

COUNTY ENGINEERS  
ASSOCIATION OF CALIFORNIA

# 2019 Annual Report

FIRE STATION 16





## CEAC'S Purpose

The County Engineers Association of California (CEAC), formed in 1914, is comprised of county engineers, public works directors, county road commissioners, and professional personnel throughout California's 58 counties. Its purpose is "To advance county engineering and management by providing a forum for the exchange of ideas and information aimed at improving service to the public."

Furthermore, the objective of CEAC is "To accomplish the advancement of engineering methods and ethical practice through networking efforts of all 58 counties in the state." Through discussion, interchange, and dissemination of engineering and administrative data/ideas, the organization shall strive to affect "maximum efficiency and modernization in engineering and administrative units of local government."

Throughout CEAC's history, it has maintained a close relationship with the California State Association of Counties (CSAC) to lend support in policy development and advocacy efforts, thus benefiting counties and their ability to serve their residents.

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# Message from the 2018-2019 President of the County Engineers Association of California

As 2019 comes to a close, it's become more apparent that our role as public works officials and, in particular first responders, is expanding and becoming increasingly challenging. The past few years have brought wildfires, mudslides, earthquakes, rising sea levels, and power outages. The amount and frequency of natural and man-made disasters is increasing, and we are on the front line of protecting our communities and infrastructure. The leadership qualities of CEAC members during catastrophic events have been displayed time and time again, and I'm proud to be a part of an organization of women and men who step up and take on whatever is thrown at them. Well done!

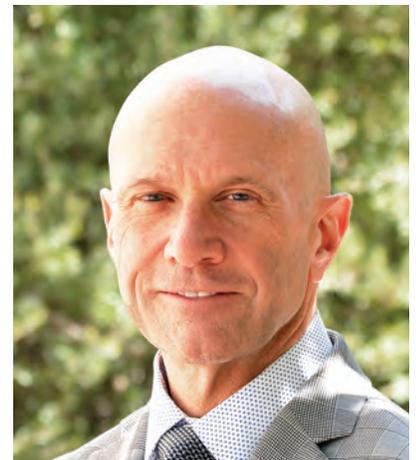
During my year as CEAC's President, I wanted to continue the work that Past President Jeff Pratt initiated: to fully engage our membership in CEAC. CEAC has five standing committees that cover many of our duties: Transportation, Flood Control and Water Resources, Land Use, Resource Recovery and Waste Management, and Surveyor. But we all have other responsibilities that don't fit well in any of our standing committees. For instance, many of us have been seeking reimbursement from CalOES, FEMA, and FHWA for the repairs and clean-ups that have been necessary following natural disasters. Other issues include addressing homeless encampments, human resources issues such as staff development and training, risk management, budget development, disaster preparation/management, public engagement and outreach, interacting with elected officials, alternative contracting methods, and many others.

With this in mind, CEAC has initiated a new Administrative Committee to begin discussing these topics. Many of us are technically trained and feel comfortable designing roadways, bridges, or flood control infrastructure, but equally important is our ability to navigate the administrative functions of our jobs. And a few topics, homelessness in particular, have become a major emerging issue that most of us are dealing with. I'm continually amazed at the range of expertise of our membership, and our committee chair and vice chairs assembled a robust agenda for the Fall Conference to kick-off the discussions. I hope you all attended to add your thoughts and expertise to the conversation. Or simply came to listen and learn.

We also learned this year that California will be hosting the 2021 National Association of County Engineers (NACE) annual conference in Palm Springs. The last time NACE had their annual conference in California was in 2002 and it provides an opportunity for the rest of the nation to see the good work that we do and meet our members. Our own Scott McGolpin, Santa Barbara County, will be NACE President in 2020/21, so the timing is fortuitous. Hosting this event is a major undertaking, and I want to thank all of who have agreed to help in the conference planning. If you haven't volunteered and would like to help, please contact me or Matt Machado from Santa Cruz County and we'll get you involved. If you've never been to a NACE conference, please consider attending the upcoming 2020 conference on April 19-23 in Orange Beach, Baldwin County, Alabama. We're hoping to bring a large California contingent to the conference and spread the word about NACE 2021 in Palm Springs. Hope to see you there.

Thank you for your participation in CEAC. It's the strength of the membership that makes it special.

Jim Porter  
Director of Public Works  
San Mateo County  
2018-2019 President





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PAGE 3 PHOTO: DOWD POUR, PLACER COUNTY.

PAGE 4 PHOTOS: COASTAL CLEANUP, SAN JOAQUIN COUNTY (TOP); EL CAMINO DEL NORTE, SAN DIEGO COUNTY (LEFT);  
MONTECITO DEBRIS FLOW, SANTA BARBARA COUNTY (RIGHT);

# Reflecting on 2019



2019 presented new challenges and opportunities for CSAC and California's 58 counties with a newly elected Governor and Democratic supermajorities in both houses of the Legislature. In addition to the usual legislative and budget advocacy work, CSAC dedicated significant time to building strong relationships with the new Governor's Administration. Many critical issues important to counties remained top priorities throughout the 2019 legislative session, including homelessness, housing affordability and availability, wildfire response and liability protection, and disaster relief.

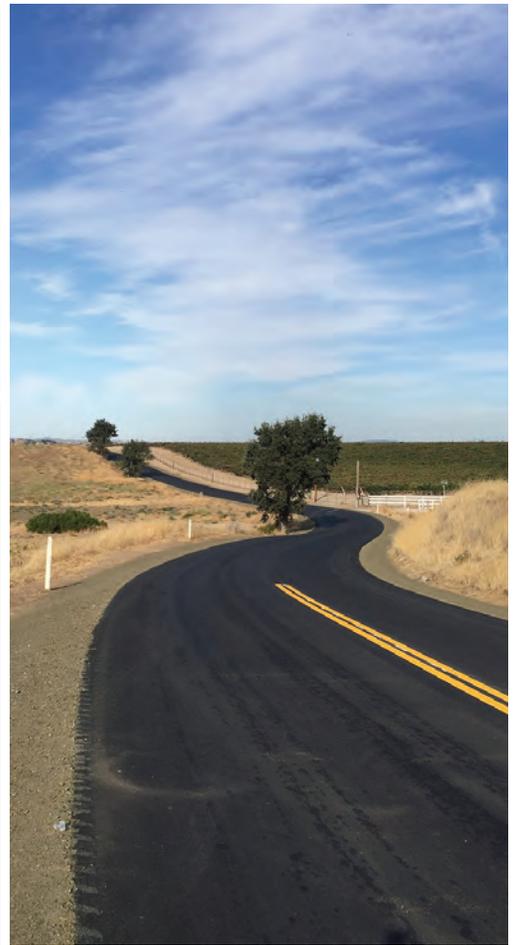
CSAC worked closely with CEAC and transportation coalition partners to continue to protect transportation funding by successfully stopping two proposals that would have linked local SB 1 funding to housing production from moving through the Legislature. CSAC also played an important role in preventing two proposals that would have overridden locally-adopted land use plans from advancing and negotiated amendments to various other land use bills to eliminate or minimize their impact to counties. Additionally, CSAC advocated for housing infrastructure and planning funding through the budget process, which made it into the final budget signed by the Governor.

CSAC also engaged on numerous fronts related to the response to the recent wildfires and other natural disasters. On wildfire liability, CSAC worked to successfully prevent any changes to counties' current legal protections. CSAC was a key supporter and coalition partner on comprehensive wildfire legislation that includes enforcement standards for utility safety measures, protects victims' rights, and balances the impacts on ratepayers. Prevention was another key focus of CSAC's efforts, and CSAC supported several measures that

will improve the state's resiliency to wildfire. Finally, CSAC was instrumental in securing critical funding in the state budget to both help counties recover from disasters and prevent additional wildfires. The success on wildfire legislative efforts was possible through the leadership of numerous counties and a sustained partnership with key coalition members. CSAC is seen as a critical partner and resource on this issue by the new Administration—the technical expertise CSAC is able to bring to the table through our partnership with CEAC is integral to this positive working relationship with the new Administration.

At the federal level, CSAC's advocates, *Paragon Government Relations*, continued to ensure that the voices of California's counties were heard by the Trump Administration and Congress. Successes in 2019 were highlighted by a long-awaited funding package for disaster recovery efforts and numerous other important federal funding initiatives. Counties have also weighed in on significant ongoing efforts, including tree mortality and the highway reauthorization bill.

CSAC was involved in many other issues important to counties throughout the legislative session. CSAC and county advocates successfully secured a \$175 million direct allocation in homelessness funding for counties; led a sustained push to secure a more stable fiscal structure for counties to manage In-Home Supportive Services costs; worked to secure necessary funding to upgrade the 9-1-1 system; and supported various efforts to enhance or protect county revenues. The following policy sections provide greater detail about our 2019 achievements and demonstrate how the collaborative partnership between CSAC and CEAC continues to be powerful. ▲



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PAGE 5 PHOTO: SPRING VALLEY LAKE, SAN BERNARDINO COUNTY (LEFT); FIRE BOMBER, MARIPOSA COUNTY (RIGHT).  
PAGE 6 PHOTOS: MINE ROAD BRIDGE, ALPINE COUNTY (TOP); NORTH COUNTY ROAD, SAN LUIS OBISPO COUNTY (RIGHT); TEXAS HILL, YUBA COUNTY (CENTER); FOOTHILL SLIDE, YUBA COUNTY (BOTTOM).

# Transportation

## Transportation Funding

Following the passage of SB 1, the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017), county engineers around the state got to work implementing projects and CSAC was very active in protecting the bill's \$1.5 billion in annual local transportation infrastructure funding through the defeat of Proposition 6 during the 2018 general election. Technical assistance and public education facilitated by county supervisors, CEAC members, and other transportation stakeholders around the state was vital to informing the voters of the need for sustained funding from SB 1 and the dangers posed by Proposition 6. This legislative session, CSAC strongly opposed efforts to link SB 1 transportation funding to housing production in the January 2019 budget proposal and through AB 1568 (McCarty).

During his first month in office, the Governor proposed withholding transportation funding from local agencies in areas where housing production has not met planning targets. CSAC was successful in working with the Administration and other stakeholders to ensure that the final budget did not link SB 1 funding to housing production. AB 1568 would have withheld and diverted transportation funding from cities and counties under SB 1 if housing production within a jurisdiction did not meet the regional housing needs allocation at each income level. CSAC successfully advocated against AB 1568, which was stopped from moving through the process after it was amended to preclude local agencies from applying for state grants if they were found to be in violation of state housing law.





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## Transportation Legislation

### SB 137 (Dodd) – Streamlining Transportation Projects

CSAC successfully sponsored SB 137 (Dodd), which streamlines environmental review and expedites county bridge and safety projects by authorizing additional exchanges of federal and state transportation funding up to \$100 million annually. Referred to as the match-exchange program, this project streamlining mechanism was previously only available to regional transportation planning agencies with populations below 200,000.

Expanding these match-exchange opportunities for counties and cities had been a long-standing priority of CEAC. CSAC relied on CEAC expertise when working closely with the Legislature, the California Department of Transportation, the California Department of Finance, and the California State Transportation Agency to negotiate amendments and secure passage of the bill.

SB 137 will allow the state and local agencies to reduce the cost of transportation projects and provide for more projects to be completed with the same amount of revenue by expanding the match-exchange program to other transportation programs with federal funds allocated to local agencies, specifically the Highway Safety Improvement Program and local bridge projects. Counties have estimated that going through federal aid process and the National Environmental Policy Act review, in addition to California's robust processes, adds anywhere from fifteen to forty percent to the cost of a project; especially smaller projects.

Implementation discussions have already begun at the Transportation Cooperative Committee, where county public works officials are well represented. CSAC will continue to work with technical experts from county public works departments and Caltrans to ensure successful implementation of this measure. ▲

# Land Use

Land use and housing have been key priorities for the Governor and Legislature in 2019. CSAC worked closely with our local government colleagues and other partners to stop two land use bills from moving and also secured amendments to remove or minimize the impact of others to counties. This legislative session, CSAC also supported various measures to promote housing affordability, which were signed by the Governor. CSAC was also very engaged in the budget process and advocated for additional funding for homelessness, planning, housing production and supporting infrastructure.

## Development Impact Fees

Locally-imposed development impact fees that support public works functions ranging from transportation improvements, to water, sewer systems and flood protection continue to be a major topic of discussion in the Legislature and Administration. At the start of the legislative session, SB 4 (McGuire) and SB 13 (Wieckowski) were introduced with provisions to cap or place additional restrictions and conditions on local governments' ability to charge impact fees for specified housing projects. In anticipation of the June 2019 release of the Department of Housing and Community Development's report exploring residential development impact fees, Assembly Member Grayson introduced AB 1484 with the intention of amending it to include the recommendations outlined in the report.

Throughout the year, CSAC requested that the fee provisions of these bills be removed or delayed until the Legislature and stakeholders have a robust conversation about comprehensive reforms to the Mitigation Fee Act. The fee-related provisions of SB 4 were removed early in the legislative process and the bill's key land use provisions were amended into SB 50 (Wiener), which is a two-year bill. Given the late release of HCD's report in August 2019 and the complexity of the findings and policy options included in it, CSAC continued to ask that the fee provisions of SB 13 be removed and that AB 1484 not include any provisions that would cap fees to allow a broader and more inclusive conversation to occur. While the author elected to make AB 1484 a two-year bill, SB 13 was passed by the Legislature and signed by the Governor.

HCD's residential impact fee report includes recommendations focused on fee transparency, fee structure, fee design, and alternative funding options to improve local financing for infrastructure. CSAC has identified elements of potential reforms that counties can support and will continue to work with the Legislature to support those reforms and oppose changes that impede local governments' ability to mitigate the impacts of new development on infrastructure and services.





**Preserving Local Land Use Authority**

CSAC was successful in stopping or securing amendments to bills that would have overridden locally-adopted plans, including two housing “upzoning” bills. CSAC opposed SB 50 (Wiener) and expressed serious concerns with AB 1279 (Bloom), both of which became two-year bills. SB 50 would have overridden local zoning standards in areas near transit and in higher-opportunity neighborhoods, while AB 1279 would have allowed certain qualifying housing developments to be approved “by-right” in designated high-opportunity communities with lower residential densities.

CSAC was also successful in negotiating amendments to AB 725 (Wicks), SB 330 (Skinner) and SB 592 (Wiener). Early amendments to AB 725 secured by CSAC removed the bill’s applicability to unincorporated areas where infrastructure limitations make multifamily development difficult and expensive. For SB 330, amendments requested by CSAC removed provisions waiving impact fees under certain circumstances, among other changes. Amendments to SB 592 limit the applicability of the Housing Accountability Act to a limited segment of ministerial permit types rather than broadening the Act to encompass all ministerial permits.

**New Tools in CEQA to Promote Housing Affordability**

CSAC also supported a variety of measures to promote housing affordability in 2019. These bills include AB 1515 (Friedman), which ensures that CEQA lawsuits against

community plans encouraging infill development do not put all development pursuant to the plan on hold, and SB 450 (Umberg), which provides a CEQA exemption for the conversion of motels into supportive housing. Both of these bills were signed by the Governor.

**Funding for Housing Production and Planning**

Through the budget process, CSAC advocated for additional funding dedicated to support housing development, especially housing-related infrastructure in unincorporated areas. While counties must plan for their share of housing needs within unincorporated areas, infrastructure limitations often make development cost-prohibitive and difficult. AB 101 (Committee on Budget) includes \$500 million in funding for infill infrastructure, of which \$90 million is dedicated to smaller jurisdictions through a non-competitive program. CSAC successfully advocated for policy changes in the grant program to ensure the definition of infill was broad enough for counties to access funding in unincorporated areas. CSAC also supported components of the bill that include other housing and planning funding for counties, including allocations of:

- \$250 million to support local and regional housing plans
- \$500 million to support low-income housing tax credits
- \$500 million for mixed-income housing development
- \$650 million to address the homelessness crisis, with a \$175 million direct allocation to counties. ▲

# Flood Control and Water Resources Management

Influencing major changes to California's state water law was a major focus of the CEAC Flood Control and Water Resources Committee in 2019. In addition, finding solutions to issues related to storm water funding infrastructure remains a critical issue to county flood control and water resources leaders across the state.

## **State Water Resources Control Board: Dredge and Fill Regulations**

Early in 2019, the State Water Resources Control Board released an updated version of its statewide wetland definition and dredge and fill procedures. These procedures vastly expanded the reach of the state and regional water boards to regulate dredge and discharge in waters of the state, including flood control facilities, and increased wetland mitigation requirement procedures. These regulations are likely to cause significant mitigation costs for flood control projects.

The members and leadership of the CEAC Flood Control and Water Resources Committee were actively engaged with influencing these regulations from their release in early January to their final adoption in August. CEAC members and staff advocated at multiple hearings and through written comment letters about how the proposed regulations could impact the flood control community. Specifically, CEAC advocated for providing exclusion for routine operation and maintenance of flood control facilities. CEAC leaders, in collaboration with a strong coalition of public and private partners, successfully influenced the Water Board and staff to provide these exclusions for routine operation and maintenance of existing flood control facilities. This exclusion will help existing county flood control operations clean out channels and water holding facilities to increase water capacity while limiting potential mitigation costs.



CEAC will continue to work with county flood control managers on the implementation and impact of these regulations through a program to collect data about the impact that these new regulations will have on permit timelines and costs for mitigation.

## **Stormwater Infrastructure Funding**

Stormwater permit costs and compliance issues remained at the top of the list for the CEAC Flood Control and Water Resources Policy Committee in 2019. Committee leaders remained engaged on this issue and have been diligent in supporting the implementation of SB 231 (Chapter 536, Statutes of 2017), which CEAC members successfully advocated for in the prior legislative session. SB 231 provides a route for local governments to raise revenue for stormwater projects in a similar way to waste, sewer, and water service delivery projects. CEAC will continue to advocate on issues related to stormwater funding and support jurisdictions that intend to use SB 231 to help raise revenue for projects.

## **Bills Signed Into Law**

Several water resources bills were signed this year and the Legislature and Administration came to agreement on a funding package to address critical clean drinking water issues. SB 200 (Monning) and the budget build on several years of negotiations and include the creation of a fund with up to \$130 million from cap and trade for ongoing funding to help provide clean drinking water statewide. The Governor also signed the CSAC-supported SB 19 (Dodd), which requires the Department of Water Resources to develop a plan to deploy a network of stream gages to provide better data about California's water and vital ecosystems. The data from this network will help address information gaps and could improve management and conservation of California's water resources. ▲



# Surveying

The CEAC Surveyor Committee focused this year on an update to the *CEAC Guide to Preparation of Records of Survey and Corner Records*. The document is used by surveyors to help minimize difficulty in filing these important documents across California. This update will incorporate changes to the Professional Land Surveyors Act, which was last updated in 2009. In addition, the Committee actively tracked several measures in the Legislature that would have made changes to the surveying profession. The Committee is also pursuing discussions with County Recorders to work together on issues related to county map filings. Finally, the CEAC Surveyors Listserv has been an excellent resource for discussion of complex survey related issues. ▲



PAGE 11 PHOTOS: LITTLE JOHN CREEK, SAN JOAQUIN COUNTY (LEFT); MEADOW LAKES CULVERT, NEVADA COUNTY (RIGHT).  
PAGE 12 PHOTO: PIRU PROJECT, VENTURA COUNTY.

# Disaster Recovery and Resiliency

Disaster recovery continued to be a theme in 2019 in the aftermath of the catastrophic Camp Fire. And, as we close the year, we are again forced to deal with our 'new normal' of extreme weather, power shut downs and more wildfires currently burning across California. It is important to give thanks to the countless first responders, public works officials and county employees that work tirelessly year after year to improve our resiliency and response to these events and work to keep our communities safe. The county family is grateful for your work.

In January, the Legislature renewed its discussion regarding utility wildfire liability as the state's largest utility, PG&E, declared bankruptcy early in the year, and the discussion about who was liable for damages continued throughout the legislative session. CSAC worked successfully to prevent changes to our current legal protections, known as inverse condemnation, by the continued engagement and work with our coalition partners from last year, including victims groups, local governments, consumer attorney groups and others. In addition, counties successfully worked to ensure votes for the passage of a comprehensive deal, AB 1054 (Holden), building on the work of SB 901 (Chapter 626, Statutes of 2018). CSAC's advocacy focused on the rights of victims and local governments.

The comprehensive package achieved these goals by including the addition of enforcement standards for utility safety measures, and assessing when and how costs arising from utility-caused wildfires can be passed on to ratepayers. AB 1054 also provides tools for utilities to manage liabilities, including options for debt management and a more substantial catastrophic wildfire fund. The bill accomplishes all of this while protecting the rights of victims, balancing the impacts on ratepayers, and holding utilities accountable.



## Disaster Relief

In the aftermath of the devastating fires, CSAC worked closely with the Governor's Office and his Administration to facilitate direct relief to counties through budget allocations. The 2019-20 Budget includes nearly \$51 million in relief for local governments impacted by recent disasters. A significant amount of this funding will go directly to counties. That funding includes \$15 million for disaster impacted counties and an additional \$518,000 to backfill property taxes—this is in addition to \$31.3 million provided in AB 72 (Committee on Budget). The Budget also includes \$10 million to support communities impacted by the Camp Fire and \$2 million for the Butte County Fire Department, as well as \$21 million for local disaster and emergency preparedness plans.

CSAC also worked to obtain additional funding for statewide emergency response. This includes funding for public safety power shutdowns, ongoing funding for the state's mutual aid system, additional funds to build a statewide public safety radio system, funding for the final phase of the build-out for the California Earthquake Early Warning System, and funding to support disaster preparedness efforts. In addition, CSAC engaged outside counsel to represent all local governments in front of the Public Utilities Commission to ensure that local governments are adequately notified in the event of the Public Safety Power Shutoff.

CSAC staff ended the legislative session by engaging in several discussions regarding a potential resiliency bond measure that would include funding for local government to prepare for future disasters and help communities become more resilient. SB 45 (Allen), SB 352 (Garcia) and AB 1298 (Mullin) are all bond measures that were made into two-year bills at the end of the legislative session. CSAC staff is working with the authors' offices to ensure that county priorities are reflected in any ballot measure, and we will continue to work to move the bills forward into the second year of session. ▲



# Resource Recovery and Waste Management

Several significant resource recovery and waste issues moved through the legislative and regulatory processes this year. CSAC, with the help and expertise of the CEAC Resource Recovery and Waste Management Committee, was a key supporter of SB 54 (Allen) and AB 1080 (Gonzalez), two tandem measures that would create a statewide goal of a 75 percent reduction of waste generated by single-use packaging and priority single-use plastic products. CSAC advocated for these measures into the early morning hours on the last day of session, but these bills were ultimately held until next year. The CEAC Resource Recovery and Waste Management Committee was a critical voice in responding to proposed amendments and helping to move these measures forward. Counties will continue to advocate for these measures and others that help reduce the stress of the end-of-life management of products on local governments and work to shift that burden onto producers of products.

CSAC staff continued to engage with stakeholders and the Legislature on how to improve domestic markets for our recyclables in light of changing international policies. Staff, with support and input from CEAC, presented to the Legislative Environmental Caucus on the cost impacts of China's National Sword policy and other international market changes. In addition, staff briefed a joint Assembly and Senate legislative staff forum on recycling issues in California. This work was greatly informed by data and specific examples from CEAC Members.



## Regulatory Issues - Organic Diversion

CEAC members continued to engage on implementing organic recycling laws. SB 1383 (Chapter 395, Statutes of 2016) established targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The law also empowers Cal Recycle to create new regulations that implement the program. CEAC Resource Recovery and Waste Management Policy Committee members and staff were actively engaged with Cal Recycle as it developed SB 1383 regulations throughout the year, including providing detailed comments on multiple sets of draft regulations.

Staff worked with Cal Recycle leadership and attended numerous stakeholder meetings to influence the regulations. Both committee members and staff have been working hard to ensure that local governments are given the tools and the timelines necessary to help develop the infrastructure required to manage this portion of waste stream. The formal SB 1383 rulemaking process is expected to culminate in a final set of regulations due by the end of year. Staff, in close partnership with CEAC Members, will continue to work on these pending regulations and the funding that will be necessary for them to be successfully implemented. ▲



# Federal Affairs

*CSAC's federal policy advocates, Paragon Government Relations, describe below the status of a number of federal issues of importance to CEAC.*

CSAC worked closely with our federal advocates and CEAC members to protect and advance California counties' key policy objectives throughout 2019. These collective efforts have resulted in the approval of emergency relief funds for ongoing state and local disaster recovery efforts, continued funding for key federal discretionary spending programs, and the advancement of a number of major bills during the first session of the 116th Congress.

## **Disaster Assistance**

Congress approved earlier this year a long-awaited disaster-aid package (PL 116-20) that provides federal assistance for recovery efforts associated with a number of major disasters that occurred in 2018 and 2019. While the majority of the \$19.1 billion authorized in the legislation is for post-disaster assistance, the Act sets aside funding for various agencies to implement resiliency projects in order to help mitigate damage from future disasters.

Pursuant to PL 116-20, California is eligible to receive emergency assistance through a variety of federal programs, including \$2.43 billion in grant funding through the Community Development Block Grant. The funding can be used for disaster relief, long-term recovery, infrastructure restoration, housing, and economic revitalization. Of this amount, \$431 million is designated to address the unmet infrastructure needs stemming from disasters that occurred in 2017, although approximately \$331 million is set aside specifically for Hurricane Maria grantees. California can tap into the remaining \$100 million to assist wildfire victims, among others.

## **FAST Act Reauthorization**

Earlier this year, the Senate Environment & Public Works Committee approved a five-year highway reauthorization bill (S 2302). The legislation would authorize a total of \$287 billion for road and bridge programs between fiscal years 2021 and 2025, or a roughly 27 percent increase compared to the levels authorized by the FAST Act.

In addition to significant funding increases for traditional core programs, the legislation places a major emphasis

on measures to improve the resiliency of transportation infrastructure. Among other things, S 2302 would authorize \$786 million annually to States via a new formula grant program, with another \$200 million in annual resiliency funding available through competitive grants.

Furthermore, the bill would authorize \$6.6 billion for a new Bridge Investment Program designed to assist local governments in rehabilitating or replacing structurally deficient bridges. Of this amount, half would be guaranteed funding and half would be subject to the annual appropriations process. It should be noted that S 2302 would maintain the current set-aside for locally owned bridges that are located off the federal-aid highway system.

The FAST Act does not expire until September of next year. Accordingly, final action on a surface transportation reauthorization package is not expected to occur until sometime in 2020.

## **FHWA Emergency Relief Program**

At the request of CSAC, Congressman John Garamendi (D-CA) introduced legislation (HR 3193) designed to help safeguard federal funding for disaster-recovery transportation projects. Under the bill, which is cosponsored by 45 members of the California congressional delegation, states and local transportation agencies would have up to six years to utilize FHWA Emergency Relief (ER) program funding to repair or reconstruct federal-aid routes that have been damaged as a result of a disaster.

It should be noted that current federal regulations provide states and localities with a two-year timeframe to advance ER projects to the construction obligation stage. If a project sponsor is unable to meet the deadline, the FHWA may provide the sponsor with additional time if "suitable justification" is furnished to the agency. Under previous Administrations, FHWA routinely granted Caltrans and Local Public Agencies single or consecutive one-year time extensions for projects that could not be advanced to the construction stage due to certain extenuating circumstances, namely the need for extensive environmental evaluation, pending litigation, and/or complex right-of-way acquisition.



Earlier this year, the FHWA denied time-extension requests for a significant number of pre-2017 ER projects in California, an apparent unprecedented move on the part of the agency and one that puts pending projects at risk of being defunded.

### **Secure Rural Schools Act/Federal Land Management Reform**

Earlier this year, the U.S. Forest Service distributed Secure Rural Roads (SRS) payments to eligible jurisdictions. In all, 29 California counties collected nearly \$22.6 million in formula payments, while 10 counties received almost \$4.2 million in 25 percent payments (which are based on a rolling seven-year average of receipts generated on national forest system land), for a total of approximately \$26.8 million. An additional \$2.4 million was made available for federal land projects, or Title II projects, that are identified by local resource advisory committees.

The SRS program is technically expired, and unless it is extended or reauthorized, the aforementioned payments represent the final installment of SRS funding to eligible jurisdictions. In the absence of congressional action, the law reverts to an antiquated payment structure based on present-day timber receipts, which, in total, would result in a significant loss of funding each year to California's rural communities. In the short-term, CSAC has urged Congress to ensure that there is no lapse in funding. At the same time, the association has continued to advocate for a sustainable long-term solution.

### **WOTUS**

In the fall, the U.S. Environmental Protection Agency (EPA) and the U.S. Department of the Army (Civil Works) announced the formal repeal of the Obama-era "Waters of the United States" (WOTUS) regulation. In its place, the agencies are re-codifying the regulatory framework that existed prior to the imposition of the 2015 rule. The official repeal, which has been in the works since the early days of the Trump presidency, will become effective 60 days after publication in the Federal Register.

According to EPA, rescission of the WOTUS rule represents the first step in a two-part process aimed at providing stakeholders with certainty regarding which bodies of water ultimately fall under the regulatory purview of the federal government. The second step - publication of a final replacement rule - is expected to occur sometime in 2020. Earlier this year, EPA and the Corps released a draft WOTUS replacement rule that, in broad terms, would restrict the agencies' regulatory authority to those waters that are "physically and meaningfully" connected to traditional navigable waters.

The latest action by the Trump Administration follows years of ongoing litigation over the 2015 WOTUS rule. Incidentally, multiple lawsuits are expected to be filed in response to the Trump Administration's WOTUS rewrite. ▲



# CEAC Program Update

2019 was another successful year for CEAC's members and affiliates. *Jim Porter*, Public Works Director for Contra Costa County and the 2018-2019 CEAC President, continued in the footsteps of his predecessor, *Jeff Pratt* by keeping the CEAC officers and CSAC staff engaged, and to continue to move forward together as one county voice.

## Conferences

The 2019 CEAC Spring Conference/Public Works Officers Institute (PWOI) was held with the League of California Cities public works department in San Diego County, April 3-5. The event was attended by almost 150 public works officials, private sector engineers and guests, and included 15 sponsors. The Northern California Regional conference, or Bedroll was held at the PG&E Camp Conery near Lake Almanor in Plumas County, August 1-2. The 14th Annual CEAC Policy Conference held at the Capitol Events Center in Sacramento, August 28-29 was attended by 120 registrants, including 10 sponsors. The 34th Annual Public Works Secretarial Seminar was hosted by Sonoma County, May 8-10. The CSAC Annual Meeting hosted by San Francisco City and County was attended by over 110 CEAC registrants including 11 sponsors. *Tim Hens*, the 2019 NACE President from Genesee County, New York attended the conference and provided a NACE update to the CEAC membership. We'd like to thank our Annual Platinum Sponsors for their continued support of CEAC. The Annual Platinum Sponsors include *Dokken Engineering*, *Drake Haglan|Dewberry*, *Ghirardelli Associates, Inc.*, *NCE*, *Quincy Engineering, Inc.*, *T.Y. Lin International*, *Willdan Engineering* and *Wood Rodgers, Inc.*



## Awards

*Jim Porter*, San Mateo County, received this year's Buffalo Bull award for explaining to one of his County Supervisors that "...the flooded Pescadero Marsh is simply very flat and full of sediment. When water comes off the hills it goes into the marsh, but the marsh can't accept much of that water and causes flooding of the road." *Gary Brown*, Mariposa County was presented the CEAC Engineer of the Year award during the CSAC Annual Meeting, and *Ron Garton*, Humboldt County earned the CEAC Surveyor of the Year Award. The Golden Egg Award was given to *Johannes Hoervtsh*, Sonoma County. 2019 was the sixth year of recognizing California's cities and counties with the Outstanding Local Streets and Roads Project Awards at the Spring Conference. County award winners included Los Angeles County as the Overall Winner, and San Mateo as a winner of the Efficient and Sustainable Bridge Maintenance, Construction and Reconstruction category.

## Membership

CEAC recognized *Harry Mavrogenes* as the new Director Public Works for San Benito County, and *Kim MacFarlane* was promoted to Director Public Works for Tuolumne County. In addition to the staffing changes, some notable retirements and life memberships were awarded to *Mike Penrose*, Sacramento County, *Mike Carlson*, Contra Costa County, and *Mark Schleich*, Santa Barbara County. We wish them all well!

## Outreach

CEAC's social media presence is still very active, with regular Twitter and Facebook posts, in addition to continued outreach to the membership via email. ▲



# On the Horizon in 2020



Governor Newsom’s first year in office began with a bold agenda to address major challenges facing California, many of which have significant impacts to public works departments across the state. Housing affordability and homelessness, climate change, and fires that threatened both human life and the stability of California investor-owned utilities all loomed large throughout the year. While major proposals touching on these issues were successfully passed by the Legislature, many components of these complex issues remain unresolved and poised for intensive debate in 2020.

Disaster resiliency will again be at the top of the state policy agenda in 2020. Among key priorities for CSAC will be ensuring that counties impacted by disasters receive state and federal aid and other tools and funding necessary to rebuild more resilient communities. As mentioned in the disaster recovery and resiliency section, three legislative proposals that would ask voters to approve resiliency bond measures to fund pre-hazard mitigation, such as disaster planning and projects — ranging from flood and fire protection to drought mitigation and water quality — were held over until 2020. CSAC will engage in these policy debates to support the passage of a bond measure aligned with county funding priorities.

On the resource recovery and waste management front, CSAC will continue to advocate for funding to implement organics diversion requirements. While major legislative action seeking to significantly limit single-use containers, reduce waste, and improve the California recycling industry stalled in 2019, CSAC and counties will continue to work with advocates and the Legislature and Administration to make progress on this pressing issue.

There will continue to be a strong interest in addressing the affordable housing and homelessness crises in 2020. Major areas of debate will be the fate of two housing “upzoning” bills, reforms to residential development impact fees, and continued work to address the homelessness crisis. Finally, climate change will also be an important area of focus in 2020, as there has been some discussion about revisiting SB 375 (Chapter 728, Statutes of 2008), which directed the California Air Resources Board to set regional targets for reducing greenhouse gas emissions.

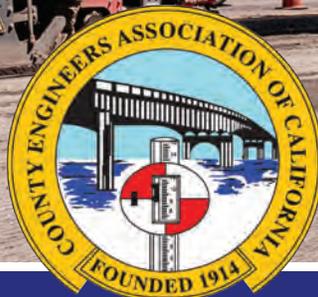
While efforts to directly link SB 1 formula funding to cities and counties with housing production stalled in 2019, Governor Newsom signed an Executive Order to advance emissions reduction goals and incorporate climate resiliency strategies in several state programs, including discretionary transportation funding programs. CSAC and counties, informed by the expertise of our public works leaders, must be at the table as discussions about the intertwined issues of transportation, housing, and greenhouse gas emissions continue in the Capitol.

As we move into the second year of the 2019-20 legislative session, CSAC will continue to work collaboratively with CEAC and the broader county family. Together, we can protect transportation funding, preserve counties’ ability to mitigate impacts from new development, help communities prepare for and recover from disasters, and implement state policies to improve waste diversion and recycling. We are honored to partner with a group of dedicated individuals in achieving these goals, and are proud of the work you do to serve all Californians. ▲



*"The only limit to our realization of tomorrow will be our doubts of today."*

*– Franklin D. Roosevelt*



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