

County of San Bernardino



2009 State Legislative Platform

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TABLE OF CONTENTS

EXECUTIVE SUMMARY	4
GOVERNMENT OPERATIONS	
County Costs of Doing Business for State Mandated Programs	7
Healthcare Reform	7
Department of Managed Health Care Balance Bill Regulations	7
Promoting Clean and Healthy Communities	8
Public Entity Paralegals	9
Protect First Five Funding	9
HR 547	9
Disability Access to Public Facilities	10
Cedar Glen Redevelopment Time Extension	10
Increased Funding for County and City Emergency Operation Centers (EOC)	10
Increased Funding for First Responders	11
Increased Funding for Geographical Areas Within County Fire Surrounded by Public Lands	11
County Fire Helicopter Program	12
Airport Land Use Commission	12
Williamson Act Program Amendment	13
Anti-Business Legislation	13
Ports/Goods Movement Legislation	13
California Vehicle Code Amendment for Emergency Duties	13
County Collections	14
County Collections Access to State Database	15
Paper Ballot Transition	16
Paper Ballot Storage	16
Fees Charged or Collected by a County	17
HUMAN SERVICES	
Jail Inmates Mental Health Medications	18
Protect Mental Health Funding	18
Mental Health and Drug and Alcohol Treatment Funding	18
Elimination of the Federally Qualified Health Centers Lockout	19
Parolee Alcohol and Drug Treatment Programs	19
Suspend Medi-Cal Coverage for County Correctional Facility Inmates	20
Youth Alcohol and Drug Treatment Program Funding	20
Protect Public Health Funding	21
Parolee Aftercare Program Funding	21
Healthy Children Initiative	22
Public Health Workforce	22
Public Health Funding Agreement Simplification	23
Senior Nutrition Services Reimbursement Rate	23
Long-Term Care Ombudsman Program	24
Protection of Elders and Dependant Adults	24
Continued Services for Elderly During State Budget Delays	25
In-Home Supportive Services Simplification and Funding Protection	25
State Program Funding for Child Support Services	25

Medically Fragile Foster Children Services	26
High School Graduation Requirements for Foster Children	26
Modification to Indian Child Welfare Act Notice Mail Requirements	27
Regional Center Services	28
State Conformance to the Federal Fostering Connections Success Act of 2008	28
Federal Mandate Conformity	29
Educational Benefits for Members of the National Guard	29
Veterans Property Tax Exemption	29
Access to California's Veterans Homes for Veterans with Organic Brain Syndrome, Dementia, and Alzheimer's Disease	30
County Veterans Service Offices Funding	30
Preserve Human Services Funding	31
CalWorks Overpayment Clean Up	31
Homeless Assistance Programs	32
LAW AND JUSTICE	
Housing of High-Risk Sex Offenders and Sexually Violent Predators	33
Child Abuse Reporting	34
Adult Probation Funding	34
Juvenile Justice Crime Prevention Act, the Mentally Ill Offender Crime Reduction Act and State Training For Corrections Funding	34
GPS Sex Offender Reform Implementation for Local Law Enforcement Funding	34
Enhance the Department of Justice's Cal-ID Assessment Fee	35
Amend Violations for California Penal Code 502 from Misdemeanor to Felony	35
TRANSPORTATION	
Interstate 10 Corridor Improvements	36
Cherry Avenue/I-10 Interchange	36
Citrus Avenue/I-10 Interchange	36
Pepper Avenue/I-10 Interchange	37
Cedar Avenue/I-10 Interchange	37
High Desert Corridor	37
I-15/215 Interchange	38
Base Line/I-15 Interchange	38
I-15 Arrowhead Route Interchange	39
Glen Helen Parkway/UP-BNSF Grade Separation	39
Vista Road Grade Separation Project	40
Lenwood Road Grade Separation Project	40
Oro Grande Overpass	41
Institution Road: Glen Helen Rehabilitation Facility to Cajon Boulevard	41
State Street State Route 210 to Cajon Boulevard	40
Crafton Hills Parkway	42
Daley Canyon Road Intersection and Signal Improvements	42
Arrow Route at Lime Avenue	43
Summit Valley Road	43
State Highway 247 Improvements	43
Monte Vista Avenue Realignment	44
Arrowbear Drive Realignment and Widening	44
Sunburst Avenue Vertical Realignment	45
Piute Wash Bridge Project	45
Rock Springs Road Bridge Project	45
Yucca Loma/Yates/Greentree Corridor	45

Milpas Drive Paving Project	47
Midway Avenue Paving Project	47
Helendale Road Paving Project	47
Cumberland Drive: CA18-Bald Eagle Ridge	48
Transportation Infrastructure Between Schools and Communities	48
HOUSING AND LAND USE	
Access to and Through Federal Public Lands	49
Reform CEQA and Endangered Species Act	49
Open Space Sustainability	49
Mitigation of Indian Casino Impacts	50
Perchlorate Contamination	50
Mojave Narrows Regional Park Water Flow	50
Southern California Logistics Airport	51
Biomass Use Facilitation	51
FLOOD CONTROL	
Santa Ana River Mainstream Project	52
Seven Oaks Dam Water Quality Special Study	52
FEMA Levee Certification-Local Costs	53
Cucamonga #6 Basin	53
Deer Creek Debris Basin	54
West Fontana Channel and Basin Project	55
Cactus Basins Project	55
Desert Knolls Wash, Phase II and III	56
Oro Grande Wash Project	56
Hesperia Basin Project	56
Ranchero Basin Project	57
Water Canyon Basin Project	57
Donnell Basin Project	58
Protection Level For Flood Control Infrastructure	58
Clarification of The State Fish and Game Code	58
Amendment to Proposition 218	59
Flood Control Infrastructure Improvement Funding	59
Elimination of Unfunded Mandates	59
Amendment to the Clean Water Act	60
CULTURAL, EDUCATIONAL, AND RECREATIONAL SERVICES	
The California Library Service Act	61
County Public Library Foundation Program	61
Museum Hall of Geological Wonders Exhibitions and Programs	62
Santa Ana River Watershed Interpretive Project	62
Mojave River Watershed Interpretive Project	63
Upland Sports Park and Community Center Complex	64
Yucaipa Valley Regional Soccer Complex	64
Moabi Regional Park Channel Rehabilitation	65
Earthquake Parks	65

Executive Summary

As repercussions in the housing and financial markets continue to evolve, the depth of the fiscal consequences for local government budgets and public finance will continue to be uncertain. With demand for services on the rise and multiple programs being administrated on the local level, diversified and stable revenue streams (ranging from property taxes, fees, and State reimbursement) are critical to financing necessary services. In the context of this environment, San Bernardino County will face the headwinds of increased competition and public scrutiny for available limited resources. In order to maximize potential, the County will be required to exercise continued strategic vigilance and success will necessitate strong support for services and programs by its delegates. In this platform you will find our State legislative priorities for 2009, including funding requests and policy positions.

Based on the principles of fiscal stability, preservation of local control, efficient service delivery and operations, and the promotion of inter-agency cooperation, the San Bernardino County Board of Supervisors provides specific direction and overall policy guidance to the Office of Legislative Affairs by adopting an annual platform prior to each legislative session. Effective partnerships between local and State agencies are pivotal to ensure that the County of San Bernardino fulfills its organizational mission to satisfy its customers by providing services that promote the health, safety, well being, and quality of life of its residents.

In order to accomplish its 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 code enforcement. In addition to providing direct constituent services, the County also serves as a conduit for the State by administering health and human programs. As the County experiences tremendous growth, the already two million residents located throughout its 20,000 square miles utilize a great deal of resources. In order for the County to continue to provide quality services, assistance from the State and continued partnership with the delegation is imperative to maintain success.

The 2009 State legislative platform will assist the County in navigating through the various legislative components as well as communicating its State priorities. The platform has been compiled into various sections including government operations, public safety, health and human services, transportation, housing and land use, flood control, and recreational services. Each legislative item contains a brief background, legislative position and a funding amount request when applicable.

Cost of Doing Business

As the State continues to experience a budget crisis, local governments remain susceptible to rising cost despite the constitutional provision passed by voters in Proposition 1A. Although Proposition 1A was designed to protect existing revenues, it does not take into account the rising cost associated with providing programs, especially health and human services. Despite inadequate funding, local governments are required to provide the same level of service. The “cost of doing business” has exceeded over \$90 million in San Bernardino County. The County will continue to safeguard the resources to ensure efficient services.

Legislative Positions

- Support legislation or budget actions that increase, maintain, or fully fund the cost of doing business including cost associated with human and mental health services.
- Oppose legislation or budget action that will mandate services without adequate funding to administer the programs.
- Oppose legislation or budget actions that will shift cost to local governments.

Health Care Reform

Mandated by State law, public hospitals are required to provide medical care for indigent patients. Arrowhead Regional Medical Center continues to provide quality health care in spite of the financial constraints that public hospitals operate under. In order to continue the success of the health care system statewide and in the interest of the patients that receive care, major reform is necessary.

Legislative Positions

- Support legislation or budget actions that will provide adequate funding for public hospitals.
- Support legislation or budget actions that will increase the Medi-Cal rate to reflect the actual cost associated with providing services.

Promoting Clean and Healthy Communities

The County recognizes its role in enacting environmentally friendly policies, serving as environmental stewards, and promoting environmental awareness. Building upon its existing record of environmental leadership, the County adopted a Green County initiative. Incentives tied to the initiative are intended to promote environmental building standards, reduce pollution, decrease effects on climate change and cultivate ecologically responsible habits in the daily lives of our residents and businesses.

Legislative Position

- Support legislation and budget actions that will complement ongoing Green County incentives such as tax credits for the development of ecologically friendly programs.

Public Safety

The overall safety and security of the residents of the County remain a top priority. With the threat of Federal receivership of the State prison system, the County will continue to monitor corrections reform. Another area that San Bernardino County will continue to monitor is the placement of sexual predators as well as the enforcement of Jessica’s Law. In addition, in light of the recent devastation as result of fires, comprehensive fire protection and emergency response is imperative to the safety of the property and residents of the County.

Legislative Positions

- Support legislation or budget actions that will enhance the safety and security of residents and our public safety officers by maintaining and increasing funding.
- Support legislation or budget actions that will enable our public safety officers to have the necessary resources to respond to disasters and other significant emergencies.
- Support legislation that will enhance inmate and officer safety in our detention and correction operations.
- Support legislation or budget action that will promote comprehensive fire protection and other emergency related services.
- Oppose legislation or budget actions that will reduce funding or jeopardize the safety and security of our public safety agencies and residents of the County.
- Oppose legislation that will erode local enforcement authority

Transportation

As the County continues to be the corridor for Southern California's movement of goods, County residents are burdened with the impacts associated with rail and truck traffic including congestion and air quality. Historically, the region has received a negatively disproportionate share of transportation funding.

Legislative Positions

- Support legislation or budget actions that will maintain and increase funding for regional transportation projects.
- Support legislation or budget actions that will assist to mitigate the negative impacts of truck and rail congestion.
- Oppose legislation that will negatively impact funding for regional transportation projects.

GOVERNMENT OPERATIONS

COUNTY COSTS OF DOING BUSINESS FOR STATE MANDATED PROGRAMS

Human Services

California Counties have been hit hard by insufficient cost of doing business allocations from the State. As an example, over the last seven years the State has shorted counties more than \$800 million in funding to cover cost increases in various services. In San Bernardino County alone, it is estimated at over \$36 million per year for State mandated programs. Across the board, State funding has not kept pace with the increases in caseloads and other costs for County programs. As the cost of living continues to rise, State allocations for Cost of Doing Business have been stagnant, often unchanged for years. As a result, San Bernardino County Human Services and Mental Health Departments have had to cut or backfill these programs. This lack of funding from the State results in an unfunded mandate for counties that continues to grow year by year.

Legislative Position: Support legislation or budget actions that increase State funding for cost of doing business to include human services and mental health programs.

HEALTHCARE REFORM

Arrowhead Regional Medical Center

In the interest of the patients that public hospital systems serve as well as the important role they share in the health care system major health care reform is necessary to ensure quality services. Public hospital systems currently operate under serious financial constraints. A successful reform proposal must include the following:

- Medical-Cal rate increases that reflect actual cost of providing care.
- An expansion of childless adults that include a Local Coverage Option.
- An expansion of coverage for low-income adults under 100% of poverty and that this group enroll exclusively in Local Coverage Options or County-based coverage programs similar to Coverage Initiative programs that use a limited network of public hospital systems and community clinics.

Legislative Position: Support legislation or budget actions that will:

- Include support for public hospital systems, with full cost Medi-Cal rate increases and an expansion of coverage for childless adults under 100% of poverty;
- Not ask public hospitals to fund a system upfront based on projections.
- Structure a solution that takes into account both the State's need to fund a health care reform system and counties' need to respond to possible future cost increases.

DEPARTMENT OF MANAGED HEALTH CARE BALANCE BILL REGULATIONS

Arrowhead Regional Medical Center

The Department of Managed Health Care (DMHC) has proposed new regulations that would prohibit so-called "balance billing," requiring hospitals and physicians that are not contracted with HMO patients for emergency care services to accept an arbitrarily-set payment rate based on 150% of Medicare and then pursue HMO insurance plans for full payment through an untested dispute resolution process.

These are services that public hospital systems and their physicians must provide under force and penalty of existing Federal and State law requiring emergency care providers to provide

emergency care without regard to a patient's ability to pay. The proposed regulations would exacerbate an already under-funded emergency medical care delivery system and threaten patient care and access.

The interim payment of 150% of Medicare will become the de-facto payment rate paid by commercial HMOs. Interim payments at this rate are far less than many existing contract rates and will severely discourage future voluntary contracting. HMOs that pay more in contract rates will have no reason to continue contracting with providers and instead terminate their contracts and pay at 150% of Medicare. This would transfer millions of dollars from ERs and into the pockets of HMOs.

Medicare is a faulty payment mechanism that can arbitrarily punish hospitals and physicians if it is used as the payment rate for commercial insurers. Hospitals and physicians that provide emergency services accept Medicare and Medi-Cal rates for the elderly, disabled and poor, but not with respect to for-profit, corporate HMOs and/or their risk-bearing organizations (RBOs). Medicare payments for anesthesia services, for instance, represent only one-fourth to one-third the average payment from contractual agreements with HMOs and RBOs.

If the interim payment of 150% of Medicare is enacted, Arrowhead Regional Medical Center Hospital would lose \$7.5 to \$10 million annually based on full charges for emergency services it provides to patients covered under HMOs.

Legislative Position: Oppose legislation and budget actions that prohibit "balance billing" and would exacerbate an already under-funded emergency care system by transferring millions of dollars from ERs to HMOs.

PROMOTING CLEAN AND HEALTHY COMMUNITIES

Land Use Services

The reality of the 21st Century is marked by rapid population growth and greater demands on natural resources locally, regionally, and globally. As these demands rise, so do the impacts to our environment, communities and quality of life. In the face of these challenges, the County of San Bernardino recognizes that prosperity and economic development cannot be responsibly achieved at the expense of the environment. Growth and environmental stewardship must progress simultaneously to ensure clean, healthy and safe communities for residents and for generations to come.

Green County, San Bernardino's program offers incentives to encourage homebuilders, businesses and residents to utilize environmentally friendly technologies and building standards. The County is waiving building fees when residents or business owners install solar panels, highly energy efficient systems, tankless water heaters, or energy-producing wind turbines. In addition, the County is providing priority inspections and guaranteed timelines to homebuilders who adhere to California Green Builder standards. The County of San Bernardino, meanwhile, will follow the nationally recognized Leadership in Energy and Environmental Design (LEED) Silver Standard when constructing new County office buildings.

Legislative Position: Support legislation and budget actions that complement ongoing Green County San Bernardino incentives: tax credits for the development of renewable energy power generation, green building practices and standards in new residential construction, fuel-efficient fleet vehicles and commuter service programs.

PUBLIC ENTITY PARALEGALS

County Counsel

In 2000 the Legislature amended the law, Business & Professions Code § 6450, regarding the qualifications to become a paralegal. Prior to that amendment, a person with a high school diploma or GED who had worked three years for an attorney with three years of experience, could become a paralegal upon certification by that attorney that he/she could perform paralegal tasks. The 2000 amendment greatly restricted this manner of becoming a paralegal by providing that the three years of experience must have been completed prior to December 31, 2003.

Legislative Position: Support or sponsor legislation that:

- Restores the original manner of becoming a paralegal for persons working in the public entity offices of district attorney, county counsel and public defender, without limitation as to when the three years of experience had been completed.
- Amends B&P § 6450 to reinstate the original manner of becoming a paralegal for persons working in the specified public entity offices. The following proposed new additional section, B&P § 6450(c)(5), would accomplish the desired purpose:
 - B&P § 6450(c)(5) A high school diploma or general equivalency diploma, a minimum of three years of law-related experience in the office of a district attorney, County counsel, or public defender under the supervision of an attorney who has been an active member of the State Bar of California for at least the preceding three years or who has practiced in the Federal courts of this State for at least the preceding three years, and a written declaration from this attorney stating that the person is qualified to perform paralegal tasks.

PROTECT FIRST FIVE FUNDING

The Children and Families Commission for San Bernardino County (First 5 San Bernardino) was created in December 1998 in order to realize the benefits of Proposition 10 (California Children and Families Act) for the County's youngest residents and their families. The act created a system of programs for the purpose of promoting, supporting, and improving the early development of children from the prenatal stage to five years of age. First 5 San Bernardino supports programs, activities, and services that assist children in establishing a strong foundation for success in school and throughout their lives.

Legislative Position: Oppose legislation that would eliminate First 5 San Bernardino and/or compromise local control over Proposition 10 money.

HR 547

County Jobs and Employment Services

Due to the economic slowdown numerous workers have become displaced. In order to address the needs of the displaced workers, the County would like to partner with the State Employment Development Department to apply for National Emergency Grant funding. The County also supports integrating programs into The Workforce Investment Act, which is designed to address individuals impacted by the economic slowdown.

Legislative Position: Support legislation that will assist dislocated workers.

DISABILITY ACCESS TO PUBLIC FACILITIES

The County of San Bernardino is constantly working to upgrade its regional parks and all public facilities to meet, if not exceed, Americans With Disabilities Act (1990) standards. It is also sponsoring cities in their efforts to do the same with their public facilities. Greater cooperation is needed between the State of California and the County of San Bernardino in order for such projects to be completed.

Legislative Position: Support legislation that delivers American Disability Act related upgrade assistance to public facilities within the County of San Bernardino.

CEDAR GLEN REDEVELOPMENT TIME EXTENSION

County Redevelopment

In October 2003, Southern California faced one of the largest fire disasters in the state. Over 750,000 acres of land were affected in the counties of San Bernardino, San Diego, Los Angeles, Riverside and Ventura. Due to the extent of the damage, President George W. Bush declared these counties to be Federal Disaster Areas pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

A number of cities and unincorporated communities in County of San Bernardino were impacted by the wildfires. The Old Fire burned 91,281 acres; the damage attributed to the fire included the destruction of 1003 structures totaling over \$42 million. Cedar Glen was one of the hardest hit by The Old Fire as one third of all structures located in that community were destroyed (336).

To assist Cedar Glen in the rebuilding efforts, the County of San Bernardino approved the Cedar Glen Disaster Recovery Project Area on November 23, 2004, pursuant to the State of California Health and Safety Code Section 34000 et seq., commonly referred to as the Redevelopment Disaster Project Law. The intended goal of the Project Area is to provide long-term planning for the areas recovery, including but not limited to the following:

- Provide water infrastructure improvements such as wells, reservoirs, tanks, treatment facilities, distribution systems, hydrants, and pump stations;
- Provide road improvements including road widening, turn outs, turnarounds, paving, grading, and secondary emergency access to the area;
- Provide financial assistance to residential property owners who desire to repair or rebuild their homes; and, preserve the community's economic base by retaining area businesses and attract new businesses to the area.

Legislative Position: Support legislation or budget actions that will assist the Cedar Glen Disaster Recovery Project Area recovery efforts.

INCREASED FUNDING FOR COUNTY AND CITY EMERGENCY OPERATION CENTERS (EOC)

County Fire

The County of San Bernardino acts as a first responder to natural as well as man-made disasters. As evident from recent storms, there are no boundaries between incorporated and unincorporated areas. By working with cities, as well as with its own resources, the County of San Bernardino is more equipped to protect its citizens and provide rapid response to calamities.

Legislative Position: Support legislation or budget actions that fund city and County EOC's and adequately fund the centers in order for them to have state-of-the-art technology.

INCREASED FUNDING FOR FIRST RESPONDERS

County Fire

The County of San Bernardino acts as a first responder to all terrorist or terror related attacks in most of the County. Many cities contract with the Sheriffs Department for police services in lieu of creating a citywide police service. In addition, many cities contract with San Bernardino County Fire Protection District (County Fire) for fire and paramedic related services.

Legislative Position: Support legislation or budget actions that will supplement the County General Fund and special district funding in protecting citizens against international and domestic terrorism.

INCREASED FUNDING FOR GEOGRAPHICAL AREAS WITHING COUNTY FIRE SURROUNDED BY PUBLIC LANDS

County Fire

Funding Request: \$1.8 Million

Estimated Total Project Cost: \$1.8 Million

Northern and eastern portions of San Bernardino County that are surrounded by public owned lands are known as the "unfunded fire protection areas" since these are areas within the San Bernardino County Fire Protection District they do not contribute Fire Protection funds and are surrounded by public owned land. The majority of the area is land owned by the federal government and bisected divide by I-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, an additional 600,000 acres of private lands have been transferred to federal government ownership within San Bernardino County. Historically, and by direction of the Board of Supervisors, the San Bernardino County Fire Department (County Fire) provides fire and rescue services in this portion of the county.

In Fiscal Year FY2006-07, County Fire, now 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 I-15 from Barstow to the Nevada Stateline. 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. County Fire also receives some assistance from a prison crew for additional staffing. The Baker personnel respond to approximately 950 incidents per year, primarily traffic accidents that occur on over a hundred miles of I-15 and SH127.

Currently, funding sources are not available to properly staff the requirements of the Baker Fire Station. A four-person engine company is the desired staffing level to meet the 2-in-2-out rule regardless of the availability of the ambulance. A four-person engine company allows a rescue crew to operate safely as a single resource. This staffing level would maintain a Captain, Engineer, and 2 firefighters on duty each day. This 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.

Project Description: Support legislation or budget actions to fund staffing, operations and maintenance of county fire department operations in non-revenue supported areas such as the I-15 and 40 corridors through Bureau of Land Management and National Park lands.

COUNTY FIRE HELICOPTER PROGRAM

County Fire

Funding Request: \$5.3 Million

Estimated Total Project Cost: \$5.3 Million

In the last three years San Bernardino County has experienced three large devastating fires within its boundaries. The Sawtooth Complex, July of 2006, located in the Morongo, Joshua Tree and adjacent mountain areas burned over 60,000 thousand acres. The most recent Grass Valley and Slide fires located in the San Bernardino Mountains, specifically the Lake Arrowhead, Running Springs and Green Valley areas, caused wide spread, including the loss of structures which exceeded 300, the largest number of structures lost in the Mountain Communities to wild fire. At the same time, many small fires broke out in the Inland Empire Area causing extreme strain on personal and resources. The California Department of Forestry and Fire Protection (Cal Fire) and the US Forest Service (USFS) both assisted with air and ground support, however, resources were severely strained as deployments to other major wild land fires burning throughout Southern California where necessary.

As a result of instances such as these, San Bernardino County Fire Protection District is requesting a one-time amount of \$4.5 million to purchase a Huey II Helicopter and also requests ongoing support of \$785,000 per year to operate and maintain the helicopter. The operation and maintenance requires the hiring of a pilot, 2 co-pilots and a helicopter mechanic, plus, any training of existing personnel to assist with maintenance of the equipment, and any parts or supplies required to keep it in service. The helicopter would be used for initial attack of water drops and transporting fire crews and supplies to areas inaccessible by fire vehicles. Currently County Fire is dependant upon Cal Fire or USFS for air support on wild fires. By having immediate access to this equipment during a wild fire, County Fire expects to prevent more fires from becoming disasters, provide better support to ground crews fighting fires, and prevent or decrease numbers of structures lost.

Project Description: Support legislation or budget actions to fund the one-time purchase of a dedicated fire helicopter in support of initial attack on wild fires and on-going personnel and maintenance cost to support the program.

AIRPORT LAND USE COMMISSION

County Airport

During the past legislative session, a bill was introduced revising State requirements regarding Airport Land Use Commissions. The proposed bill would remove the County's ability to utilize and/or augment its existing Planning Commission when reviewing an Airport Land Use Plan. If enacted, the County would be required to create a separate Airport Land Use Commission resulting in additional costs to the County while providing minimal improvement to land use planning and/or ensuring the safety of airports located in the County.

Legislative Position: Oppose legislation that erodes local land use control around airports.

WILLIAMSON ACT PROGRAM AMENDMENT

Land Use Services

The California Land Conservation Act of 1965 -- commonly referred to as the Williamson Act -- enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments, which are much lower than normal because they are based upon farming and open space uses as opposed to full market value. Local governments receive an annual subvention of forgone property tax revenues from the State via the Open Space Subvention Act of 1971. Current Williamson Act regulation contains provisions requiring a 2,500 square foot maximum structure size for structures. It is unreasonable to assume that a property in agricultural production cannot exceed the 2,500 square foot limit.

Legislative Position: Support legislation eliminating the 2,500 square foot maximum structure size for buildings, which are located on properties under a Williamson Act contract, as long as current agricultural production according to the terms of the existing agricultural contract are maintained.

ANTI-BUSINESS LEGISLATION

Economic Development Agency

California has been seen as a difficult place to do business from both a national and international point of view for many years. The cost of living, housing, and lack of well funded schools have created a platform for neighboring states to offer incentives, which market and recruit some of California's premier businesses away.

Legislative Position: Oppose legislation or budget actions that do not support the ability for small, medium and large size businesses to grow, prosper, and thrive in California as well as the County.

PORTS/GOODS MOVEMENT LEGISLATION

Economic Development Agency

Logistics is key to the development and growth of the County of San Bernardino. The County has three international airports including LA/Ontario International Airport. The International airport is home to UPS's West Coast Hub where goods are distributed in large sums daily. The County plays a crucial role in the movement of goods from the Ports of Los Angeles and Long Beach. Everyday goods delivered to the ports come through the County either by rail or truck.

Legislative Position: Oppose legislation or budget actions that will negatively impact the movement of goods and services.

CALIFORNIA VEHICLE CODE AMENDMENT FOR EMERGENCY DUTIES

Fleet Management

Current California Vehicle Code (34501.2) restricts commercial vehicle drivers from being on duty for more than 80 hours in a consecutive eight-day period. This restriction prohibits government agencies, for example, San Bernardino County Transportation and Flood Control Departments from effectively responding to and completing necessary emergency duties with its existing resources.

In 1994, this code was amended to exempt the following agencies from the “8/80” rule during an emergency: law enforcement, electric, natural gas, telephone and water districts.

Legislative Position: Support legislation that includes County Transportation and Flood Control Departments in the “8/80” exemption for commercial vehicle operators during a Local, State or Federally declared emergency situation.

COUNTY COLLECTIONS

Treasurer-Tax Collector/Public Administrator

Courts order criminal defendants and traffic offenders to pay various fines and fees, which are collected by Central Collections and produce County revenue.

Prior to AB 3000, existing law allowed the Board of Supervisors of a County to determine the order of priority in which disbursements were made from funds provided by installment payments on criminal fines and fees, or collected by the Franchise Tax Board for criminal fines and fees that were delinquent. In addition, prior law also allowed the Board of Supervisors to determine the priority of payments between court orders or parts of orders when defendants were ordered to pay more than one court order. AB 3000 was introduced by the Budget Committee and became law on September 30, 2002. It amended Penal Code Sec. 1203.1d, among others.

AB 3000 requires the Board of Supervisors to mandate the following order of priority for disbursement of these funds: (a) restitution to the victim; (b) 20% State surcharge; (c) fines, penalty assessments and restitution fines, in an amount for each that is proportional to the amount levied for all those items; and (d) other reimbursable costs.

AB 3000 adds a State surcharge of 20% to the collection of victim restitution and fines. It also changes the priority of payments to the advantage of the State and disadvantage of the County. The surcharge will be in effect until July 1, 2007.

All payments received by Central Collections are posted as prescribed under AB 3000, in accordance with its posting priorities regardless of the wishes of the defendant. These payments often include probation supervision, investigation, drug testing, set-up and attorney fees, all of which are County revenue.

By imposing and giving a surcharge in favor of the State, as well as the State fines, higher priority over these fees due to the County, AB 3000 will cause a decrease in County revenues. This may be made worse by an increase in the number of persons incarcerated as a result of their failure to pay certain fines. A decrease in collection of fees due to the County may also result in increased demand on the general fund for payment, if the County’s contributions to the State are diminished. It is estimated that revenues may be reduced by \$1 million per year.

Legislative Position: Support legislation that will amend Penal Code section 1203.1d (b) to read:

With respect to installment payments and amounts collected by the Franchise Tax Board (FTB) pursuant to Section 19282 of the Revenue and Taxation Code and subsequently transferred by the Controller pursuant to Section 19282 of the Revenue and Taxation Code, the Board of Supervisors shall provide that disbursements be made in the following priority:

Restitution ordered to, or on behalf of the victim pursuant to subdivision (f) of Section 1202.4.

The State Surcharge ordered pursuant to Section 1465.7, any fines, penalty assessments, restitution fines ordered pursuant to subdivision (b) of Section 1202.4 and any other fees or reimbursable costs. Payment of each of these items shall be made on a proportional basis to the total amount levied for all of these items.

The Board of Supervisors shall apply these priorities of disbursement to orders or parts of orders in cases where defendants have been ordered to pay more than one court order.

Documentary evidence, such as bills, receipts, repair estimates, insurance payment statements, payroll stubs, business records, and similar documents relevant to the value of the stolen or damaged property, medical expenses, and wages and profits lost shall not be excluded as hearsay evidence.

COUNTY COLLECTIONS ACCESS TO STATE DATABASE

Treasurer-Tax Collector/Public Administrator

San Bernardino County, through its Central Collections Division, collects approximately \$43 million annually. That sum includes delinquent and disputed payments from insurance companies, delinquent payments from private pay patients at Arrowhead Regional Medical Center, traffic citations, court ordered fines, State restitution fines, court ordered victim restitution, and other debts to the County, the courts, and State of California, and other public agencies. A successful collection effort requires detailed information about the debtor, including the debtor's address, place of employment and assets. Such information is best obtained with a social security number. With a social security number, Central Collections can accurately and efficiently obtain earnings, records and place of employment information from the State of California Employment Development Department (EDD), and from credit reporting agencies. Such information is often crucial for collecting debts owed to the County, and to others for whom the County collects money, including the courts, the State and crime victims. Social security numbers also serve as an important check on the identification of debtors, so that confusion is avoided between people with the same name.

The Franchise Tax Board (FTB) operates a Tax Intercept Program. Using the program, the County may garnish a debtor's tax refund through the Franchise Tax Board. However, if the County cannot provide the debtor's social security number to the FTB, the FTB will not garnish the debtor's refund. Moreover, the FTB will not use its authority to obtain social security numbers from the Department of Motor Vehicle so that the County can participate in the program. This puts the County in a difficult position because the County can't participate in the FTB's Tax Intercept Program for a debtor unless it knows the debtor's social security number, and the FTB won't provide social security numbers to the County even though the FTB has access to them.

The Department of Motor Vehicles (DMV) maintains a database of social security numbers. Under current California law, the database maintained by DMV is only available to the Franchise Tax Board for collections purposes. Under the proposal, the DMV would be required to disclose social security numbers to the County or the Franchise Tax Board for collections purposes.

Legislative Position: Support legislation that will allow the DMV to disclose social security numbers to the County or the FTB and limit the use to collection activities subject to the same limitations, protections, and confidentiality requirements that currently apply to County collections activities and to governmental entities that have access to social security numbers.

PAPER BALLOT TRANSITION

Registrar of Voters

The Help America Vote Act of 2002 (HAVA) decertified punch card voting systems nationwide. In compliance with the new law, the County of San Bernardino purchased Federally and State certified equipment including touch screen voting units, optical scanners, card activators, veri-vote printers and other necessary components totaling approximately \$16.5 million.

The California Secretary of State's decision (August 3, 2007) to decertify electronic voting systems statewide for the Presidential Primary Election forced Elections Officials to conduct elections with a paper ballot system. Since funds available through HAVA are largely tied to costs associated with electronic voting equipment, remaining grant balances are all but inaccessible by counties throughout the State for reimbursement for the purchase of voting booths, paper ballot processing carts, ballot boxes and privacy sleeves as mandated by the Secretary of State.

Further, the need to process paper ballots at the Registrar of Voters headquarters place demand on existing warehouse limitations and requires the Registrar of Voters to secure additional storage space for the electronic voting units that cannot be deployed. These additional costs, as well as the inability to recover use fees from jurisdictions for which elections are conducted, create a funding deficit that could not have been anticipated before the Secretary of State's decertification ruling.

Legislation Position: Support legislation or budget actions that provides reimbursement for costs associated with the mandated transition to a voting system other than electronic systems.

Support legislation that promotes public confidence, increase voter participation, and strengthens the democratic process of County residents.

PAPER BALLOT STORAGE

Registrar of Voters

The California Secretary of State's decision (August 3, 2007) to decertify electronic voting systems statewide for the Presidential Primary Election has forced Elections Officials to conduct elections with a paper ballot system. As a result of the decertification of electronic voting systems and the transition to paper ballot, it is an unfunded mandate that Election Officials store unused ballots for up to 22 months.

Legislation Position: Support legislation that will reduce the time Election Officials are mandated to store paper ballots or budget actions that provide full reimbursement.

FEES CHARGED OR COLLECTED BY A COUNTY

Although legislators have deregulated many of the fees that can be charged by Counties, state law currently limits several fees that can be charged by Counties for mandated and necessary services. Statutory caps on amounts that can be charged creates program costs that exceed revenues, thus, San Bernardino County general funds subsidize the difference.

Legislative Position: Support budget actions that fully fund the cost of providing services in accordance with Business and Professions Code 12240 and Government Code 54985.

HUMAN SERVICES

JAIL INMATES MENTAL HEALTH MEDICATIONS

County Jails have become de-facto mental hospitals, up to 20% of all inmates are mentally ill and in need of intensive treatment and/or medication. The Department of Behavioral Health (DBH) provides psychotropic medications to an average of over 800 inmates housed in county correctional facilities and some Patton State Hospital inmates awaiting trial in county courts. In addition, DBH also provides medications to some wards in juvenile hall.

During the 2007-08 fiscal year, the DBH paid \$1,472,000 for psychotropic medications for prisoners in the county jails, \$115,000 for Patton patients awaiting trial, and \$336,660 for juvenile hall wards.

As county correctional facilities house more mentally ill inmates and the cost of providing more effective psychiatric medications to these inmates increases, a greater percentage DBH's medication budget must be allocated to psychiatric medications. DBH is thus faced with the choice of providing only older, less effective medications (that have more side effects and lower compliance rates), or purchasing the newer, more effective and expensive medications.

Legislative Position: Support legislation that would provide DBH financial assistance that would allow the purchase of newer and more effective mental health medications for inmates with mental illness.

PROTECT MENTAL HEALTH FUNDING

Recent state legislation and budget actions have threatened a variety of mental health program funding sources. These include the Mental Health Services Act, the Early Periodic Screening Diagnosis and Treatment program, the Short-Doyle Medi-Cal program, Early Mental Health Services Act, the Substance Abuse and Crime Protection Act and AB 3632 Individuals with Disabilities Education Act.

County mental health departments rely on these funding sources to operate the mandated programs. A reduction in these funds would force the County to use their general funds to provide mandated levels of service.

Legislative Position: Oppose legislation or budget actions that would reduce mental health funding. Support legislation or budget acts that would protect or increase these funds.

MENTAL HEALTH AND DRUG AND ALCOHOL TREATMENT FUNDING

Funding for Mental Health (MH) and Alcohol and Other Drug (AOD) treatment can best be described as the "silo" approach. Most of the funds are allocated for specific populations. These funds are commonly referred to as "set asides," or "categorical funding." Federal and State MH and AOD sources are replete with these set-asides.

While this "silo funding" has the advantage of ensuring that money is available to address the needs of certain groups, too often the money is insufficient and does not meet the needs of the group. In addition, too much money could be allocated, however, those funds cannot be used for other groups. Funds not designated for specific populations are usually available to treat the general population. However, this general population funding for both MH and AOD is usually a

small percentage of the funds available, as the majority of funding sources are categorical in nature.

Categorical funding streams limit the ability of County MH departments to direct the funds to areas of most concern. While money from one pot may sit unused, a critical need with a different funding source may go unfilled. For example, while money may be available to treat the mental health problems of an individual, there may be no funding available to treat this person's co-occurring substance abuse problems. Since those with mental illnesses frequently have substance abuse problems, this is a major treatment obstacle for the County MH agencies.

Managing treatment programs at the County level requires navigating a labyrinth of restrictions on how and for whom, Federal and State funding may be used. These restrictions limit access to treatment by large numbers of Californians.

Legislative Position: Support legislation that would give counties flexibility to blend mental health and alcohol and drug treatment funding from various sources and direct it to areas of most need.

ELIMINATION OF THE FEDERALLY QUALIFIED HEALTH CENTERS LOCKOUT

Federally Qualified Health Centers (FQHCs) are non-profit community clinics or government entities. They are open-door providers treating patients on a sliding fee scale basis who make their services available regardless of patients' ability to pay. There are approximately 600 FQHCs in California.

Current State law prohibits FQHCs from seeking Medi-Cal reimbursement for a single patient who receives more than one service on the same day at a single location. This is known as a "lockout" by the FQHCs. For example, a patient may see a physician at an FQHC for a physical problem, but because of the "lockout" would not be able to see a mental health professional on the same day. This requires the patient to return on another day, which can be a significant treatment obstacle for someone with limited or no transportation.

Eliminating the "lockout" can save the State money in the long run as more patients could receive early, preventive care, rather than having to return, sometimes much later with more advanced conditions requiring more expensive care, and at times, even incarceration. Eliminating the "lockout" would also make the system consistent with current Medicare law, which contains a no "lockout" provision. Eliminating the "lockout" is permissible under Federal law but would require the State to file a State Medicaid plan amendment.

Legislative Position: Support legislation that would require the State to submit a Medicaid plan amendment to eliminate the FQHC "lockout."

PAROLEE ALCOHOL AND DRUG TREATMENT PROGRAMS

Alcohol and Other Drug (AOD) abuse is an insidious problem in the California correctional system; at least one-third of State and local prisoners are AOD offenders. On average, more than 60% of inmates involved in AOD abuse return to prison within three years of being released. Recognizing this problem, the California Department of Corrections and Rehabilitation (CDCR) has created a variety of programs to help prisoners and those individuals released from their facilities seek and complete AOD treatment to reduce recidivism.

AB 900, the prison reform bill signed into law in 2007, among other things, requires implementation of new dedicated substance abuse treatment beds in CDCR facilities, with post-release aftercare treatment for parolees. However, there was no funding in the bill for aftercare, a service typically provided by County behavioral health departments. As such, County provision of services to this group is an unfunded mandate.

San Bernardino County behavioral health departments are uniquely positioned to provide aftercare services and have a wealth of experience providing AOD treatment services under clinical supervision and oversight. Unless counties receive additional funding for these services, they will have to divert money intended for other purposes to provide post-release aftercare services.

Legislative Position: Support legislation or budget actions that would provide additional funding for County behavioral health departments to provide post-release aftercare services for AOD treatment for parolees.

SUSPEND MEDI-CAL COVERAGE FOR COUNTY CORRECTIONAL FACILITY INMATES

State law provides that Medi-Cal benefits generally cannot be paid for incarcerated individuals except when the inmate is a patient in a medical institution. The State Department of Health Services has interpreted this law to mean that Medi-Cal benefits should be discontinued when an individual is incarcerated. However, Federal law does not require states to terminate inmates' eligibility. Under Federal law, inmates may remain enrolled in Medicaid even though services received while in jail are not covered.

The lack of access to medical care is an especially acute problem for those individuals with mental health and/or substance abuse problems exiting County detention facilities that are in need of psychotropic medicine or other medical care necessary to treat severe mental health and/or substance abuse conditions. Any delays in securing treatment can have devastating effects, and may contribute to the individual being quickly re-incarcerated.

If State law was consistent with Federal law, an incarcerated individual's Medi-Cal benefits could be suspended, not discontinued, and quickly reactivated upon the individual's release from a detention facility. This would permit the individual to quickly obtain needed psychiatric and substance abuse treatment, and would help break the expensive cycle of incarceration and re-incarceration.

Legislative Position: Support legislation that would suspend, rather than discontinue, an individual's Medi-Cal coverage when they are incarcerated.

YOUTH ALCOHOL AND DRUG TREATMENT PROGRAM FUNDING

The State Department of Alcohol and Drug Programs (DADP) states that an estimated \$14.6 million Californians aged 12 years old and over use alcohol and \$6.2 million are binge drinkers (drinking five or more drinks on one occasion during the past month), and an estimated \$2.6 million Californians, 12 years of age and over are currently using illicit drugs. According to the 2004 National Survey on Drug Abuse and Health (NSDUH), approximately 507,000 California residents between the ages of 12-25 years (176,000 between 12-17 years of age; 331,000 between 18-25 years of age) met the criteria for dependence on or abuse of illicit drugs. Also, the NSDUH reports for alcohol that approximately 859,000 California residents between the ages of 12-25 years (204,000 between 12-17 years of age; 655,000 between 18-25 years of age) met the criteria for dependence on or abuse of alcohol. DADP estimates that alcohol and

drug abuse in California costs an estimated \$35 billion annually. This estimate takes into account loss of productivity, health care costs, prevention and treatment costs, criminal justice costs, and losses due to crimes.

Despite these depressing statistics, very limited treatment services currently exist for youth with substance abuse disorders. Treatment services available through Proposition 36 are also limited to adults only. According to the Youth Treatment Annual Report, there are currently 220,000-320,000 youth in need of drug and alcohol treatment.

Legislative Position: Support legislation or budget actions that will increase funding for youth alcohol and drug treatment programs.

PROTECT PUBLIC HEALTH FUNDING

Recent state legislation and budget actions have threatened funding for a variety of public health programs and functions. These include the following programs:

Pandemic influenza planning, tuberculosis prevention and control, immunization prevention and registry activities, the Child Health and Disability Prevention program, the Early Periodic Screening, Diagnosis and Treatment program, the Childhood Lead Poisoning program, the Perinatal Alcohol/Drug Risk Assessment program, state grants for local laboratory public health microbiologists, laboratory grant funding for and the California Children's Services program.

Also at risk are the HIV Early Intervention Prevention program, HIV counseling and testing funds, AIDS drug Assistance program, laboratory grant funding for HIV EIP programs and funding for the Positive Changes and Pathways program.

County Public Health Departments rely on these funding sources to meet state mandates and provide services. A reduction in funds would force the County to use general funds to provide mandated levels of service.

Legislative Position: Oppose legislation or budget actions that would reduce public health funding. Support legislation or budget acts that would protect or increase funding.

PAROLEE AFTERCARE PROGRAM FUNDING

AB 900, the prison reform bill signed into law in 2007, requires post-release aftercare treatment for parolees. This care will include both behavioral and public health services, and will be provided, for the most part, by County behavioral and public health departments. However, there was no funding in the bill to assist counties in providing these services, the demand for which will increase sharply in the next few years as more parolees are released into the community.

County public health departments are uniquely positioned to provide aftercare services and have a wealth of experience providing treatment services under clinical supervision and oversight. Unless counties receive additional funding for these services, they will have to divert money intended for other purposes to provide post-release aftercare services for parolees. As such, these services will be an unfunded mandate.

Legislative Position: Support legislation or budget actions that would provide additional funding for County public health departments to provide post-release aftercare services for treatment for parolees.

HEALTHY CHILDREN INITIATIVE

The statistics on childhood obesity in California reflect:

- 28.1% of 5th, 7th and 9th grade students in California are overweight
- Only 25% of the State's 5th grade students achieve the fitness standards for all six areas of the California Department of Education fitness test
- 80% of children diagnosed with type 2 diabetes are overweight
- 33% of boys born in 2000 will develop diabetes if current trends continue
- 39% of girls born in 2000 will develop diabetes if current trends continue
- 75% of overweight adolescents are likely to be obese as adults
- The yearly cost of physical inactivity, obesity and overweight to Californians in 2005 in direct medical expenses and lost productivity was \$22 billion
- There are 10 chronic diseases directly associated with childhood obesity.

In addition, children who are overweight are at increased risk for type 2 diabetes mellitus, asthma and orthopedic problems; they are more likely to have risk factors for cardiovascular disease (such as increased blood pressure and cholesterol); and they are more likely to have behavioral problems and depression.

San Bernardino County's Department of Public Health recognizes that obesity, especially among children, is a growing public health problem in California, and supports legislation that encourages a healthy lifestyle, including improving the nutritional quality of food and beverages available in schools, restaurants and at home, and encouraging physical activity among the State's children.

Legislation Position: Support legislation that promotes healthy diets and physical activity for California's children.

PUBLIC HEALTH WORKFORCE

An adequate supply of well-prepared public health professionals is essential to an effective public health system in America. Concerns about bio-terrorism and terrorist attacks as well as the outbreak of Sudden Acute Respiratory Syndrome (SARS) and a potential avian flu pandemic have made the country more aware of the important responsibilities of the nation's public health system. At the same time, there is concern about the adequacy of the public health workforce, both in terms of the number of workers and their skills and competencies.

A study by the National Center for Health Workforce Analysis found that recruitment difficulty for public health professionals is widespread, and recruitment problems affects the public health workforce. Specifically, the inability to fill vacant public health positions leads 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 necessary. As a result, direct patient services were reduced (i.e., hours or cases); the start-up of new programs was delayed and population-based services were cut back.

San Bernardino County's Department of Public Health (DPH) reports that it has encountered continuing difficulties in hiring qualified public health professionals. The department believes that maintaining an adequate supply of public health professionals is necessary for the department's mission of protecting the health and safety of the citizens of San Bernardino County.

Legislative Position: Support legislation or budget actions that would increase the number of qualified public health medical professionals.

PUBLIC HEALTH FUNDING AGREEMENT SIMPLIFICATION

The State Department of Public Health (DPH) funds most public health services through county and city local health departments. The State Department of Healthcare Services (DHCS) funds the rest. The 61 city and county health departments receive public health funding through more than 1,000 categorical agreements that total less than \$500 million in local assistance funds. The two State departments now administer 3,000 contracts with local health departments. San Bernardino County currently has approximately 50 such contracts

County health departments face competing application and reporting deadlines from DPH and DHCS. The administrative burden of managing contracts with the State significantly reduces the time staff can devote to program activities. State contract procedures have little flexibility to address existing and emerging local health issues. Most existing contracts are overly complicated and focused on spending allocations rather than measurable public health goals. In addition, delays in executing contracts, which are common, places a financial burden on local health departments, which must provide the services on faith that the State will eventually complete the contract procedure.

By contrast, some public health programs have statutory authority to fund local health departments through allocation or subvention agreements instead of contracts. The allocation agreements with city and county health departments do not pose a financial risk to the State or eliminate local health departments' accountability for performance. Allocations have also been exempt from recent contract freezes that have delayed contracts beyond the normal timeframes, assuring the funding and delivery of public health services.

Legislative Position: Support legislation that requires the use of allocation agreements instead of contracts, and to consolidate multiple program and reporting requirements for programs administered by county and city health departments on behalf of the State.

SENIOR NUTRITION SERVICES REIMBURSEMENT RATE

Nutritional well being is an integral part of the overall health, independence, and quality of life for older persons. Senior nutrition programs are a key component of the service networks that provide elders with a continuum of home and community-based care, thus avoiding unnecessary and costly institutionalization. State senior nutrition programs, such as the Brown Bag Program, Senior Farmers' Market Nutrition Program, the Emergency Food Assistance Program provide surplus vegetables and other unsold food products to low-income seniors. These programs assist seniors in maintaining independence and healthy diets, supplement their food budgets, and reduce food waste.

About 9% of the senior population in San Bernardino County lives below the Federal poverty level. By 2020, the County's senior population is expected to double, leading to an increased demand for senior nutrition services. However, funding for these services has not kept pace with the increasing costs for the State and Federal senior nutrition programs. Cost for delivery of meals through the Federal senior nutrition program has grown 27% since 2001, underscoring the need for increased State and Federal funding in this area.

Legislative Position: Support legislation or budget actions to protect or increase funding for State senior nutrition programs, such as the Senior Farmers' Market Nutrition Program, the Emergency Food Assistance Program, and the Brown Bag Program.

Support legislation and related budget actions to protect and increase State financial participation in the Federal senior nutrition programs.

LONG-TERM CARE OMBUDSMAN PROGRAM

The Long-Term Care Ombudsman Program (LTCOP) provides advocacy services on behalf of residents residing in licensed long-term care facilities such as skilled nursing homes and residential care facilities. The program is mandated in Federal and State law and supported by Federal and State general fund dollars. Ombudsmen provide a regular presence in all long-term care facilities for the elderly by monitoring and investigating quality of life and quality of care issues. They investigate and resolve complaints and often collaborate with related agencies such as licensing and local law enforcement.

The local LTCOP have received the same base funding since 1986. This amount was intended to be the base operating budget for the cost of maintenance of operation and supportive resources for investigative fieldwork. While the State allocates general funds for the program, the State is under no Federal obligation to do so.

With the Governor cutting \$5,978,000 from the program in the 2008-09 State Budget, all state general funds have been removed from the program, although state mandates for the Ombudsman program under the Older Californians Act, the Welfare and Institutions Code, and the California Probate Code remain. As a result, the program must now rely solely on inadequate Federal funding.

The recruitment, training, and support of the Ombudsman volunteers are critical to the programs' ability to meet the mandates of the Older Americans Act.

Legislative Position: Support legislation or budget actions for the timely provision of Ombudsman services to all adult and elderly residents of long-term facilities.

PROTECTION OF ELDERS AND DEPENDENT ADULTS

County Adult Protective Services (APS) agencies face an ever-increasing population of the elderly due to the addition of the baby-boomer generation to the 65-age maintaining bracket. Social work staff is faced with responding to an increasing number of reports while quality social work. The local APS agency is tasked with maximizing the protection of elders and dependent adults within existing funding sources. Federal studies have shown that only 2% of all monies for the protection of victims of abuse is spent on the elderly.

With increasing awareness of elder and dependent adult abuse, the public continues to make referrals of possible abuse and neglect to the County's APS agency. National studies have estimated that many instances of elder abuse are never reported. Elder abuse occurs in poor, middle and upper class households and in cities, suburbs, rural areas, and institutions.

This year, the Governor vetoed an additional \$12 million budget augmentation appropriation for APS, which would have been the first funding increase for the program since 2000. In the 2008 budget, the Governor cut an additional \$11.4 million from the program. This, despite increased reports of elder and dependent adult caseloads and steadily increasing caseloads in APS. This

problem will be further exacerbated as the population of elders in California is expected to increase dramatically in the future. Rampant growth in the APS caseload within a capped allocation has resulted in fewer services to abused and neglected elders and dependent adults.

Legislative Position: Support legislation or budget actions aimed at providing a consistent approach to the protection of elders and dependent adults and protecting or enhancing current funding sources.

CONTINUED SERVICES FOR ELDERLY DURING STATE BUDGET DELAYS

Currently there is no provision for continued appropriations for elder programs in the event of State budget delays. Existing law provides for the administration of local Area Agencies on Aging (AAA's) through the California Department on Aging. Funding for the 33 AAA's is 90% Federal, 10% State General Fund. The Federal funds are appropriated through the Older Americans Act. Local AAA's contract with local agencies to provide services to seniors, including home-delivered meals, supportive services, and community-based services. When a State budget is delayed, the Department of Aging cannot allocate the Federal funds to the AAA's so that services are continued. San Bernardino County has been faced with continuing these contracts with local funds when there is a State budget delay.

Legislative Position: Support legislation to ensure continued State pass-through of Federal funding of Older American's Act programs in the absence of a State budget by July 1.

IN-HOME SUPPORTIVE SERVICES SIMPLIFICATION AND FUNDING PROTECTION

The In-Home Supportive Services (IHSS) program provides services to clients who are aged and/or disabled and who require assistance with activities of daily living to safely remain in their home. The program is governed by State and Federal regulations. As with many of the programs counties operate on behalf of the State and Federal governments, a lack of standardization of some eligibility requirements exists and funding streams supporting the IHSS program are fragmented and inconsistent with other programs from the same Federal funding source.

In addition, the Governor cut an additional \$15 million from IHSS in the 2008-09 State Budget. Stable and adequate funding for the program is needed to keep aged and disabled recipients in their homes and out of expensive long term care facilities.

Legislative Position: Support legislation and regulatory efforts to streamline, protect, and ensure adequate future funding and maximize simplification of the In-Home Supportive Services program.

STATE PROGRAM FUNDING FOR CHILD SUPPORT SERVICES

Over the last six years the State's base program funding has remained flat, with the exception of an one-time payment of \$12 million in the 2006-07 State fiscal year. Although funding has remained flat, costs have continued to rise. The San Bernardino County Department of Child Support's ability to increase child support collections is affected by staffing levels. This is due to the intensive casework involved in dealing with non-paying cases.

It was estimated that in fiscal year 2008-09 California would distribute \$1.9 billion to families directly, or 81% of the total collections of \$2.34 billion, while retaining \$484.2 million as reimbursement for welfare costs. While increasing collections has always been, and continues

to be, the department's goal, an impact on its ability to increase collections may be inevitable without increased funding.

In addition to helping families avoid welfare and facilitating self-sufficiency, the receipt of child support has also generated revenue for the State. In fiscal year 2008-09, the State is expected to recover \$213.3 million for the State General Fund. There is no doubt that the child support program is a revenue producing and cost avoidance program for the State. Because of these facts the Child Support Directors Association (CSDA) has proposed that State funding be increased to cover the cost of doing business.

Legislative Position: Support legislation or budget actions that increases State funding to the child support single allocation base.

MEDICALLY FRAGILE FOSTER CHILDREN SERVICES

The Department of Developmental Services is responsible for designing and coordinating services for California residents with development disabilities. These services and supports are provided through a statewide system of locally based Regional Centers. Regional Centers will diagnose and assess the individual for eligibility. Once eligibility is determined, most services are free, regardless of age or income.

Medically fragile foster children who are not developmentally disabled, and therefore not eligible to Regional Center services, can also need the same level of care that developmentally disabled children need, which is often only obtainable through Regional Center vendorized homes, which provide a high level of medical care.

As a case in point, the Department of Children's Services (DCS) relates the case of a 16-year old medically fragile wheelchair-bound foster child with no bowel or bladder control, but with normal mental functions. This child needs the intensive care that can only be obtained through a vendorized home, but is not developmentally disabled and therefore not eligible for Regional Center services. As a result, DCS has had to place the child in a vendorized home. The vendorized home rates, depending on the level of disability, can be as high as \$6900 per month, which is considerably higher than current foster care rates plus Specialized Care Increments. As a result, counties must pay the difference between the foster care rates (up to \$1700) and the vendorized home rates to find suitably qualified placement resources.

Legislative Position: Support legislation that establishes a separate and higher statewide foster care rate schedule for medically fragile foster children who are not eligible for Regional Center services, but need to be placed in a regional center vendorized home.

HIGH SCHOOL GRADUATION REQUIREMENTS FOR FOSTER CHILDREN

AB 490 (Steinberg, 2003) made numerous changes to the law related to the education of foster youth in the areas of educational placement, coursework credit, records transfer, and educational programs offered to foster youth. AB 490 requires placement agencies to make every effort to keep a foster child in their school of origin. However, there are case situations where it is in the best interests of the foster child to change schools, and situations where it becomes simply unavoidable. For example, after Wraparound services are successful a youth may be returned to the parental home, or due to family finding efforts the youth is placed with a relative who will commit to being a permanent home for the youth. In situations such as these, a problem can arise with high school graduation requirements for foster children who must relocate to a new school district.

While the state sets minimum high school graduation standards for the states school districts, local school districts have flexibility with regards to additional classes students must complete to graduate from their high schools.

A foster child in high school who has taken the required classes in their previous school district may find out that their new school district requires additional classes, over and beyond those the foster child has already taken, to graduate. These additional requirements could present a real problem to a foster child, who may not have time to complete these additional classes and graduate with their class.

Many children who are in the state's foster care system experience multiple residential placements and multiple changes in educational placements. As a result they are often less successful than their peers who are not in foster care. According to the California Education Collaborative for Children in Foster Care, approximately half of all foster children are held back in school, 46 percent do not complete high school, and fewer than 3 percent matriculate to a four-year college after graduating from high school

As of October 2007, there were 74,728 children in California's foster care system. Children in our state's foster care system often experience multiple residential placements and multiple changes in educational placements. The frequent changes in the lives of foster youth can have detrimental effects on their academic achievement

While a good education is critical to every child's successful transition into adulthood, it is especially true for children who spend long periods of their childhood in foster care.

Legislative Position: Support legislation that would require school districts to exempt a pupil in foster care who transfers to the district during their Junior or Senior year, and would not be able to graduate from high school by his/her 19th birthday, from the additional graduation coursework requirements the governing board has adopted.

MODIFICATION TO INDIAN CHILD WELFARE ACT NOTICE MAIL REQUIREMENTS

Indian Child Welfare Act (ICWA) noticing requirements are becoming more and more complicated and costly for counties to complete and mail. ICWA and multiple California Appellate decisions require noticing to each possible tribe and its bands as well as the Bureau of Indian Affairs (BIA). As an example, noticing to the Pomo tribe, which has multiple bands, requires 35 notices for one hearing. As these notices must be sent by certified mail, return receipt, the mailing costs for this one hearing can exceed \$200.

Federal Indian Child Welfare Act law requires notice to the tribe be by registered mail with return receipt requested. State law added that notice must be by registered or certified mail with return receipt requested. However, alternative and more efficient means of notice might better serve the intent of Inland Child Welfare Act

Currently the certified mail process is manual and requires a wait for the return of the signed green card as proof that service was complete. Waiting for the receipt of the green card to submit to court frequently results in continuances of court hearings. The U.S. Postal Services has a new process that the mail carrier can obtain delivery confirmation and an electronic signature using a handheld device. The sender can obtain a copy of the signature, and the name of the recipient, date, time and location of the delivery, either by fax or e-mail. Use of this electronic signature verification will expedite the proof of service process and reduce continuances and/or appeals based on questionable receipt of the notices.

Another process the Judicial Council is exploring with the California tribes is a pilot using e-mail delivery of the Indian Child Welfare Act notices. A tribe would have to volunteer and have the capacity to receive e-mail with numerous attachments. Electronic noticing would greatly reduce paper handling and mail costs for counties, reduce time to receipt of notice, and provide a documentation trail that adequate, timely and complete notice was sent and received by tribes.

Legislative Position: Support legislation that would permit the U.S. Postal Delivery Confirmation process as acceptable proof of service, and permit a pilot with volunteer tribes to evaluate the effectiveness and efficiencies in using e-mail to effect delivery of Inland Child Welfare Act notices to tribes and BIA.

REGIONAL CENTER SERVICES

In 1969, The Lanterman Mental Retardation Act (now called the Lanterman Developmental Disabilities Services Act) established the Regional Center System for providing services to people with a developmental disability. The Lanterman Act, and related statutes, can be found in the Welfare and Institutions Code, Divisions 4.1, 4.5, and 4.7 and Title 14 of the Government Code. Section 4621 of Division 4.1 of the welfare and Institutions Code states that the California Department of Developmental Services within the limitations of funds appropriated, shall contract with appropriate private nonprofit corporations for the establishment of regional centers.

There are 21 regional centers in the state of California. Regional centers provide diagnosis and assessment of eligibility. It is their responsibility to help plan, access, coordinate and monitor the services and supports that are needed because of a developmental disability. Once eligibility is established a case manager or service coordinator is assigned to help develop a plan for services, tell clients where services are available, and help clients get services. Occasionally foster children with serious developmental delays are placed in out-of-state group homes in order to secure specialized residential services that are not available in state. When these disabled youth become 18 or 19, they usually need to be returned to California and transitioned to the local Regional Center for the adult system of care and housing as they remain residents of the county of jurisdiction. However, Regional Centers tend not to recognize an out-of-state foster child as a California resident eligible for services and insist that until the young adult is physically returned to the county, an assessment for adult services may not commence.

Since Regional Centers have several months to process a new assessment, this means the disabled adult would have a gap in services at the same time as experiencing a transition in residence and treatment programs.

Legislative Position: Support legislation that clarifies that a juvenile court dependent, who is also a Regional Center consumer, retains California residence and entitlement to transitional services to Regional Center Adult Services when placed out-of-state.

STATE CONFORMANCE TO THE FEDERAL FOSTERING CONNECTIONS TO SUCCESS ACT OF 2008, HR 6893

Congress passed and the President signed a major federal Child Welfare reform law, HR 6893. The bill has a variety of mandates that will require statutory conformance and a variety of state options to access Title IV-E. States may use IV-E for kin guardianship programs, if the child is otherwise federally eligible and has lived with the relative six consecutive months. The rate payable must be no more than what would be paid if the child remained in a foster family home. Children who enter kin guardianship after age 16 will remain eligible for Chafee ILP services and vouchers. This provision will allow IV-E funding for many Kin-GAP cases, freeing up some

State General Fund. Since the California Kin-GAP program is broader (for example: program includes non-federally eligible CalWORKs dependents) a state Kin-GAP program would need to continue.

Legislative Position: Support legislation that would move toward state conformance to federal requirements and would provide fiscal opportunities, such as federal participation in Kin-GAP.

FEDERAL MANDATE CONFORMITY

Child Welfare Services is a program authorized, regulated, and funded chiefly by the Federal IV-B and IV-E programs. States may add further conditions or program enhancements that are not federally funded. When State budgets shrink, the ability to sustain inadequately funded State mandates declines. State mandates have been added back to statute and regulation, adding workload complexities that are not required by Federal law.

Legislative Position: Support legislation to eliminate any State child welfare mandates not required by Federal IV-B or IV-E programs.

EDUCATIONAL BENEFITS FOR MEMBERS OF THE NATIONAL GUARD

California is currently the only state in the union that does not provide educational benefits to assist its National Guard members in obtaining an education. The California Guard loses over 25% of its force every year. This makes it extremely difficult to maintain a protective force. The state not only depends on its Guard members to contribute to the efforts overseas, but also to patrol the U.S. -Mexico border and to fight fires.

Among the reasons for separation, lack of educational benefits is at the top. The educational benefits offered by neighboring states are very tempting to California Guard members. California has the smallest per capita membership in the Guard over any other state, however uses its Guard members more than any other state. Educational benefits would work to improve recruitment and retention efforts. Other states that have implemented some form of educational assistance had an increase in both retention and the number of authorized positions in their Guard, thus increasing federal revenue distributed to their states.

It is crucial that a state, which depends so heavily on its National Guard members, provides support for their educational endeavors.

Legislative Position: Support legislation that would create educational benefits for members of the National Guard in the form of tuition and fee waivers.

VETERANS PROPERTY TAX EXEMPTION

The Veterans property tax exemption is not keeping pace with the Homeowners property tax exemption. According to existing regulations, a property owner that is a Veteran (or the unmarried surviving spouse of such a Veteran) may qualify for an exemption of up to \$4,000 off the assessed value of their property. Likewise, all other property owners that occupy the property as their principal place of residence may qualify for an exemption of \$7,000 off the assessed value of their property, thus, reducing the property tax bill.

Additionally, eligibility to the Veterans exemption is limited to those single veterans with assets less than \$5,000 and married veterans with assets less than \$10,000. Property owners may not claim both the Veterans and the Homeowners exemption on the same property.

The initial idea behind providing Veterans with the Veterans property tax exemption was to recognize their efforts and contributions to our society beyond that of the average citizen. The fact that the current Veterans Exemption falls far below that which is offered by the Homeowner's Exemption diminishes that recognition. Legislation is needed to ensure that the Veteran's exemption will always exceed the amount of the Homeowners Exemption.

Legislative Position: Support legislation that would increase the Veterans property tax exemption to an amount exceeding the standard Homeowners exemption.

ACCESS TO CALIFORNIA'S VETERANS HOMES FOR VETERANS WITH ORGANIC BRAIN SYNDROME, DEMENTIA, AND ALZHEIMER'S DISEASE

Veterans desiring to be considered for admission into one of California's three veterans homes must be residents of California, age 62 or older (or younger if disabled), and have served honorably. The State government has plans to construct five new veterans homes in California and is in the process of acquiring land, planning, and designing the new veterans homes. There are approximately 1,900 beds between the three existing homes. Only the Yountville and the Chula Vista homes offer skilled nursing facilities. The 2007-08 FY State budget included \$2.3 million to reopen the 40-bed skilled nursing facility at the Barstow home that will occur over two years. The 2006-07 budget included \$3.4 million from the general fund to establish a 75 bed Alzheimer facility at the Yountville home. While these changes are definitely a step in the right direction, there is a growing need for specialized medical care.

There is a long waiting list for all three existing homes, and an even longer waiting list exists for those veterans needing specialized medical care. As California's veterans grow old, there will continue to be an increase in the number of veterans who are suffering from debilitating diseases such as Organic Brain Syndrome, dementia, and Alzheimer's disease. These individuals need the kind of care that is currently only being offered at the Yountville home. There are a limited number of beds set aside for veterans needing this type of care. It is imperative the number of beds set aside in each home be re-evaluated and adjustments be made accordingly. Legislation is needed to move toward providing the appropriate care to these veterans who sacrificed so much for this country.

Legislative Position: Support legislation that would provide increased access to California's Veterans Homes for those veterans suffering from Organic Brain Syndrome, dementia, and Alzheimer's disease.

COUNTY VETERANS SERVICE OFFICES FUNDING

County Veterans Service Offices (CVSOs) play a vital role in the local veteran community, not only within the VA claims process, but in other aspects as well. This includes providing information about all veterans' benefits (Federal, State and local), as well as providing claims assistance for all veteran-related benefits, referring veterans to ancillary community resources, providing hands-on development and case management services for claims and appeals, and transporting local veterans to VA facilities.

CVSOs statewide receive \$2.6 million from the California Department of Veterans Affairs. This amount compared to the \$21 million total cost to counties related to maintaining these programs illustrates how the State has not kept pace with increasing costs. San Bernardino County's annual subvention from the State is \$299,000. SB 608, which passed in 1997, provides the authority to increase funding up to \$5 million. The California Association of County Veterans Service Officers intends to introduce legislation to increase the State \$5 million subvention to

counties. Increasing funding for County veteran service offices will ensure that local agencies have the financial resources to continue to provide services to veterans efficiently and effectively.

Legislative Position: Support legislation or budget actions that increases funding of County veterans service offices.

PRESERVE HUMAN SERVICES FUNDING

The current recession threatens State funding for essential Health and Human Services Programs. Health and Human Services Programs take disproportionate reductions during bad economic times as lawmakers usually take the path of least resistance when cutting the state budget.

Unfortunately, declining State funding coincides with an increased need for those programs, as California residents who lose their homes and jobs are forced to rely more than ever on the State's safety net services. Counties and cities are either forced to rely on their general funds to help offset the lack of State funding, or must cancel the programs altogether. Local businesses also lose out, as declining Social Services Programs mean less money for lower income residents to spend on goods and services.

County Human Services Programs have been hit hard in the last several years by insufficient administrative allocations from the State. Across the board (adult programs, children's services, transitional assistance, Medi-Cal and child support), State funding has not kept pace with the increasing costs for County programs. As the cost of living continues to rise, State allocations have been stagnant. As a result, the Human Services Departments have had to divert money for other purposes to cover these cost increases. In essence, this lack of funding from the State results in an unfunded mandate for counties that continues to grow year by year.

Lastly, the health and safety of the States residents also suffers, as essential health, child welfare and adult services programs, designed to protect the most vulnerable among us, are forced to reduce or eliminate their programs.

Legislative Position: Support legislation and budget actions that increase State allocations for human services programs. Oppose legislation and budget actions that would reduce or eliminate such funding.

CALWORKS OVERPAYMENT CLEAN UP

An overpayment is defined as any amount of any aid payment an assistance unit (AU) received to which it was not eligible. An overpayment may be all or any portion of the aid payment. Regulations have been established regarding how counties are to recoup these overpayments from caretaker relative recipients and order of priority. Regulations allow for an overpayment to be recouped via grant adjustment, balancing, demand for repayment, civil judgment, voluntary cash recovery, or voluntary grant offsets.

As currently written, once a case is discontinued, there is an overpayment balance, and the caretaker relative was not an AU member (unaided) at the time of the overpayment, the County cannot demand payment, or seek other recovery methods, (i.e. tax intercept) from that individual, even if he/she caused the overpayment. However, the County can demand and recoup from any children who were aided at the overpayment occurred.

Legislative Position: Support legislation that would enable counties to collect overpayments from the caretaker relatives regardless of whether or not they were aided at the time the overpayment occurred, and would preclude collections from AU members who were minors at the time of the established overpayment.

HOMELESS ASSISTANCE PROGRAMS

Homelessness is a persistent national problem that impacts cities and communities throughout San Bernardino County. In 2007, the San Bernardino County Homeless Census identified a 39% increase of people either living on the streets or in facilities that serve the homeless over the past few years. In addition, with roughly 25% (primarily women and children) living under the poverty line, the "at-risk" population in the County of San Bernardino also pose serious societal and economic implications.

There is a growing sense of awareness of substantial public and private "hidden" costs associated with homelessness. For example, homeless persons become frequent and lengthy users of hospital emergency services, emergency shelters, emergency assistance centers, and correctional facilities because they lack a permanent housing environment which would help them better care for their daily needs.

By discouraging "managing" homelessness through emergency resources and encouraging "ending" homelessness by providing the resources necessary for persons to obtain and maintain affordable housing, the overall quality of life for all residents of San Bernardino County can be significantly improved as the negative impacts of individuals living and sleeping on the streets are reduced.

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

LAW AND JUSTICE

- Support legislation that will penalize subjects in violation of Jessica's Law for removing a GPS device
- Oppose legislation that eliminates public safety agencies as air rescue providers.
- Support legislation naming a portion of Interstate 10 after Deputy Frank Pribble killed in the line of duty July 6, 1975, at the rest stop in Fontana.
- Support legislation enabling San Bernardino County for a pilot to use inmate welfare funds to assist indigent inmates with re-entry.
- Support legislation that provides adequate funding to protect the safety, property, and interest of San Bernardino County residents.
- Support legislation that will enhance the safety and security of San Bernardino County residents by maintaining and increasing funding for law and justice groups.
- Support legislation that will protect the constitutional rights of indigent defendants while balancing the public interest.
- Support legislation that will protect the community by enhancing the treatment and control of adult and juvenile offenders.
- Support legislation that will enhance inmate and officer safety in detention and correction operations.
- Support legislation that will enable our law and justice groups to have the necessary resources to respond to disasters and other significant emergencies.
- Oppose legislation or measures that will reduce funding to law and justice groups.
- Oppose legislation or measures that will jeopardize the safety and security of San Bernardino County residents and law enforcement agents.
- Oppose legislation that will erode local enforcement authority.

HOUSING OF HIGH-RISK SEX OFFENDERS AND SEXUALLY VIOLENT PREDATORS

Jessica's Law recently passed by the voters of California, bars registered sex offenders from living within 2,000 feet of a school or park where children gather. Since passage, the State of California has begun to enforce these provisions causing sex offenders to find places to live in areas that are not prohibited by Jessica's Law. The State releases approximately 400-700 sex offenders from prison to parole each month in California. These new restrictions may lead to those sex offenders moving to remote areas. San Bernardino County supports an effort to create a system of sex-offender housing that would offer such benefits as 24-hour supervision, mental-health treatment, vocational training and other services. Ideally the centers would be located within light-industrial areas within reasonable proximity to public transportation and other necessities, rather than residential or remote areas. By concentrating higher numbers of offenders, the centers would provide for more efficient containment, particularly of higher-risk offenders, which would allow for increased surveillance and supervision as required by law. The centers would help to avoid the problem of offenders becoming homeless and noncompliant with registration and parole requirements.

Legislative Position: Support legislation implementing a system of housing for high-risk sex offenders and sexually violent predators located within light-industrial areas to include proper supervision, access to mental-health treatment, vocational training, transportation and other services.

CHILD ABUSE REPORTING

Existing law identifies specified persons as mandated reporters who must submit a report to law enforcement whenever in their professional capacity or within the scope of their employment, they have knowledge of or observe a child whom he or she knows or reasonably suspects has been the victim of child abuse or neglect, including commercial film and photographic print processors.

Legislative Position: Support legislation that will add commercial computer technicians to the list of mandated reporters of child abuse.

ADULT PROBATION FUNDING

Funding Request: \$140 Million

Estimated Total Project Cost: Total: \$140 Million

Adult probation services are a key component in the justice system to ensure that convicted adult offenders are supervised at an appropriate and consistent level dependent on their inherent risk to the community. County probation officers perform investigations; provide supervision services, implement specialty court requirements, and monitor caseloads such as Domestic Violence, Sex Offender and Gang Units. If the supervision efforts are not funded adequately, then the potential for State Prison commitment increases.

Legislative Position: Support legislation or budget actions that will provide greater resources to manage the probation population through assessment, treatment and supervision services, to assist them from being sent to State Prison, at a greater social and economic cost.

JUVENILE JUSTICE CRIME PREVENTION ACT, THE MENTALLY ILL OFFENDER CRIME REDUCTION ACT, AND STATE TRAINING FOR CORRECTIONS FUNDING

Current State funding for the Juvenile Justice Crime Prevention Act (JJCPA), the Mentally Ill Offender Crime Reduction Act (MIOCR), and State Training for Corrections is integral for continued success in keeping citizens out of the criminal justice system. The estimated total project is \$183.5 million. JJCPA Provides for programs and intensive supervision to assist juveniles from becoming further involved in the criminal justice system by offering programs such as the School Probation Officers, and Day Reporting Center programs. Funding for MIOCR allows officers to focus efforts in working with mentally ill offenders to manage their mental health needs, which has been identified as the primary factor leading to their criminogenic behavior. STC funding allows funding for consistent training as required by State mandate for critical training in the field of corrections per standards set forth by the Corrections Standards Authority.

Legislative Position: Support legislation or budget actions that will maintain current funding sources for Juvenile Justice Crime Prevention Act, the Mentally Ill Offender Crime Reduction Act, and State Training for Corrections.

GPS SEX OFFENDER REFORM IMPLEMENTATION FOR LOCAL LAW ENFORCEMENT FUNDING

Background: SB 1128 and SB 1178 established the Sex Offender Reform Implementation, requiring that in 2009, all high-risk sex offenders as identified by the Static 99 risk assessment tool are mandated to be on Geographical Positioning Satellite (GPS) tracking systems. The Sex

Offender Reform Implementation, coupled with Jessica's Law which mandates that sex offenders paroled from State prison must also be on GPS tracking for life, places strict GPS requirements for sex offenders without clear parameters of the responsible agencies for managing this population. GPS tracking systems are most effective when law enforcement agencies are actively managing this population. Active GPS management allows law enforcement agencies to be proactive by specifying officers to actively monitor and respond to violations rather than passively search for violations after a crime has been committed. This effort requires dedicated officers as responders to prevent the victimization of citizens. The estimated total cost is \$100 million statewide.

Legislative Position: Support legislation or budget actions that will maintain funding for GPS Sex Offender Reform Implementation.

ENHANCE THE DEPARTMENT OF JUSTICE'S CAL-ID DEPARTMENT OF MOTOR VEHICLES ASSESSMENT FEE

On September 30, 1997 the Governor signed Senate Bill 720 (Statutes 1997, Chapter 587, adding Section 9250.19 to the California vehicle code. The legislation was effective January 1, 1998 and was to be repealed January 1, 2003. It has been extended to January 1, 2012. The legislation requires an assessment of a motor vehicle registration fee to fund programs that enhance the capacity of local law enforcement agencies to provide automated mobile and fixed location photo and fingerprint identification of individuals who may be involved in crimes while operating a motor vehicle, particularly driving under the influence of alcohol or drugs or vehicular manslaughter. In addition, the legislation requires that data from any programs implemented from assessment funds collected be compatible and interface with the Department of Justice's Cal-ID master plan and be made available by the local law enforcement agency to any public agency that is required by law to obtain a criminal history background as a condition of employment. The intent of the legislation is to share data on a regional basis to enhance officer safety and to avoid local tragedies. Any fee enhancement would continue to apply to registrations and renewals of non-exempt regular and commercial vehicles.

Legislative Position: Support Legislation that would increase collection of the annual vehicle registration fee on vehicles registered pursuant to Vehicle Code Section (VC) 9250.19.

AMEND VIOLATIONS FOR CERTAIN SECTIONS OF CALIFORNIA PENAL CODE (PC) 502 PERTAINING TO UNAUTHORIZED ACCESS TO COMPUTERS, COMPUTER SYSTEMS AND COMPUTER DATA FROM MISDEMEANOR TO FELONY

Despite vigilant efforts of cyber security experts, computers, computer systems and computer data will continually be targets of premeditated disruptive activities (hacking). Defending the unauthorized access of public safety agency computers is a vital component of operational integrity. Unauthorized access is a serious crime that can put public safety officers at risk and can pose a large-scale negative influence on significant numbers of citizens. Currently, certain subsections of PC 502, if applicable, are misdemeanor violations and as such, do not allow High-tech crime investigators to be successful in applying for and obtaining search warrants which could be critical to further an investigation of "hacking" attempts of a public safety agency. Amending PC 502 and adding a section making such violations against a public service agency a felony will provide a disincentive to hacking and enhance agency investigative abilities.

Legislative Position: Support Legislation that would amend certain PC 502 violations and alter the consequence of such actions from misdemeanor to felony.

TRANSPORTATION

INTERSTATE 10 CORRIDOR IMPROVEMENTS

I-10 is the principal east/west circulation route for automobiles and trucks into and out of the Los Angeles basin. I-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.

CHERRY AVENUE/I-10 INTERCHANGE

Estimated Total Project Cost: \$71 Million

I-10 is the principal east/west circulation route for automobiles and trucks into and out of the Los Angeles basin. I-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, apart from the spacing between Sierra and Citrus Avenues, interchanges are spaced at two-mile intervals and no midpoint grade separations exist. The lack of mid-point grade separations places extraordinary pressure on the existing interchanges.

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 Fontana 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 50,000 with projected traffic count of over 74,000 trips per day. Cherry Avenue/I-10 Interchange is experiencing heavy congestion with over 20 minute delays in local cross over traffic during the afternoon peak hours. Alterations to the interchange configuration is complicated by the parallel railroad tracks immediately to the south of I-10.

Project Description: A joint project between Caltrans, 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

Estimated Total Project Cost: \$45 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.

Project Description: A joint project between Caltrans, the County of San Bernardino to complete project work through Plans, Specifications, and Estimates (PS&E).

PEPPER AVENUE/I-10 INTERCHANGE

Estimated Total Project Cost: \$50 Million

Pepper Avenue provides access to the Arrowhead Regional Medical Center and provides a gateway for growing local residential development. Pepper Avenue is a regionally significant. Pepper Avenue/I-10 Interchange is experiencing heavy congestion with traffic backing up into the freeway lanes during the peak hours significantly slowing interstate traffic including goods movement and contributing to air quality issues and lengthened commute times. (No plans to alter Rail overhead or construct to south.)

Project Description: This is a joint project between Caltrans and the County of San Bernardino to widen Pepper Avenue to seven lanes and improve the I-10 Interchange.

CEDAR AVENUE/I-10 INTERCHANGE

Estimated Total Project Cost: \$50 Million

Cedar Avenue is a regionally significant north/south highway with average daily traffic of 50,000 with projected traffic count of over 74,000 trips per day. Cedar Avenue/I-10 Interchange is experiencing 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. It is 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).

HIGH DESERT CORRIDOR

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 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 the I-15 in Victorville, and with inland ports at each end will provide for improved goods movement and congestion relief throughout So Cal, 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. Approval of the State Legislature is the next step required for the HDC JPA to become a Public Private Partnership (P3) with the ability to have Design Build Authority and levy tolls on trucks and cars to provide potential financing options.

Project Description: JPA governance and oversight of a P3 for planning, programming, design, construction, maintenance and operation of a six lane expressway connecting Inland Ports in Victorville and Palmdale and costs associated with project development. First leg of project funding for Phase 1A is a Tier II TCIF mark for \$150M.

I-15/I-215 INTERCHANGE

Estimated Total Project Cost: \$250 Million

Since being built to replace the historic Route 66 and US 91, I-15 (I-15) has become a vital lifeline carrying people and freight to and from the Los Angeles metropolitan area - serving as a commuter corridor from the High Desert to jobs in other areas of San Bernardino County and to jobs in Los Angeles and Riverside counties; a freight corridor from Southern California's ports to the rest of the nation; and the prime route for recreation trips to the High Desert and the "Tri-state" area (i.e. California state line, Arizona, Nevada) and beyond.

The I-15 corridor is experiencing considerable performance problems due to a number of factors. These factors include higher than average truck volumes (10% to 15% of the total traffic), steep grades approaching 6% sustained for approximately 5 miles through the Cajon Pass, roadway design limitations particularly at the I-15/I-215 interchange, heavy traffic demand on both weekends and weekdays, as well as a lack of alternative travel options. Travel demand for the I-15 corridor has been growing 2% to 2.5% per year on average over the last ten and is expected to almost double by the year 2030, substantially exacerbating already apparent performance problems.

These performance problems have repercussions such as higher than average traveler delay and accident rates, as well as a disincentive to economic activity in the region. Chronic congestion occurs at the I-15/I-215 interchange and between the I-10 and the SR-60. Average peak hour travel speeds are as low as 10 mph through these segments. Traffic flow typically deteriorates even further on Friday and Sunday evenings with demand being 10% to 15% higher than it is during the standard weekday peak periods.

Project Description: This request is for funding for the costs associated with project development projects approvals, and environmental document preparations to reconfigure the I-15/I-215 interchange to better facilitate primary traffic movement.

BASE LINE/I-15 INTERCHANGE

Estimated Total Project Cost: \$60 Million

The project is located along a significant industrial real estate market in the U.S. - the Inland Empire's I-15 corridor. The Base Line interchange, along the city limit line between Rancho Cucamonga and Fontana, is in the center of an area that is leading the way in San Bernardino County for industrial, residential and commercial growth and job creation.

This tremendous growth is forecasted to continue in the upcoming years, with the continued development of Rancho Cucamonga and Fontana as well as the region. Significantly higher traffic volume is also forecasted. I-15 traffic volumes are projected to increase 47% over the next 20 years. On Base Line Road at the interchange, traffic volumes are projected to increase 42% over the same period of time. This projection does not take into account the opening of Victoria Gardens Regional Mall and the City's Cultural Center in 2004-2005, which has further impacted the interchange. The Base Line interchange can no longer keep pace with the region's

growth nor continue to ensure the traffic safety of the drivers and travelers on I-15. I-15 ramps at Base Line Road are currently operating at an “unacceptable” level of service. As an example, from 1996-2001, average daily traffic volumes at this interchange increased from 86,000 to 126,000, an increase of 46%.

Project Description: This project has the support of the California Department of Transportation (CalTrans), San Bernardino Associated Governments (SANBAG), and the City of Fontana. The overall improvement of the Base Line interchange will include: four new bridge structures for the on and off ramps, the widening of the existing Etiwanda overhead structure located north of the interchange, and the widening of the Etiwanda Avenue under-crossing south of the interchange.

I-15/ARROW ROUTE INTERCHANGE

Estimated Total Project Cost: \$60 Million

This new interchange will be located three miles north of the I-10/I-15 interchange. Tremendous commercial and industrial growth in Western San Bernardino County has severely impacted the capacities of the interchanges adjacent to this location, including the I-15/Foothill Boulevard and I-15/Fourth Street interchanges. Freeway access and truck circulation from this busy industrial area is deficient and traffic projections indicate that regional traffic will double in the next 20 years. The proposed project will provide improved interstate and regional movement of goods and services, new access to one of the region's fastest developing economic development areas, reduce traffic congestion, and improve safety on one of the most congested sections of I-15 between I-10 and Las Vegas. The construction of a new interchange at Arrow Route is critical for San Bernardino County industrial and commercial mobility as its connection to I-15 will relieve adjacent interchanges and provide a critical access point for trucks.

Project Description: Initial funding request is for initial planning and design of this new interchange to be located three miles north of the I-10/I-15 interchange.

GLEN HELEN PARKWAY UNION PACIFIC RAILROAD (UPRR)- BURLINGTON NORTHERN SANTA FE (BNSF) GRADE SEPARATION

Estimated Total Project Cost: \$46 Million

The existing Parkway is four lanes west of Glen Helen Park, and two lanes within the limits of the proposed grade separation project. The roadway crosses the Cajon Creek via a low-water reinforced concrete box structure, located along the north bank of the creek. This creek carries the main flow from the Cajon Pass watershed, which occasionally floods the existing Glen Helen Parkway in major storms. A proposal for Highway Bridge Program Funds has been submitted to Caltrans to replace the existing inadequate structure on a new alignment suggested by the preliminary planning study analysis currently underway paid by the County. However, the project must consider the entirety, not just the crossing of the creek. Both the BNSF and the upper cross the roadway east of Cajon Creek. The UPRR has a single track at this location, but also uses the BNSF tracks for hauling freight. BNSF has three operational tracks located east of the UPRR. These are main line tracks and experience heavy train traffic coming in and out of the Ports, and downtown Los Angeles, with the eastbound trains moving relatively slowly. The Glen Helen Parkway intersection with Cajon Boulevard is stop controlled. The roadway serves as access to I-215 and I-15 for local traffic, and also access to the Glen Helen Park. This park offers recreational opportunities including fishing, picnicking, camping and horseback riding, as well as special events at the Hyundai Pavilion, which is the outdoor amphitheater in the County

and has over 10,000 seats, with an ultimate capacity of 65,000. The Pavilion has a busy schedule of events, including usually 8-12 'events' during summer (April - October).

Project Description: Initial funding requests include: widening Glen Helen Parkway to four lanes; constructing an all weather crossing of the Cajon Creek; and constructing a grade separation over both the BNSF and UPRR railroads, with associated approach walls to be used to span the creek and railroads. It is anticipated the creek cross sectional area may need substantial protection from flood damage, which may include dikes and hard surfacing of the embankments. Other improvements may include accommodation of a horse trail and pedestrian facilities. And, a new connection to Cajon Boulevard must be made depending upon the configuration of the design alternative selected. A traffic analysis has been performed and which included quantitative analysis of weekday peak hour effects of the project and special event ingress or egress traffic operations.

VISTA ROAD GRADE SEPARATION PROJECT

Estimated Total Project Cost: \$19 Million

The proposal is to create a grade separation on Vista Road for National Trails Highway (Route 66) and the Silver Lakes-Helendale community traffic. This grade separation will avoid significant delay created by train traffic estimated at 99 trains per day, many of which extend delay by waiting, blocking Vista Road for clear tracks.

As Vista Road is the only bridged crossing over the Mojave River between the City of Victorville to the south and Lenwood, just east of the City of Barstow, to the north, Vista Road is utilized by a disproportionate volume of traffic due to this crossing being a “chokepoint” for east west travel.

Traffic is delayed every time a train passes and with the limited east west bridge options, not only is the traffic delay greater, but the delays impact larger volumes of vehicular traffic. Safety vehicles such as ambulances have been documented as being forced to wait for periods of up to 15 minutes with one incident being reported in the local newspaper inferring the enforced wait had fatal consequences for a seriously ill patient. Alternative travel routes are severely limited and create significantly longer travel times and additional mileage. Alternative route trips negatively impact regional air quality, as Helendale Road is currently unpaved.

Project Description: Provide grade separation on Vista Road and the BNSF rail tracks. The FY 2008 funds requested are to implement the environmental documentation through Plans, Specifications and Estimates (PS&E).

LENWOOD ROAD GRADE SEPARATION PROJECT

Estimated Total Project Cost: \$32 Million

The project is to provide grade separation between Lenwood Road and the BNSF rail tracks. Lenwood Road is one of the few road crossings over the Mojave River between Lenwood, just west of the City of Barstow and State Highway 58. It is utilized by a disproportionate volume of truck traffic due to this crossing being 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. The status of the project (stage of Development) has reverted to concept: Prior to the current State Budget crisis three years ago, SANBAG had awarded approximately \$1.9 million to achieve Environmental Documentation through PS&E with the County of San Bernardino utilizing \$50,000 in gas tax monies and the

City of Barstow utilizing \$50,000 in Redevelopment funds as a local match to design this project. 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 (NTH or Route 66) provides access to Barstow and Victorville. Although there are very good highway linkages between the freeways and State Highway 58, Barstow is a logical stopping point for many truck drivers, either for changing drivers or for mandatory rest stops. Lenwood Road is a route of choice for these trucks. Significant safety issues that will be mitigated upon completion can further support Lenwood Road grade separation project. The distance between the at-grade crossing and the traffic signal at Main Street is relatively short. Any signal delay, created by maintenance or by an accident may easily cause a “backup” of southbound traffic to the crossing. Although the crossing is “gated”, the potential for error in blocked traffic, leaving a trailer on the tracks with no room to maneuver is high. 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. Funding is requested are to re-implement the environmental documentation through PS&E.

ORO GRANDE OVERPASS

Estimated Total Project Cost: \$32 Million

Currently, National Trails Highway 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 (essentially one lane) bottleneck for traffic 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 north for several miles north of the current underpass. Improvements to the Oro Grande underpass on National Trails Highway (Route 66) need to be constructed to improve traffic flow.

Project Description: The proposal is to improve the existing grade separation for National Trails Highway (Route 66) under the BNSF and UP rail tracks at Oro Grande.

INSTITUTION ROAD: GLEN HELEN REHABILITATION FACILITY TO CAJON BOULEVARD

Estimated Total Project Cost: \$6 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 road was closed for so long that helicopters had to ferry personnel to and from the facility. Due to significant environmental issues involving flow

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

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

STATE STREET STATE ROUTE 210 TO CAJON BOULEVARD

Estimated Total Project Cost: \$10 Million

The proposed project will widen the existing two-lane section of State Street between CA30 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 I-215. In addition, an overpass grade separation is under construction with SANBAG as the lead agency for the project to relieve congestion at the current grade crossing over the Burlington Northern tracks. The crossing is extremely busy with nearly 100 trains in a 24-hour period.

State Street, as a north/south circulation link carrying traffic from State Route 210 to I-215 Freeway 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 15,303 (recorded September 2006). The increased capacity of State Street is regionally important and will complement infrastructure improvements that are either 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 FY 2008 funds requested are to implement the environmental documentation through PS&E and necessary right-of-way.

CRAFTON HILLS PARKWAY

Estimated Total Project Cost: \$10 Million

The Crafton Hills Parkway project will create a significant barrier to east-west travel, with numerous topographic features inimical to travel; steep narrow ridges and valleys. With major development within the Cities of Yucaipa, and Redlands, the hills accentuate the lack of east-west routes and have focused increased traffic on I-10, Sand Canyon and further west, on San Timoteo Road.

Project Description: The proposed project will plan, design, acquire Right-of-Way as necessary, and construct a two-lane paved road between Wabash Avenue and Tennessee Avenue.

DALEY CANYON ROAD INTERSECTION AND SIGNAL IMPROVEMENTS

Estimated Total Project Cost: \$ 2 Million

Daley Canyon road is a busy access road for the mountain communities off State Highway 18. The proximity of the local High School with attendant traffic congestion makes the intersection a bottleneck. Regionally, improvements to this intersection will mitigate traffic congestion. Daley Canyon Road may be important as an evacuation route.

Project Description: Add a turn lane, lighting and installing a traffic signal at the intersection of Daley Canyon Road at State Highway 18.

ARROW ROUTE AT LIME AVENUE

Estimated Total Project Cost: \$900,000

The proposed project is to widen Arrow Route from an existing two lane configuration across the rail tracks to a four lane road with pavement widening, rail road crossing improvements and pedestrian improvements.

Arrow Route is an important east-west link in the Fontana area, north of I-10, connecting several communities. Arrow Route is designated as a Secondary Highway in the County Master Plan of Highways, which specifies 88 feet of right-of-way and 64 feet of curb-to-curb width. The Average Daily Traffic (ADT) on this road east of Beech Avenue was 14,322 in July 2003. The existing at-grade railroad crossing on Arrow Route is narrow and rough. To widen the road right-of-way acquisition is needed from several parcels on the south side of Arrow Route east of the railroad tracks. The County has been unsuccessful in obtaining Section 130 funds for the railroad crossing improvements. With rising right-of-way acquisition costs, widening the RR crossing to four lanes, improving drainage, replacing the current mast arms with larger ones and possibly new signals is beyond the scope of County funding. The proposed improvements will improve traffic flow and goods movement by reducing congestion created by this bottleneck.

This area of west Fontana has many businesses dependent upon efficient trucking of goods to and from the area and Arrow Route is a key access road.

Project Description: Widen Arrow Route from an existing two lane configuration across the rail tracks to a four lane road with pavement widening, railroad crossing improvements and pedestrian improvements.

SUMMIT VALLEY ROAD

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. I-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 I-15. A cooperative agreement will be necessary both with Caltrans (junction of State Highway 138) and the City of Hesperia. An 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 Ranchoero 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 Hesperia City limits to a four-lane arterial.

STATE HIGHWAY 247 IMPROVEMENTS

Estimated Total Project Cost: \$20 Million

The current State Highway 247 is the core transportation corridor, not just for regional transportation, but also as the “main street,” only paved north-south road within the Flamingo Heights, Landers, and the Johnson Valley Communities. A significant amount of traffic utilizes the highway for local connections, turning on and off the paved route to access the network of dirt roads serving the communities on either side. This local traffic, due to the lack of turn lanes and passing lanes, inhibits regional through traffic and contributes to adverse safety conditions. The area may be considered ecologically sensitive although working within existing right-of-way possibly makes the proposal categorically exempt.

Project Description: Rehabilitate and widen the existing paved road within the existing right-of-way to incorporate passing lanes and turn pockets between Yucca Valley Town Limits north and west to Johnson Valley.

MONTE VISTA AVENUE REALIGNMENT

Estimated Total Project Cost: \$3.25 Million

Monte Vista Avenue is a north south route scheduled for construction of a grade separation over the railroad tracks north of State Street by 2009. The realignment of Monte Vista Avenue will complement the 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: Monte Vista Avenue requires horizontal realignment at Philips Boulevard. The north south alignment is offset due to Monte Vista Avenue following survey markings between old land grants. Philips Boulevard was the boundary between land grants. The project will realign the road intersection to eliminate the offset.

ARROWBEAR DRIVE REALIGNMENT AND WIDENING

Estimated Total Project Cost: \$2 Million

The Arrowbear Community off California State Highway 18 has limited access to CA18. 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 evacuate route for the Arrowbear community.

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

SUNBURST AVENUE VERTICAL REALIGNMENT

Estimated Total Project Cost: \$20 Million

Sunburst Avenue provides access from State Highway 62 to many homes to the north. It is a narrow road that follows the native terrain, with substantial vertical alignment issues that limit driver vision at swales of intermittent streams that cross the road. The road is immediately adjacent and provides access to a park, a senior center and an elementary school. The first section of the road from State Highway 62 north to Joshua Elementary School has a Class I Bikeway on the east side of the road. Sunburst Avenue is the major access for communities to the north of State Highway 62 to link to the east west highway. It provides access to significant local amenities. Severe flooding in the summer of 2003 significantly impacted local communities. This project removes a crossroad water flow, which continually creates a hazardous condition. The County is proposing to realign the vertical component of the road, as traffic sight distance remains an issue of concern for the local school and for the senior center. Traffic tends to travel faster than the posted speed limit of 45 mph, as the road although narrow, it is also straight and the swales steep. The "blind spots" in the proximity of the school created by the steep slopes will be eliminated by vertical realignment.

Project Description: Realign the vertical section between State Highway 62 and Hill Top Drive. This will be accomplished by providing a sized culvert (based on appropriate hydrological study) and "cut and fill" with new pavement to smooth the vertical alignment and improve sight distance.

PIUTE WASH BRIDGE PROJECT

Estimated Total Project Cost: \$20 Million

Piute Wash is a major drainage feature that intersects Needles Highway. Needles Highway is located within the tri-state regional area of Arizona, California and Nevada and is bounded on the east by the Colorado River, on the west by the Deadman Mountains and extends from California to Nevada. The Needles Highway is currently part of a County road network in both states and is under the local jurisdictions of Clark County Nevada, and San Bernardino County, California, and the City of Needles. Piute Wash potentially could generate high peak water flows owing to the large area of mountain and desert in its catchments (watershed) area. Early 1990's drainage studies estimate a 100-year peak flow in excess of 26,500 cfs and concluded that Piute Wash needed to be bridged. The recommendation is for a 500-foot long multi lane bridge (not accommodated within the proposed rehabilitation and realignment of Needles Highway).

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

ROCK SPRINGS ROAD BRIDGE PROJECT

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; major streets that intersect with I-15. Because of that link, many residents of the Town of Apple Valley and the County unincorporated 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 12,000 vehicles per day using the roadway. The Mojave River is a major watercourse and, especially in the rainy winter months, subject to high water flows. 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, both 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 until October 2005, nearly ten months.

The closure of Rock Springs Road at the Mojave River necessitates a detour to Bear Valley Road increasing the commuting distance, cost and time per trip. Longer trips significantly impact Emergency Responders. 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. Initial funding request is to implement the environmental documentation through PS&E.

YUCCA LOMA/YATES/GREENTREE CORRIDOR

Estimated Total Project Cost: \$40 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, in the rainy winter months, is subject to high water flows. With the urban development in this area, additional bridges are becoming necessary, both for ease of movement and for 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 and provide a grade separation across the busy railroad tracks.

There are only two crossing points across the Mojave River between Victorville and the Town of Apple Valley, two rapidly growing communities. One crossing links via State Highway 18 through the Mojave River's 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: Construct a Yucca Loma Bridge of 3.4 miles and four lanes. This would provide a third connection between these two fast growing communities and the County area in between.

MILPAS DRIVE PAVING PROJECT

Estimated Total Project Cost: \$2.5 Million

Milpas Drive is currently a dirt road that has several blind curves and crosses a rail track with no safety features. Minor vertical and horizontal alignment within existing right-of-way will improve traffic safety. Paving will allow traffic controls to be implemented. Regionally, improvements to this road significantly improve safety and accessibility to school buses for students in the Apple Valley Unified School District.

The County is proposing to pave a dirt road one lane in each direction from the end of pavement south to Rancho Road on existing right-of-way. The Average Daily Traffic is high for a dirt road (856). Paving the road will complement school bus accessibility, reduce PM 10, mitigate “wear and tear” on local traffic and improve traffic safety on blind “S” curves.

Project Description: Pave one lane in each direction from the end of pavement south to Rancho Road on existing right-of-way.

MIDWAY AVENUE PAVING PROJECT

Estimated Total Project Cost: \$1.5 Million

Regionally, the paving of this linking road between State Highway 18 and State Highway 247 will adjust the traffic circulation patterns of large trucks that will utilize the road to and from the Quarries. The County is proposing to pave this dirt road as many drivers use this link to connect the two State highways. This use generates high quantities of PM 10. Paving the road will also reduce Vehicle Miles Traveled (VMT) for drivers who only use the paved roads, Camp Rock Road or Crystal Creek Road. The project is on the Measure I future Projects list, however, the current Measure I revenues are encumbered for other projects.

Project Description: The project is to provide a paved structural section one lane in each direction between State Highway 18, north 2.25 miles to State Highway 247, on an existing County Maintained graded dirt road. Paving this section of Midway Avenue provides a circulation link between State Highway 18 and State Highway 247.

HELENDALE ROAD PAVING PROJECT

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 improves 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, 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.

CUMBERLAND DRIVE: STATE HIGHWAY 18-BALD EAGLE RIDGE

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 may also serve as a vital evacuation route for several vulnerable residential areas. The road would improve fire emergency response times for these residential areas that are still highly vulnerable.

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.

TRANSPORTATION INFRASTRUCTURE BETWEEN SCHOOLS AND COMMUNITIES

New schools constructed without adequate drainage or road improvements create a variety of negative impacts to the local community, such as access problems for students and liability issues for cities and counties. In addition, new school construction may not adequately ensure compliance with the Americans with Disabilities Act beyond the perimeter of the school. Section 53097 of the Government Code requires the governing board of school districts to comply with any city or county ordinance regulating drainage improvements and conditions, road improvements and conditions or requiring the review and approval of grading plans relating to the design and construction of onsite improvements on the school. If a school district elects not to comply with the requirements of city or county ordinances relating to the design and construction of offsite improvements, the city or county is not be liable for any injuries or for any damage to property caused by the failure of the school district to comply with those ordinances. However, no similar statute exists for the construction of new school facilities.

Establishing statutory language requiring school districts to comply with city and county ordinances linking infrastructure improvements on community streets to the construction of new school facilities would decrease local agency liability should a school district elect not to comply with any offsite improvement requirements of city or county ordinances.

Legislative Position: Support legislation requiring school districts to comply with city and County ordinances relating to drainage improvements or road improvements and conditions when constructing a new school facility.

HOUSING AND LAND USE

ACCESS TO AND THROUGH FEDERAL PUBLIC LANDS

Historic access on Federal public lands, primarily administered by the Bureau of Land Management (BLM), has been allowed under R.S. 2477. That law, dating from 1866, was repealed in 1976, but rights-of-way created under the act remain in force. Under the Federal law, the rights-of-way were "self issuing," with no documentation issued by the Federal agency or recordation on Federal public land records. Within San Bernardino County virtually all of the County's primary road system outside the urban area was created and is so authorized, and thousands of miles of secondary routes exist on the 8 million acres of public land in the County. These, in total, provide a variety of public access for commercial and recreational uses that exist, or are permitted under a variety of Federal laws.

Legislative Position: Oppose legislation that would require State review when local governments seek rights-of-way for existing roads and routes on Federal lands under R.S. 2477, recordable disclaimer regulations or any other legal means.

REFORM CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND THE ENDANGERED SPECIES ACT

Currently, the California Endangered Species Act (CESA) requires "sufficient scientific information" to support requests for listing or delisting of an animal or plant pursuant to the Act or to modify an existing listing status. However, scientific data are not required in implementing the Act or other related Fish and Game Code provisions on a day-to-day basis. Likewise, when considering potential impacts to biological resources posed by development projects during review under the CEQA, impact assessments and prescribed mitigation measures often lack scientific credibility. The County is seeking legislative reform to related statutes and regulations to incorporate science-based implementation and enforcement of CESA and CEQA.

Legislative Position: Support reforms to the California Endangered Species Act and California Environmental Quality Act to require scientific justification for regulatory or judicial actions affecting land use decisions by local jurisdictions.

OPEN SPACE SUSTAINABILITY

Development projects undergo California Environmental Quality Act (CEQA) review, which often require that mitigation land be set aside as a condition of approval. Currently, no regulations exist regarding the actual management of the land, or funding for the management. In the absence of regulations, organizations have received off-site conservation land but have done nothing to ensure the sustainability of the habitat or species on the land. In addition, there are no regulations or policies preventing organizations in receipt of endowment funds from using funds improperly such as litigation against developers and other agencies.

Legislative Position: Support legislation that requires entities that agree to accept responsibility for the preservation and maintenance of any land set aside for mitigation purposes to create a management plan, conduct a biological study and ensure that all endowment funds are used for habitat management preservation purposes.

MITIGATION OF INDIAN CASINO IMPACTS

When considering tribal-state gaming compacts, the Legislature must carefully consider the extent to which casino operations negatively impact local jurisdictions, and the extent to which proposed mitigation efforts effectively address all impacts. Specifically, this review should consider issues such as the extent to which safeguards exist to protect public safety, health and welfare. To these ends, all casino building projects should be required to complete CEQA review and be subject to building and safety standards at least equivalent to local county standards required of other building construction projects as well as inspection approvals.

Legislative Position: Support legislative and administrative efforts to mitigate public health, safety, welfare, and environmental impacts related to Indian casinos and tribal gaming.

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, County's Solid Waste Management Division (SWMD) has spent over \$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 \$3 million to complete the treatment plant that assures continued delivery of drinking water to the City of Rialto at its Well No. 3. The County will also be spending approximately \$1 million per year through the life of the cleanup (approximately the next 15 years 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 and funding gained from these sources, if any, is years away. The total cost to date for perchlorate related expenses, including legal fees and administrative costs is \$18.93 million.

Legislative Position: Support legislation or budget actions to assist the County its effort to clean up impacts created by the existence of perchlorate contamination to soil and groundwater in and around future landfill sites.

MOJAVE NARROWS REGIONAL PARK WATER FLOW

The State's Mojave Fish Hatchery is responsible for a substantial portion of the water that flows through Mojave Regional Park. Water that is pumped from the Mojave River Basin and used in the fish hatchery's operations is then diverted through Spring Valley Lake and the Mojave River into the regional park. If the State were to shut down operations at the hatchery and cease pumping the water, the park would suffer significant consequences. The consequences include: reduced water flow through the regional park which would distract from the scenic beauty of the

river walk, lack of running fresh water for fish that are stocked for the fishing programs, and reduction of ground water in the wells that are used for irrigating the park grounds.

Legislative Position: Support legislation or budget actions providing for continued operations at Mojave Fish Hatchery in Mojave Regional Park.

SOUTHERN CALIFORNIA LOGISTICS AIRPORT

Southern California Logistics Airport, (SCLA) , formerly George Air Force Base, was closed in 1992 severely impacting the economy of the High Desert Region with the loss of 7500 military and civilian jobs and an economic impact of \$380 million. The High Desert region remained in a “recession” condition throughout most of the 1990s. The former Base is now operated by the City of Victorville and a Joint Powers Authority consisting of the High Desert Cities and the County of San Bernardino. It is widely understood that the industrial and commercial development of SCLA will be the economic engine that will drive the economy and create jobs for the region.

Legislative Position: Support legislation that assists Southern California Logistics Airport in its effort to revitalize the economy of the High Desert region.

BIOMASS USE FACILITATION

Proper forest management has created a need to process resultant biomass. Lack of operating area to perform biomass processing has become an issue in the Big Bear area. Federal lands adjacent to the Big Bear Landfill/Transfer Station have been identified to be ideally suited to integrate biomass processing with transfer station operations. The County has entered into a local agreement to provide land to facilitate a land exchange with the Federal government to enhance biomass processing in the Big Bear area.

Legislative Position: Support legislation that provides for the land exchange between the federal government and the County.

FLOOD CONTROL

SANTA ANA RIVER MAINSTEM PROJECT

Funding Request: \$108.6 Million

Estimated Total Project Cost: \$108.6 Million

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, 2, 3, 4, 5, 6, 7, 8, and 10 are complete.

Completion of all of the features will provide the necessary flood protection within Orange, Riverside and San Bernardino Counties; enhancement and preservation of marshlands and wetlands for endangered waterfowl, fish and wildlife species; recreation amenities; and floodplain management of the 30 miles of Santa Ana River between Seven Oaks Dam and Prado Dam.

The San Bernardino County Flood Control District, Riverside County Flood Control & Water Conservation District and Orange County Flood Control District are the local sponsors of the \$1.7 billion federal flood control project. In cooperation with the multiple county agencies, the system is nearing completion and will provide valuable flood control features for over 3 million people living within the Santa Ana River Watershed and Floodplain.

Project Description: The remaining portion requested for funding includes \$108.6 million for engineering, construction, 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).

SEVEN OAKS DAM WATER QUALITY SPECIAL STUDY

Funding Request: \$8.6 Million

Estimated Total Project Cost: \$8.6 Million

The US 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, that sponsor being the flood control districts of Orange, Riverside and San Bernardino counties.

Project Description: The District is working with the Corps of Engineers to determine causes, effects and possible remediation of debris and other water quality issues in this newly completed flood control reservoir. Efforts may lead to alteration or addition of structural features and/or changes to the current operating procedures. Funding requested would be used to complete a feasibility phase study and to start identifying alternatives and develop plans for implementation. The current cost estimate is \$8.6 million.

FEMA LEEVE CERTIFICATION-LOCAL COSTS

Funding Request: \$1 Million

Estimated Total Project Cost: \$9 Million

As part of the Federal Emergency Management Agency's (FEMA's) nationwide Map Modernization Program, FEMA has initiated a Countywide Flood Insurance Study (FIS) and Digital FIRM (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 (44 CFR 65.10). These criteria include design criteria (e.g. freeboard, closures, embankment protection, embankment and foundation stability, settlement, and interior drainage), operation, and maintenance.

FEMA intends 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.

Project Description: The San Bernardino County Flood Control District has hired consultants to assist with the certification effort. Under Phase I, the District is focusing on certifying those facilities deemed as levees by FEMA that can be certified without repair work, expansion or major construction. During Phase II, the District will begin upgrading those levees not able to be certified so they meet the requirements set by FEMA and assist in getting the floodplain designations removed from the FIRM thus taking people back out of the floodplain designations. This is a major effort for the District especially due to the District's size and number of facilities. Certifying the levees will cost approximately \$9 million.

Certifying levees to meet FEMA requirements will entail major coordination of efforts and funding due to the District's size and number of facilities. Certification of levees is necessary to ensure properties are correctly designated in regards to FIRM floodplains

CUCAMONGA #6 BASIN

Funding Request: \$3 Million

Estimated Total Project Cost: \$20 million

In general the proposed project would include the engineering and reconfiguring existing interim basin and channel area in the Cucamonga Basin #6 and Spreading Grounds area, southerly of the 210 freeway, between Campus Avenue on the west and Cucamonga Creek on the east. These improvements will provide 100-year flood protection for the downstream community by attenuating storm flows. In addition, the improved basin will capture the flows in a more efficient manner for the groundwater recharge activities of the San Antonio Water Company and the Cucamonga Valley Water District and will allow environmental enhancements including wetlands and habitat re-establishment.

Project Description: The proposed project would include the construction of one DETENTION BASIN, approximately 60 acres in size with 500-acre foot storage capacity, interconnecting channel work to an existing lower basin and a new outlet to the Cucamonga Creek Channel. This system would enable storm flows to be collected from the upstream tributary areas in north

Upland and from the newly constructed freeway drainage system and convey the flows safely through the two basins and channel into the previously improved Cucamonga Creek Channel.

The inflow to the Cucamonga Basin #6 and Spreading Grounds is approximately 4,000 cubic feet per second (cfs) and must be reduced to 2,400 cfs at its point of entry into the Cucamonga Creek Channel per the Army CORPS of Engineers. The proposed basin would be formed by a combination of reconfiguring an existing basin created by previous sand and gravel activities and the construction of a State jurisdictional dam at the easterly end of the basin to force flows to pond to a depth of approximately 40 feet. Storm flows would be detained in the basin and metered out through an outlet drain in a safe and efficient manner.

Water impounded in the basin will percolate resulting in enhanced groundwater recharge for the area. Two local water agencies that hold water rights in the project area, the San Antonio Water Company (SAWCO) and the Cucamonga Valley Water District (CVWD), are very supportive of this basin improvement as it will enhance water recharge and guarantee a location for water recharge to be accomplished for many years to come.

The two basins and the inner-connecting channel system, other than for a short section of the channel, which will be an underground drain, will be a soft bottom trapezoidal channel. Approximately, 25 acres of the basin floor will be re-vegetated with riparian plants to recreate a wetlands environment. It is anticipated that the wetland environment created by the project would assist in filtering water before being recharged in the underground aquifer and also provide resting and nesting areas for mitigating birds.

The project also allows for future enhancements. Basin and channel side slopes should be vegetated with native plant species to control erosion and to expand and restore habitat for small animals. Recreational trails could be established along the upper perimeter of the basin and channel as well as through some of the basin area to provide for walking, biking and equestrian uses. Preliminary estimates show a cost of \$20 million to design, obtain environmental clearance and construct the basin. Water impounded in the basin will percolate resulting in enhanced groundwater recharge for the area. Two local water agencies that hold water rights in the project area are supportive of this basin improvement, as it will enhance water recharge and guarantee a location for water recharge to be accomplished for many years to come.

DEER CREEK DEBRIS BASIN

Funding Request: \$6.2 Million

Estimated Total Project Cost: \$7.4 Million

In the fiscal year 2001-2002 the California State Department of Water Resources coordinated a study between various interested agencies including the U.S. Army Corps of Engineers (USACE). Although there was substantial disagreement during the study among the participants, the USACE projected that the basin was at 8% less capacity than the design needs for a substantial flooding event. With substantial rain occurring only two years after the fires, the basin performed well. However, the San Bernardino County Flood Control District (District) determined that it would be prudent to add capacity to the basin, enough capacity to satisfy all of the study participant's concerns.

The County has completed an informal survey of the basin and estimates the cost at \$6.2 million to expand the basin to 310 acre-feet, the standard capacity for Corps facilities.

WEST FONTANA CHANNEL AND BASIN PROJECT

Funding Request: \$5 Million

Estimated Total Project Cost: \$39.14 Million

In 1987 the San Bernardino County Flood Control District, in cooperation with the cities located within the District's Zone 1, developed and implemented a Project Participation Point Formula. The Project Participation Point Formula established criteria evaluating and ranking as to priority of future flood control projects in each city in Zone 1. Of the seven priority projects four have been completed. The current top priority project, West Fontana Channel, is unique since it spans both Zone 1 and Zone 2. The West Fontana Channel project is located in the City of Fontana and unincorporated areas. The channel protects parallel train tracks and residential neighborhoods. Much of the area has been developed for a substantial amount of time.

Project Description: The project consists of construction of an open-channel storm drain within District right-of-way and easements from the Banana Basin easterly to Juniper Avenue. The project included a concrete-lined open channel, associated catch basins with connector laterals, future drain stub outs, culvert crossings at street intersections, necessary appurtenant work inlet structure at the easterly side of Juniper Avenue and outlet facilities in the Banana Basin. The project also includes a basin for water recharge.

Land development has increased dramatically and has resulted in flooding issues increasing the need and desired timeline for the completion of this project. The channel parallels railroad lines, which carry passenger trains including the Metrolink Rail into Los Angeles. The project is set to be built in phases due to funding limitations. The current estimated total cost for the project is \$39.14 million.

- Mitigation for entire project \$ 1.8 Million
- Phase I - Banana to Cherry \$ 8.4 Million
- Phase II – Cherry to Beech & Basin \$13.1 Million
- Phase III – Beech to Citrus \$ 2.6 Million
- Basin right-of-way \$ 13 Million

CACTUS BASINS PROJECT

Funding Request: \$2.5 Million

Estimated Total Project Cost: \$31.5 Million

The Cactus Basins project is located in the City of Rialto. Much of the area downstream of the basins is residential. Effort is underway to improve and expand the Rialto Channel System in several phases to its ultimate demand capacity to accommodate the increased flows conveyed by the newly constructed Cactus Channel, north of the new CA210 Freeway. Caltrans and San Bernardino Associated Governments (SANBAG) completed Cactus Channel in December 2004.

One of the most important elements of the Rialto Channel system is the Cactus Basins. These basins are crucial due to the sudden increased run off concentrated into the system from the CA210 Freeway and Cactus Channel project. In October 2004, the system experienced severe flooding which damaged private property walls and fences along the channel downstream of the basins.

Project Descriptions: The District is currently designing the expansion of Basin #3 and the plans are in the final stages of review. Ultimately the expansion of Cactus Basins #4 and #5 will also be a part of the system improvement. Preliminary designs have been established for those

two basins. The current construction cost for all three basins is estimated at \$31.5 million. Construction is currently dependent upon availability of funds. Basin #3 is critical to flood prevention and will be built first. The current cost estimates for Basin #3 is just under \$10 million. Construction is scheduled for Spring 2009. There are currently many locations along the Rialto Channel that are not adequate to handle regional flows during storm events. Damage has occurred along the channel and the improved basins could dramatically reduce potential flooding downstream.

DESERT KNOLLS WASH, PHASE II AND III

Funding Request: \$13.45 Million

Estimated Total Project Cost: \$13.45 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 proposed improvements include improving the existing channel into a rock-lined channel. Phase II is from Apple Valley Road east to Tuscola and is estimated to cost is \$4.4 million. Phase III is from the existing concrete channel west to the Mojave River and is estimated to cost \$9.05 million.

Project Description: The District is working with the Town of Apple Valley and the Lewis Educational Center to develop plans that will meet the requirements of the Regional Water Quality Control Board (RWQCB). The Lewis Educational Center applied for and was denied a funding request for the construction of this project under Proposition 50, California River Parkway Grant.

ORO GRANDE WASH PROJECT

Funding Request: \$10.8 Million

Estimated Total Project Cost: \$10.8 Million

The City of Victorville has experienced rapid development in recent years creating a need for increased flood protection. Infrequent thunderstorms of high intensities recently caused significant flooding damages near Mojave River and the Oro Grande Wash area. Since the existing Army Corps of Engineers constructed drainage facility, 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: This basin would be a part of a series of basins, which will be required upstream to reduce the peak flows. The District and the City of Victorville are working together to design the basin. The basin has a preliminary estimated cost of \$10.8 million. This project will help protect the surrounding community from flooding.

HESPERIA BASIN PROJECT

Funding Request: \$20.7 Million

Estimated Total Project Cost: \$20.7 Million

Hesperia Basin was identified in the Hesperia Master Plan of Drainage as a priority facility for construction due to the projected development, which continues to take place at a very rapid rate. At the request of the California Department of Water Resources (DWR), the study considered the closure of several existing drop inlets along the California Aqueduct. The

closures were planned by DWR to increase the capacity of the aqueduct and to improve the quality of the imported water.

Project Description: The proposed basin will mitigate the additional flows generated by the upstream development and safely convey these flows to the existing aqueduct over-crossings. The basin is proposed to be located just south of the California Aqueduct at DWR Station 1890+00 (PM 397.3), between Bandicoot Trail and the Edison Easement, in the unincorporated area of San Bernardino County. This project would be a joint effort with DWR. They are currently reviewing the preliminary design and study submittal. The current cost estimate is for \$20.7 million.

RANCHERO BASIN PROJECT

Funding Request: \$20 Million
Estimated Total Project Cost: \$20 Million

The Antelope and Victor Valleys continue to experience rapid development in recent years, creating a need for increased flood protection. The construction of Rancho Basin has been identified as a priority facility in the Hesperia Master Plan of Drainage Study. The City of Hesperia has a grade separation and realignment project for Rancho Road.

Project Description: This project is in the final design phase and should be going to construction in the next year or so. The alteration of this road is just north of the proposed Rancho Basin site. Originally the basin and road were to be combine using the road as a levee for the basin. This idea was eventually changed and the projects were split. The San Bernardino County Flood Control District is currently designing the basin. The basin has a preliminary estimated cost of \$20 million. This project will help protect the new road as well as the surrounding community from flooding.

WATER CANYON BASIN PROJECT

Funding Request: \$2.8 Million
Estimated Total Project Cost: \$6 Million

As a result of the 2006 Sawtooth & Millard fires in the Morongo and Yucca Valley areas, Natural Resources Conservation Service identified a project to construct a basin to intercept and collect post fire debris and flows in the Water Canyon watershed area. Per the Town of Yucca Valley Master Plan of Drainage, a detention/debris basin at the mouth of the Water Canyon watershed is proposed, which will substantially reduce debris and peak flows eliminating the threat to communities downstream.

Project Description: The San Bernardino County Flood Control District requests funding for costs associated with the engineering and construction of the detention/debris basin in order to provide a dual purpose for the District which is provide water recharge and minimize the potential for disaster from a similar event in the community.

DONNELL BASIN PROJECT

Funding Request: \$3.5 Million

Estimated Total Project Cost: \$3.5 Million

Loss of life and considerable damage to streets, structures and homes in the City of Twentynine Palms were caused by major flash floods in 1958, 1960, 1974, 1978 and 2003. Flash floods are especially perilous to motorists caught in number of low water crossings, due to combination of desert precipitation and steep topography of the area. Within the last several years, three fatalities have occurred in low crossings. Based on the Twentynine Palms Master Plans of Drainage Study, the existing Donnell Basin would need to be expanded to act as a detention basin to reduce flows downstream.

Project Description: A decrease in downstream flows will provide safer crossings and conveyance system for motorists at Adobe Road, Utah Trail and the Amboy Road Bridge. The basin project is estimated to cost \$3.5 million dollars and is currently in design. Flash floods are perilous to motorists caught in number of low water crossings. Expansion of this detention basin would reduce flows downstream and provide safer crossings.

PROTECTION LEVEL FOR FLOOD CONTROL INFRASTRUCTURE

The recent approvals of Propositions 84 and 1E are requiring the State to develop a State Flood Plan. One of the elements being considered within the plan is the requirement that flood control facilities must be built for a 200-year storm event. Currently most flood control districts use a 100-year storm event as the design criteria for regional facilities. Methodology used to derive a 100-year storm hydrology varies per region. Using FEMA guidelines/criteria as a base will make the minimum level of protection in the State consistent and allow individual entities to continue using their more conservative methods. Increasing the requirement to a 200-year event especially without guideline definition would place an incredible financial burden on all flood control districts within the State and compounds the existing issues of aging infrastructure and lack of funding mechanisms to repair, replace and build adequate flood control systems.

Legislative Position: Limit the required flood control protection to a 100-year storm event as defined by FEMA guidelines in the State Flood Plan.

CLARIFICATION OF THE STATE FISH AND GAME CODE (SECTION 1601)

The State government passed the State Fish and Game Code (Section 1601) to prevent and reduce streambed alteration, which can disturb natural species. Resource agency narrow interpretation of Section 1601 of the State Fish and Game Code has limited local agencies ability to repair and maintain their various types basin and channel facilities. Flood Control Districts have been impacted the most by the interpretations since they have not been allowed to clear and repair basin and channel facilities. These facilities must be routinely cleared and repaired prior to the beginning 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 dire risk to life and property

Legislative Position: Clarify or limit interpretation of the State Fish and Game Code (1601) to allow regular maintenance of flood control and other public facilities.

AMENDMENT TO PROPOSITION 218 (THE RIGHT TO VOTE ON TAXES INITIATIVE)

The State voters passed Proposition 218 in 1996 to restrict the ability of local governments to charge fees without voter approval. In general, the intent of Proposition 218 is to ensure that all taxes and most charges on property owners are subject to voter approval. In addition, the Proposition seeks to curb some perceived abuses in the use of assessments and property-related fees, specifically the use of these revenue-raising tools to pay for general governmental services rather than property-related services. Flood Control Districts have therefore been limited in their ability to charge fees for flood control and storm water programs. Legislation that would amend the California Constitution to exempt fees and charges for flood control and storm water programs are needed.

Legislative Position: Amend the California Constitution to exempt fees and charges for flood control and storm water programs (flood).

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.

Though California taxpayers approved Propositions 84 and 1E, creating funding directed at flood control issues; most of the funding is focused on the Delta/Central Valley region. In addition, funding is concentrated on floodplains and levees. The current program sets very limited allowance for infrastructure construction projects, which is an issue throughout the State. Most grants limit the use of funds for infrastructure.

Legislative Position: Develop State and Federal funding sources for the repair, improvement and construction of flood control infrastructure projects outside the Delta/Central Valley region.

ELIMINATION OF UNFUNDED MANDATES

For many years State and Federal agencies have developed various mandated programs and requirements that local governments are forced to implement, while not providing funding to support those actions. Imposing those programs and requirements has resulted in taxing already strained budgets of local jurisdictions.

The most recent example is the FEMA levee certification requirements as part of FEMA's map modernization project. All local jurisdictions are required to certify levees shown as providing flood protection. Though the project will cost local governments millions of dollars each, the State grant allocated to the program covers only a fraction of the geotechnical costs. In addition, the mandated program requires local governments to complete the program in a very short timeframe, resulting in the need to delay other critical projects. Those jurisdictions not able to abide by the requirements or timelines may be penalized in their FIRM designations. This could cause property owners to be placed in flood zones and have to pay thousands in flood insurance.

Legislative Position: Develop legislation that limits the ability of State and Federal agencies to mandate programs or requirements without providing a funding mechanism to support those programs and requirements.

AMENDMENT TO THE CLEAN WATER ACT (SECTION 401 AND 404)

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 local agencies ability 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: 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.

CULTURAL, EDUCATIONAL, AND RECREATIONAL SERVICES

THE CALIFORNIA LIBRARY SERVICES ACT

County Library

Funding Request: \$10 Million

Estimated Total Project Cost: \$10 Million

The California Library Services Act provides funding to public libraries through the State Library. The Act promotes resource sharing and reimburses public libraries for loans to people living in other library jurisdictions. In FY 2006-07 the Governor reduced the amount of funding for reimbursements from \$21 million to \$10 million; Due to the demographics of the County- resource sharing is significant amongst the County Library and the seven independent libraries within San Bernardino County as well as all of the libraries within Riverside County. Further reductions in funding may discourage libraries from lending resources to neighboring libraries residents.

Project Description: Support legislation or budget actions that will fund the California Library Service Act.

PUBLIC LIBRARY FOUNDATION (PLF) PROGRAM

County Library

Funding Request: \$13 million

Estimated Total Project Cost: \$13 million

The Public Library Foundation (PLF) was established by the State Legislature in 1983 to provide State Aid to local libraries. As an item in the State budget the PLF allocation is subject to the extensive budget negotiation process. It is a straight per capita formula. The maximum amount allocated to the Fund was \$57 million in FY 2000-01 and 2001-02. Since that time it has declined to \$13 million; a 78% reduction. The County's allocation has been reduced during that same time period from \$1.8 million to \$407,000; a \$1.4 million dollar decrease. As part of the continuing reduction of this fund, the Governor reduced the allocation from \$21 million to \$13 million for FY 2007-08.

The County Library has utilized these funds to purchase books for its libraries. The significant decline in this funding has precluded the library from purchasing enough materials to meet the demand and in times of recession, the demand for materials in public libraries increase as more people turn to public libraries for assistance.

Project Description: Support legislation or budget actions that will fund the Public Library Foundation Program.

MUSEUM HALL OF GEOLOGICAL WONDERS EXHIBITIONS AND PROGRAMS

County Museum

Funding Request: \$1 Million

Estimated Total Project Cost: \$5 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 museums provide contemporary exhibitions, modern museum collection care, diverse learning programs, and greater opportunities to a growing region for public education and appreciation of regional natural and cultural heritage.

Project Description: 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 that through the vision of the County Board of Supervisors several significant accomplishments towards enhancing visitor's service and modernizing the Museum's facilities are in progress or completed. One pivotal capital improvement has been the Board of Supervisors funding for construction of the Museum's 12,000 square foot Hall of Geological Wonders. This new museum wing, when completed, will be the benchmark for enhancing exhibitions and public programs for visitors, and benefit the region economically.

SANTA ANA RIVER WATERSHED INTERPRETIVE PROJECT

County Museum & Regional Parks

Funding Request: \$600,000

Estimated Total Project Cost: \$1.2 Million

The San Bernardino County Museum is the foremost cultural and natural history museum in the region, offering a rich visitor experience and interpretation of the region's priceless resources. Through the Museum's high standards of collections care, site preservation and conservation, unique exhibits and exciting education programs, the Museum is a critical resource because of its collections, staff, education, and research programs to formally interpret the Santa Ana Watershed to Southern California residents. With the Museum's proximity to the river and its long standing commitment in educating the residents of the region regarding the Santa Ana River Watershed history and current value, the Museum is an excellent venue to exhibit the watershed's significances and develop interpretive materials and kiosks throughout the watershed landscape which would depict the cultural and natural heritage that serves the region.

Project Description: The Santa Ana River Watershed interpretive project is a proposed plan to interpret the cultural, historic, biologic, and geologic past and present of the Santa Ana River Watershed. The story platform will center on the unique natural resource qualities of the watershed and the importance of the watershed culturally, and historically. In addition, the human value economically, culturally, and esthetically will be interpreted.

The Museum professional staff will develop two programmatic venues. The first venue will be a Santa Ana River Watershed exhibition at the San Bernardino County Museum. This museum exhibit will serve as a staging area so museum visitors will receive both a 2D and 3D detailed perceptive of the spatial area of the watershed environment, and what unique features define the watershed area and the river.

A series of maps, displays and objects will be presented to the museum visitor on the diversity of the watershed, both in its natural landscapes, and its rich resources. In addition to the dioramas at the County Museum, the museum visitor will be able to gain further knowledge by taking maps, printed material and site guides from the museum exhibit and continue the learning experience during field trips to many locations in the watershed.

The second element of this project will be to develop a chain of locations among the watershed and river environments to provide visitors a personal perspective of actual natural and cultural settings or contacts with historical events or geologic processes. The Museum intends to identify key features of the watershed and river environment, and with collaboration with the U.S. Forest Service, San Bernardino Public Works, and those municipalities within the watershed, present stories and explanations through kiosks, and interpretive signage at vistas or information points along existing trails, highways and roads.

MOJAVE RIVER WATERSHED INTERPRETIVE PROJECT

County Museum & Regional Parks

Funding Request: \$600,000

Estimated Total Project Cost: \$1.2 Million

The San Bernardino County Museum is the foremost cultural and natural history museum in the region, offering a rich visitor experience and interpretation of the region's priceless resources. Through the Museum's high standards of collections care, site preservation and conservation, unique exhibits and exciting education programs, the Museum is a critical resource because of its collections, staff, education, and research programs to formally interpret the Mojave River Watershed to Southern California residents. With the Museum's proximity to the river and its long standing commitment in educating the residents of the region regarding the Mojave River Watershed history and current value, the Museum is an excellent venue to exhibit the watershed's significances and develop interpretive materials and kiosks throughout the watershed landscape which would depict the cultural and natural heritage that serves the region.

Project Description: The Mojave River Watershed Interpretive project is a proposed plan to interpret the cultural, historic, biologic, and geologic past and present of the Mojave River Watershed. The story platform will center on the unique natural resource qualities of the watershed and the importance of the watershed culturally, and historically. In addition, the human value economically, culturally, and esthetically will be interpreted.

The Museum professional staff will develop two programmatic venues. The first venue will be a Mojave River Watershed exhibition at the San Bernardino County Museum. This museum exhibit will serve as a staging area of the watershed environment, and what unique features define the watershed area and the river. A series of maps, displays and objects will be presented to the museum visitor on the diversity of the watershed, both in its natural landscapes, and its rich resources. In addition to the dioramas at the County Museum, the museum visitor will be able to gain further knowledge by taking maps, printed material and site guides from the museum exhibit and continue the learning experience through field trips to many locations in the watershed.

The second element of this project will be to develop a chain of locations among the watershed and river environments to provide visitors a personal perspective of actual natural and cultural setting or contact with historical events or geologic processes. The Museum intends to identify

key features of the watershed and river environment, and with collaboration with the U.S. Forest Service, San Bernardino Public Works, and those municipalities within the watershed, present stories and explanations through kiosks, and interpretive signage at vistas or information points along existing trails, highways and roads.

UPLAND SPORTS PARK AND COMMUNITY CENTER COMPLEX

Regional Parks

Funding Request: \$2 Million

Estimated Total Project Cost: \$50 Million

Project Description: The 42-Acre Upland Sports Park and Community Complex will include a 40,000 square foot Community Center, tennis courts, basketball courts, baseball fields, and eight AYSO soccer fields. The Community Center will be the crowing jewel in the City's recreational amenities. The overall Complex is a regional facility providing services to residents in the cities of Upland, Claremont, Montclair, Rancho Cucamonga, as well as large unincorporated areas in San Bernardino and Los Angeles Counties. The Complex will provide basketball courts, classrooms, meeting rooms, rental halls, emergency shelter, homework labs and a teen center.

The park is located in proximity to the CA210 freeway, and immediately adjacent to residential and commercial developments. Therefore, residents in the vicinity will have direct pedestrian and vehicular access to the park, therefore promoting multi-purpose trips (chain-trips) and reducing overall trip-lengths.

The Sports Complex project is estimated to cost \$30 million and the Community Center component is estimated to cost \$20 million. Regional Parks is requesting \$2 million to continue with design and environmental review efforts.

YUCAIPA VALLEY REGIONAL SOCCER COMPLEX

Regional Parks

Funding Request: \$728,000

Estimated Total Project Cost: \$1.6 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 compliment 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: Completion of Phase II includes an internal roadway and parking lots (\$728,000) and the upgrading of the primary access road from Oak Glen Road to the Soccer Complex (\$850,000). Both of these components are needed to provide safe, unimpeded, all-weather public access to and from the complex.

MOABI REGIONAL PARK CHANNEL REHABILITATION

Regional Parks

Funding Request: \$2 Million

Estimated Total Project Cost: \$6 Million

In order to facilitate water flows year round, eliminate health risks and provide increased access to the River for safety and emergency events, Regional Parks proposed improvements to Moabi's inlet and outlet channels. The Moabi Regional Park Channel Rehabilitation is estimated at \$ 4 million. The Flow Structure Removal and Bridge Installation are estimated at \$2 million.

Project Description: The Moabi Regional Park Channel Rehabilitation project entails the dredging of channel inlet 300' to 400' from the River up to the abandoned flow structure thus removing approximately 4'-0" of silt. Also, dredging will need to occur at the current Marina access inlet/outlet to eliminate a large sand bar that restricts water traffic even at high river flows. The Flow Structure Removal and Bridge Installation will reconfigure the existing and abandoned flow structure will entail the complete removal of three (+/-) 48" VCP inlet pipes and removal of the water flow control structure. After the dredging and widening of the inlet, the design and installation of a two-lane (24'-0" minimum) span constructed vehicular bridge. The bridge will allow Park campers continued vehicular access to Peninsula site one through 16. Analysis of the upper inlet area indicates that a (+/-) 120 lineal foot bridge, constructed 26 to 30 feet wide, with a standard pile and pile cap arrangement, in three-40 foot sections would adequately allow clearance for 85% to 90% of all boat traffic on the river. It will also eliminate approximately 20 minutes of emergency response time for the Sheriff and create more access to the Moabi Marina.

EARTHQUAKE PARK, JOINT VENTURE W/MUSEUM & REGIONAL PARKS

County Museum & Regional Parks

Funding Request: \$1,500,000.00

Estimated Total Project Cost: \$1,500,000.00

Earthquake Park is a public partnership effort developed to educate the residents and visitors to our 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, San Bernardino County. The education and interpretive efforts will include geological, historical, anthropological, biological programming. The Earthquake Park will become a unique partnership and educational experience for the K through 12 youth and adults who participate in the programs and tours of the Cajon Pass. Further, interpretive exhibitions will be available at the Hall of Geological Wonders at San Bernardino County Museum, and informational kiosks at Glen Helen Regional Park where visitors will learn about the unique San Andreas Rift Zone. In addition, visitors to the Cajon Pass will discover a natural path created by tectonic processes that has for thousands of years facilitated human travel and commerce from north to south and east to west. Its rich natural and cultural history is well suited to interpretation through the implementation of an earthquake park. Visitors will receive an exceptional look at the phenomenon of earthquakes, this area of Southern California, and the biological and cultural aspects of the area and will realize why the Cajon Pass is one the most distinctive regions in North America.

Project Description: Earthquake Park is a unique geologic setting distinctive for its natural, historical, cultural, and educational resources, is located in the Cajon Pass region of the San

Bernardino National Forest. The public partnership will include collaborations between the U. S. Forest Service, the San Bernardino County Museum, and San Bernardino County Regional Parks. The Earthquake Park will serve student groups and the public by providing opportunities for multi-disciplinary education, on-site interpretation, and earthquake preparedness through understanding the influence of earth dynamics and their impact on humanity.

The Earthquake Park project will provide a physical venue to illustrate the cause and effects of seismic activity. Seismic routes will be mapped, including driving trails, and interpretative features would include a slip fault prototype and fossils. Information provided at the Earthquake Park venue would link directly to the Museums new Hall of Geological Wonders, which will display the San Andreas Fault, its effect on the region and its fossil riches. Additionally, Glen Helen Regional Park would serve as the gateway to the Earthquake Park venue with interpretive kiosks, information packets, and maps so visitors can explore the riches of the Cajon Pass. This project will offer visitors exposure to this important seismic area of the San Bernardino County, and through programmatic activities, a better understanding for disaster preparedness, personal and home safety, and why preparedness is likely to reduce the overall risk of loss after an earthquake.

The design and creation of the park can be facilitated through one-time funding. This project aligns with potential Seismic Safety Committee goals on a federal and state level.