of taxable and developable land.
- Support legislative and regulatory efforts encouraging Federal agencies with authority over renewable energy projects to mitigate potential impacts from the loss of historic land uses, to include the dedication or acquisition of other areas of public land to such activity.
- Support legislative and regulatory efforts to ensure that permits and leases for solar or any other kind of renewable energy development are made consistent across state lines when the areas are of similar character and habitat value.
- Support legislative and regulatory efforts that will ensure that land acquisition requirements are made consistent between states and when areas are of similar character and habitat value.

NATIONAL PARK SERVICE ADVISORY COMMISSIONS

The California Desert Protection Act of 1994 allows for the establishment of Advisory Commissions composed of citizens, including elected officials from local government, to provide oversight and input on National Park Service (NPS) plans developed for the three NPS units covered in the Act. The language limited NPS oversight to the General Management Plans (GMPs). From experience, the County found that the real on-the-ground decisions were often left to program plans (such as fire management) that are tiered from the GMPs. As GMPs were completed, some Park Superintendents briefly kept the Commissions active while others did not. None functioned beyond the 2004 sunset.

Congress originally proposed the Commissions as a forum for input, problem solving and conflict resolution and allowed for the specific inclusion of local government representatives and historic users. However, when the California Desert Protection Act was passed, oversight was limited to the broad planning function.

Now that the Commissions have expired, there is no formal forum for citizen input to NPS programs. National Park units operate autonomously and independently and there is currently little official contact among NPS leadership and management personnel and County officials. Further, there is no regular contact between the public and National Park Service leadership. Reauthorization of the Commissions and broadening of the charters would serve to be a springboard for increased communication and partnership on the many activities about which there are common interests such as recreation access, the County transportation system, economic promotion, fire management and

the County's continuing interest with its infrastructure within the three Park Service Units.

Legislative Position: Support legislation or regulatory actions that will re-activate the Advisory Commissions for Death Valley National Park, Mojave National Preserve and Joshua Tree National Park. Support legislation or regulatory actions that broaden the charters of each to provide for Commission input on all kinds of planning and resource management proposals and actions, to serve as a forum for citizen input on NPS programs and management and as an advisory body to seek resolution of conflicts within the NPS units.

PAYMENT IN LIEU OF TAXES (PILT) - EQUITY

There have been ongoing efforts by public agencies to acquire large acreages of private lands within San Bernardino County. In the past several years, over 800,000 acres have been acquired by Federal agencies for wilderness and park purposes as well as to implement recovery plans under the Endangered Species Act. Mitigation for projects that require "compensation" (the "donation" of private acreages at ratios up to five acres for every acre disturbed) exacerbates the problem. Recent appropriations by Congress have accelerated acquisitions for various natural resources programs and accelerated the loss of tax base to local governments. The National Park Service actively purchased ranches and mines that further reduce the tax base in ways that cannot be reflected in the PILT formula, which only factors in acres of Federal land. Current law provides for payment of property taxes for five years following acquisition, but only when such acquisitions occur in National Parks or in National Forest Wildernesses. Payment disappears after five years, and BLM acquisitions have never been brought under this provision of the PILT legislation.

The ongoing additions to public lands results in no PILT increase to San Bernardino County. Because the PILT formula counts people first and acres second, and it quits counting people when the population exceeds 50,000, no county could receive more than a maximum of \$3,228,000 (in FY 2010) under full funding. In effect, the current PILT formula establishes an acreage ceiling of approximately 1.3 million Federal acres, beyond which no county receives any further PILT payment. The presence of the Federal estate creates additional needs for services and infrastructure such as road maintenance, search and rescue, fire suppression and other emergency services in both the desert and forest areas of this County. These services are likely to increase with increased visitation from population growth (internal and external to the county) and increased activities associated with new and expanded units of the National Park Service.

The land rush to develop renewable resources on public lands has exacerbated the problem since they are being required to mitigate for wildlife by further private land acquisitions and donation to agencies. This adds to the pressure on County resources and infrastructure, which cannot be captured under property taxes since their investments are tax-exempt.

Legislative Position: Support legislation that will amend the Payment in Lieu of Taxes program that eliminates the population provision. Support legislation to ensure that payments are made for all Federal acreages within the County that currently account for "entitlement acres", assuring fair payment for the counties huge public land estate with accounting for additions made to that estate.

PAYMENT IN LIEU OF TAXES (PILT) - FULL FUNDING

A major legislative challenge for San Bernardino County, as in all western counties, is the necessity for full funding of PILT. Congress has historically appropriated approximately less than two-thirds of the current authorization, and substantially short of the amount that would be generated were the same lands privately held and on county tax rolls. As part of the TARP legislation in 2008, Congress took PILT from the appropriations process and fully funded the program for the next five fiscal years (through FY 2012). Unless extended, PILT will return to an appropriated program in FY 2013. Full

funding has lifted San Bernardino County's payment to over \$0.30/acre, but if equity for the County's acreage is not achieved the County will be in dire straits under a reversion to appropriation levels, assuming the former level can be maintained in the current budget climate.

Legislative Position: Support legislation that will extend the current authorization for full funding for the Payment in Lieu of Taxes program. Oppose legislative efforts that would raise the PILT formula population floor above 10,000 persons from the current 5,000 unless the population factor is completely removed.

RIGHT-OF-WAY AND ACCESS TO AND THROUGH FEDERAL LAND

Virtually all of the public access to and through public lands within the desert and mountain regions of San Bernardino County was developed and authorized under the provisions of RS 2477. RS 2477 was a component of the Mining Law of 1866 that provided for development of access to provide for development of the West. There was no specific legislative authorization per se; construction of the "highway" created the right-of-way. Unfortunately, there has never been an adjudication of qualifying routes, nor recordation on the official title plats maintained by the Bureau of Land Management (BLM) for all Federal lands nationally.

Over the past decade, there has been an ongoing policy vacuum regarding the recognition of such rights-of-way. This is particularly the case with respect to the more remote and smaller access routes leading to mines, wildlife waters and guzzlers that require periodic maintenance, livestock facilities, and informal recreation sites. Congress repealed RS 2477 in 1976 as part of the Federal Land Policy and Management Act (FLPMA). However, they left in place all rights-of-way that had been created and recognized (and, in effect, granted) under the provisions of the repealed legislation. San Bernardino County has historically supported the retention of rights-of-way under RS 2477 for existing routes to assure non-closure by Federal land management agencies.

When Congress passed the California Desert Protection Act in 1994, a provision was made for vehicular access to wildlife waters in designated wildernesses. The provision was intended to apply to all wilderness established under the Act. However, staff composing the legislation included the amendment language only under Title I (Section 103), applying it to BLM- administered wildernesses, and omitted the language from Titles III, IV and V, extending to the three units under National Park Service administration, all of which lie wholly or in part in San Bernardino County. The NPS has failed to negotiate or consider any access based upon that omission, since the provision "applies only to BLM lands. Each of the wilderness withdrawal sections provides specifically for the United States honoring valid existing rights. The courts have interpreted these rights to include claims under RS 2477, though many environmental organizations continue to object to the law still being recognized by fighting attempts to adjudicate or adopt regulations to accommodate it. These actions constantly raise misleading issues implying that its existence and recognition will lead to new road construction and destroy wilderness values.

The Secretary of the Interior adopted regulations (43CFR1860) in January 2003 that provided local governments with a "recordable disclaimer" mechanism to apply for the recognition of such rights without having to resort to the courts. San Bernardino County applied for title (in effect, a quitclaim deed) for Camp Rock Road as a first step in forging a partnership to solve this issue. Unfortunately, BLM did not process the application for many years, and the County did indeed have to resort to litigation to compel BLM to act on it; BLM ultimately rejected the application in 2010. County appeals are underway; negotiations have proceeded and proposed settlements have been exchanged, but no conclusion has been reached, with BLM being reluctant to recognize title.

In September 2005, the U.S. Tenth Circuit Court of Appeals filed a decision that supported the granting of rights-of-way under R.S. 2477, but left adjudication to the states under each state's laws

regarding prescriptive rights. The “Norton Policy”, adopted March 2006, continued to present recordable disclaimers as a means of the Department confirming a right-of-way, and extended the principles of the 10th Circuit’s decision to all public lands in the West.

At various times Congress has attempted to enact laws to provide recognition of RS 2477, but the approaches have varied with stipulations and conditions being attached, many of which are not acceptable to this County, or others.

Additionally, BLM has proposed that San Bernardino County could obtain rights-of-way for its roads under Title V of the Federal Land and Policy Management Act (FLPMA) of 1976. The County has rejected that position because an application under that law would trigger a fundamental review of the road and its location under the National Environmental Policy Act (NEPA) and the Endangered Species Act (ESA). Consideration would also be afforded to the State Historic Preservation Officer under various cultural resources statutes. The County believes that the costs of documentation are too great for a right-of-way that is already constructed and in existence. Worse, consideration and final permitting would likely require implementation stipulations that could make the title cost prohibitive for the provision of mitigation. Most of the County system in the desert is within desert tortoise habitat, and specific mitigation for that can be expected, despite the road’s existence for decades.

Legislative Position:

- Support the retention of rights-of-way under RS 2477 for existing routes, and continue to provide for assertions under its provisions to assure non-closure by Federal land management agencies.
- Support regulatory efforts by the Departments of the Interior and Agriculture to adopt and implement regulations clarifying its policies regarding valid existing rights under RS 2477 in which BLM, the Forest Service, and Park Service would recognize such routes when asserted by local governments for all such access routes.
- Support legislative efforts that will clearly limit the Federal land management agencies to the exercise of ministerial function of recording such rights-of-way when asserted, in which they would simply determine validity under the RS 2477 provisions (established prior to October 21, 1976), and recording such on the official records of the United States. (In making this platform declaration, the County recognizes that new or re-aligned routes must be covered under current Title V right-of-way authorizing procedures.)
- Support legislative efforts to clarify the California Desert Protection Act to provide specific access by motor vehicle into designated wilderness areas when necessary for fish and wildlife management, including access to water facilities for inspection and maintenance within all Federal management units within the California Desert Conservation Area, including those units administered by the National Park Service.

WEST MOJAVE PLAN

The West Mojave Plan (Plan) is a Habitat Conservation Plan (HCP) and Federal Resource Management Plan (FRMP) prepared through the collaborative effort of 11 cities, 4 counties (San Bernardino, Kern, Inyo and Los Angeles) and several state and Federal agencies to present a comprehensive strategy at a regional level to conserve and protect the desert tortoise and other species listed under the Federal Endangered Species Act (ESA). The West Mojave Plan is a key mitigation concept for Federal, State and Local Government by using public land restrictions as offsetting mitigation for the development and build-out of private land.

The Bureau of Land Management (BLM) completed the Federal portion in March 2007. San Bernardino County is near completion of its portion of the plan including CEQA compliance. The Plan establishes a framework of conservation and permits for development within the region, which encompasses over 9 million acres, consisting of approximately 2/3 federally owned land and 1/3

private land. The Plan provides a streamlined program for local government and private landowners to comply with the ESA.

Following release of the Federal portion via its Record of Decision (ROD), a consortium of environmental groups sued BLM. San Bernardino County, working with its neighboring counties, has joined the suit, and was granted intervener status. As a result, local government faces substantial costs to complete its CEQA portion and to implement the conservation program on County infrastructure within conservation areas. Federal funds are needed to augment local funds to implement the programs identified in the Plan.

The County is currently awaiting a decision on the Plan by the Federal District Court in San Francisco. (Oral arguments were made in September 2010.) The judge made an initial ruling on the case that sustained the counties' position. BLM is being asked to re-do its designation of routes of travel. This consideration, regardless of the judicial opinion, should not slow the completion of the private land portions of the plan.

Legislative Position: Support legislative and regulatory efforts that will implement and maintain the West Mojave Plan and reimburse associated local government implementation costs.