ADOPTED

2011 Interim Policy Resolutions

By the
National Association of Counties
Board of Directors sitting in as
Resolutions Committee

Washington, DC
March 7, 2011

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AGRICULTURE & RURAL AFFAIRS STEERING COMMITTEE

RESOLUTION OPPOSING CUTS TO USDA RURAL DEVELOPMENT PROGRAMS IN FY 2011 AND FY 2012

Issue: Proposed Cuts to USDA Rural Development Programs.

Adopted Policy: NACo strongly supports USDA Rural Development programs and urges Congress to oppose proposed cuts to these programs in FY 2011 and FY 2012.

Background: USDA Rural Development funds a broad range of programs that are critical to rural counties. These programs include funding for water/wastewater infrastructure, community facilities, broadband, electric, telephone, housing, renewable energy and business development. USDA Rural Development programs are increasingly critical to rural communities due to the current fiscal situation.

At a minimum, these programs must be maintained at level funding; especially grant funding in order for rural communities to overcome impediments to economic development. The President's FY 2012 Budget for USDA Rural Development programs provides $2.4 billion in budget authority to support a program level of $36 billion in loans, grants and other assistance. This represents a cut of over $568 million or 19 percent in budget authority from the FY 2010 enacted level. Funding levels for FY 2011 also face the prospect of even deeper cuts. For example, the House of Representatives passed a Continuing Resolution for FY 2011 that will cut the Rural Utilities Service and Rural Business-Cooperative Service by 24% below the President's FY 2011 proposal.

NACo calls on Congress to maintain USDA Rural Development program funding levels in both FY 2011 and FY 2012 at the FY 2010 enacted level of $2.968 billion. This minimum level of funding is needed each year to bolster critical economic development opportunities in rural counties. NACo also supports grant funding for USDA rural water infrastructure and community facilities programs, which are especially critical to economic development efforts in rural communities. NACo supports a funding level of $474 million for Rural Water and Waste Disposal Grants and opposes the Administration's proposal to cut this key program by $59 million or 12 percent. NACo supports $44 million in funding for Community Facility Grants and opposes the administration's proposal to cut the grant program by 13 percent.

Fiscal/Urban/Rural Impact: USDA Rural Development programs are critical to the economic vitality of many rural communities.

Adopted by the NACo Board of Directors
March 7, 2011

COMMUNITY & ECONOMIC DEVELOPMENT STEERING COMMITTEE

RESOLUTION STRONGLY SUPPORTING A FREEZE ON CDBG FORMULA FUNDING AT $3.948 BILLION FOR FY 2011 and FY 2012

Issue: Proposals have been advanced to reduce formula funding for the Community Development Block Grant program (CDBG) to the FY 2008 level of $3.59 billion from the FY 2010 level of $3.948. A proposal from the House Republican Study Group calls for the elimination of all funding for CDBG.

Adopted Policy: The National Association of Counties (NACo) hereby strongly urges Congress to freeze funding in FY 2011 and FY 2012 for the CDBG program at the FY 2010 level of $3.948 billion.

Background: Now in its 36th year, CDBG is arguably the Federal Government's most successful domestic program. The CDBG program's success stems from its utility i.e. providing cities, counties and states with flexibility to address their unique affordable housing and neighborhood revitalization needs. Based on data that grantees have reported to the Department of Housing and Urban Development over the past six years, the CDBG Program has:

- Assisted 865,874 low- and moderate-income households through single-family and multifamily residential rehabilitation, homeownership assistance, energy efficient improvements and lead-based paint abatement;
- Created or retained 259,346 jobs for low- and moderate-income persons through a variety of economic development activities;
- Benefitted 22,998,047 low- and moderate-income households through such public improvements as development of senior centers, centers for the disabled and handicapped, health and child care centers and parks and recreation facilities;
- Benefitted 73,863,286 low- and moderate-income households through such public services as employment and training, youth services, crime awareness/prevention, fair housing activities, mental health services, and services for abused and neglected children.

This is an impressive track record that grantees have compiled in their wise stewardship of CDBG funds.

The House-passed version of the Continuing Resolution H.R. 1 would reduce funding by approximately 60% to $1.5 billion for FY 2011 and HOME by $180 million to $1.65 billion

Any reduction in CDBG funding would severely slow down or eliminate thousands of local and state projects and programs that are directly contributing to local and regional recovery. In this current economic climate the need to create and maintain jobs, as well as providing economic opportunities and services to the less fortunate, is overriding. Maintaining CDBG formula funding at its FY 2010 level of $3.948 billion would go a long way toward maintaining the Nation's commitment to these and other households.

Fiscal/Urban/Rural Impact: Freezing CDBG formula finding is crucial to state and local governments that provide services to communities at the grassroots level.

Adopted by the NACo Board of Directors
March 7, 2011

RESOLUTION ON FY 2012 APPROPRIATIONS FOR THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Issue: Support for FY2012 Appropriations for the U.S. Department of Housing and Urban Development (HUD).

Adopted Policy: The National Association of Counties (NACo) urges Congress to support a freeze in FY 2012 funding for core programs of the Department of Housing and Urban Development at the FY 2010 levels. These include: $3.948 billion in Community Development Block Grant (CDBG) formula funding; $1.825 billion in formula funding for the HOME Investment Partnerships Program (HOME); $1.865 billion for Homeless Housing Assistance grants, plus an additional amount to fully fund expiring supportive housing and Shelter Plus Care rent subsidy contracts; full funding for existing Section 8 project-based and tenant-based contracts; and $275 million in Section 108 Loan Guarantee authority; and $150 million for Sustainable Communities Initiative grants.

Background: The President's FY2012 HUD budget proposes to reduce funding for the CDBG program from $3.948 billion to $3.648 billion (7.5%). It also proposes to reduce funding for the HOME program from $1.825 billion to $1.65 billion (9.6%). It proposes to eliminate funding for Brownfields Redevelopment Program, Rural Housing and Economic Development Program and Empowerment Zones. It would convert CDBG's Section 108 Loan Guarantee program to a fee based program and increase borrowing authority from the current $275 million to $500 million. It includes $150 million for the Administration's Sustainable Communities Initiative and $250 million for the Choice Neighborhood Initiative. The House-passed version of the FY 2011 congressional budget resolution (H.R. 1 – Continuing Resolution) contains approximately 60% cut in CDBG funding to $1.5 billion and a reduction in HOME funding to $1.65 billion. This version must be reconciled with a yet to be considered Senate version. The current FY 2011 Continuing Resolution expires March 4, 2011.

It is important for the federal government to sustain FY2010 funding levels for affordable housing and economic development programs in both FY 2011 and FY2012. Local governments have used CDBG funds for thousands of activities such as expanding homeownership opportunities; eliminating slum and blight; infrastructure improvements such as roads, water and sewer systems; services at libraries, community centers, adult day care and child after school care facilities; homeless housing assistance; employment training; transportation services; crime awareness; and business and job creation. HOME has an impressive track record, too, in expanding the supply of affordable ownership and rental housing. It is expected that the one million HOME-assisted affordable housing units will be completed in the Spring of 2011.

Congressional support of CDBG, HOME, Section 8 and homeless housing programs will sustain the programs' viability and improve local government flexibility in maintaining vibrant communities. The CDBG and HOME programs have been model federal block grants program for expanding affordable housing opportunities and undertaking neighborhood revitalization.

Fiscal/Urban/Rural Impact: Full funding of HUD's core programs is crucial to state and local governments that provide services to communities at the grassroots level.

Adopted by the NACo Board of Directors
March 7, 2011

RESOLUTION SUPPORTING RETENTION OF THE ADMINISTRATION'S FORECLOSURE AND NEIGHBORHOOD STABILIZATION PROGRAMS

Issue: Support federal programs that are intended to prevent and address the foreclosure crisis that has been proposed for elimination in Congress.

Adopted Policy: The National Association of Counties (NACo) urges Congress to support three foreclosure programs – Home Affordable Modification Program (HAMP), the FHA Refinancing Program and the Emergency Mortgage Relief Program and the Neighborhood Stabilization Program 3.

Background: The House Financial Services Committee has proposed legislation that would terminate three Administration programs that address foreclosure prevention—the Home Affordable Modification Program, which has helped 521,630 homeowners modify their subprime mortgages, the FHA Refinancing program and the Emergency Mortgages Relief program that provides funding for up to 12 months for homeowners facing foreclosure. It would also terminate the $1billion included in the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 that provided $1 billion for the Neighborhood Stabilization Program 3. That program provides funding by formula to counties, cities, and states for acquisition, rehabilitation and disposition of abandoned and foreclosed homes to prevent and address blight. These programs are a critical part of a comprehensive approach to addressing the current housing crisis.

Fiscal/Urban/Rural Impact: Continued implementation of these programs is needed as part of a national effort to prevent or address foreclosure.

Adopted by the NACo Board of Directors
March 7, 2011

ENVIRONMENT, ENERGY & LAND USE STEERING COMMITTEE

RESOLUTION ON EXEMPTING RENEWABLE BIOMASS EMISSIONS FROM THE EPA'S TAILORING RULE

Issue: Renewable Biomass Emissions and the Greenhouse Gas Tailoring Rule.

Adopted Policy: NACo supports the permanent exemption of emissions from renewable biomass combustion from the Environmental Protection Agency's "Greenhouse Gas Tailoring Rule" and supports policy that recognizes the full carbon benefits of biomass combustion for energy consistent with established and well-supported science.

Background: During the summer of 2010, the Environmental Protection Agency released a Title V Greenhouse Gas Tailoring Rule that would essentially consider emissions from biomass combustion the same as emissions from fossil fuels.

Scientists and other experts have consistently labeled sustainable biomass energy as "carbon neutral" and "renewable" because forests that produce biomass energy recycle carbon from atmosphere when new trees grow. As the EPA continues the efforts on the Tailoring Rule, counties are concerned that they may reverse a long-standing policy of labeling renewable biomass energy as "carbon neutral" such that the new policy would wrongly treat renewable, carbon-neutral biomass like coal and other traditional fossil fuels. It is important that policy reflect the full benefits of biomass utilization for energy that is consistent with well-supported science.

In January 2011, the EPA decided to postpone rulemaking for 3 years so EPA can gather data and better reflect science on biomass emissions. While counties see the importance of postponing the rulemaking, we recognize that there is now prolonged uncertainty on how biomass emissions will be regulated. This uncertainty will likely deter developers and new investments from making long-term investments in the industry. Furthermore, the outcome of the rulemaking will have an impact on all aspects of the biomass industry (from biomass collection to energy production) which will impact economic growth and opportunity in counties throughout the country. The EPA must recognize the importance of the biomass industry and the critical role it plays in improving the environment, job creation, and allowing our country to reduce its dependence on fossil fuels.

Fiscal Urban/Rural Impact: The construction and operation of biomass plants will provide a means to address forest health. Over the long-term, thinning operations and reduction of combustible materials will reduce fire danger, lower firefighting costs, and help restore forests. New biomass facilities and an increase in biomass demand will boost both job creation and property tax revenues for counties. The size of the impact will depend upon the number and location of biomass facilities.

Adopted by the NACo Board of Directors
March 7, 2011

RESOLUTION ON EPA'S BOILER MACT RULE

Issue: EPA's upcoming Boiler MACT rule.

Adopted Policy: NACo urges Congress and the Administration to oppose EPA's final Boiler Maximum Achievable Control Technology (MACT) rule until accurate data is available and the feasibility of implementation concerns are addressed.

NACo further supports EPA's reconsideration process regarding the Boiler MACT rule provided that local government is involved in the reconsideration process.

Background: In June of 2010, the U.S. Environmental Protection Agency (EPA) published the Boiler Maximum Achievable Control Technology (MACT) rule in the Federal Register. At this time, the data available on boiler emissions was not sufficient to accurately depict the capabilities of today's emission controls on boilers. For example, data on biomass emissions was limited to the point that surrogate data (on carbon monoxide for example) was used to develop the rule. The EPA should use its ability under the Clean Air Act to subcategorize the different types of boilers.

The EPA should also consider the economic impacts of implementing the rule before making it final. Depending on the required annual cost of implementation, local economies will suffer due to businesses having to lay off employees or delaying important capital improvement projects because costs are too high.

The boiler rule as proposed will also have a significant impact on local governments that use boilers or process heaters to produce electricity or heat. It would affect boilers used in county buildings such as courthouses, jails, hospitals, clinics or other institutions that use natural gas, fuel oil, coal, or biomass. Non-county operations such as schools, churches, malls, apartment buildings, and businesses will be impacted.

Fiscal/Urban/Rural Impact: As proposed, the Clean Air Act Boiler MACT regulations impose billions of dollars in capital costs at facilities across the country. Furthermore, the onerous costs on U.S. manufacturers and small business owners will likely lead to the loss of thousands of manufacturing jobs and inhibit job creation in the biomass industry simply because the costs are too high. For counties across America this means a decrease in economic development in the biomass industry and the loss of jobs and tax revenue.

Adopted by the NACo Board of Directors
March 7, 2011

RESOLUTION ON STORMWATER RUNOFF FROM LOGGING ROADS

Issue: A statutory exemption for stormwater runoff from logging roads.

Adopted Policy: NACo supports legislation that enacts into law the Silvicultural Rule.

Background: On August 17, 2010 the United States Court of Appeals for the Ninth Circuit held that a National Pollution Discharge Elimination System (NPDES) permit is required for stormwater runoff from logging roads.

The Clean Water Act (CWA) requires a National Pollution Discharge Elimination System (NPDES) permit for the discharge of any pollutant to any navigable water (AKA "water of the U.S.") from any point source. Since 1973, rules promulgated by the Environmental Protection Agency ("EPA") have distinguished between point source and non-point source pollution in the CWA. Non-point source pollution, which is not defined in the CWA, includes any source of water pollution not characterized as a point source discharge.

Included in the CWA rules is the so-called Silvicultural Rule found at 40 C.F.R. § 122.27(b)(1), which has remained substantially in its current form since 1976. The Silvicultural Rule specifically defines timber "harvesting operations, surface drainage, or road construction and maintenance from which there is natural runoff" to be "non point source silvicultural activities," and thus, excluded from NPDES permitting requirements.

The Ninth Circuit disagreed with the Silvicultural Rule, holding that stormwater runoff that is collected and channeled in a system of ditches and culverts before being discharged into streams and rivers constitutes a point source, and that EPA lacks authority to promulgate a rule to the contrary. The Ninth Circuit stated that Congress has a history of providing specific statutory exemptions for certain categories of discharges. The court went on to say that federal courts have invalidated EPA regulations that provided similar regulatory exemptions.

The Court's decision has potentially sweeping implications. If broadly read, this opinion would require NPDES permits for every road in the country that is served by ditches or culverts that eventually discharge to natural surface waters and that is not already regulated by the CWA.

The court's opinion also leaves many critical questions unanswered. Even if the opinion were limited to logging roads, what constitutes a logging road? Contrary to the court's assumptions of fact, many forest roads, including the roads at issue in this case, are not dedicated just to logging. They are used for a variety of purposes, both public and private, beyond just logging. If this is the case, who is responsible for obtaining these required permits? The court did not address whether the permit obligation rests with the owner of the roads or every entity that transports logs on the roads, or even those using the roads to access the forest for recreation. This Adopted Policy is consistent with current NACo policy that states that stormwater from all roads, gutters and ditches should not be considered a "water of the U.S." under the CWA.

Fiscal/Urban/Rural Impact: If rural county owned roads, such as logging or forest roads, require federal NPDES permits, this will be an unfunded mandate and preemption on county governments.

Adopted by the NACo Board of Directors
March 7, 2011

RESOLUTION ON USFWS WIND SITING GUIDELINES UNDER THE BALD AND GOLDEN EAGLE ACT AND THE MIGRATORY BIRD TREATY ACT

Issue: U.S. Fish and Wildlife Service Wind Siting Guidelines and the Bald and Golden Eagle Act and the Migratory Bird Treaty Act.

Adopted Policy: NACo urges the U.S. Fish and Wildlife Service (USFWS) to reopen the public process and include local governments and consider mitigation and incidental take as they develop the Wind Siting Guidelines under the Bald and Golden Eagle Act and Migratory Bird Treaty Act.

Background: The U.S. Fish and Wildlife Service has proposed and continues to work on guidelines relating to siting wind projects and the requirements pertaining to project development under the Bald and Golden Eagle Act and the Migratory Bird Treaty Act. These guidelines have received little input from stakeholders but will detrimentally impact wind power development across the country. This will limit local economic development and the availability of renewable wind energy. Currently USFWS policy requires:

1. No siting of wind projects within 6 miles of eagle nests;
2. Shutting down wind farms during eagle migratory periods;
3. Possible removal of wind turbines if eagle mortality is documented;
4. Open ended requirements for monitoring and undefined mitigation criteria; and
5. Open ended requirements for the wind industry to fund USFWS research projects.

These requirements are extremely costly and cannot be achieved by developers if they hope to remain viable. Wind power development has been beneficial to many counties across the country (particularly rural counties) by bringing in jobs, tax revenue, and alternative energy.

Counties and other stakeholders should be directly involved with the development of the U.S. Fish and Wildlife Service Wind Siting Guidelines and other guidance documents used to address mitigation and planning around eagles and other birds covered under the Bald and Golden Eagle Act and the Migratory Bird Treaty Act. Counties request that USFWS bring stakeholders to the table when developing policies around wind development so that economic impacts and alternate mitigation may be considered, particularly when the requirements include expensive studies, monitoring, and mitigation.

Fiscal/Urban/Rural Impact: Although it is not known what the full impact will be to counties, failure to include local government and other stakeholder input when developing the siting guidelines could result in a decrease in economic development, particularly in rural counties. Rural counties would lose revenues generated by wind projects as well as the jobs that are created. Urban counties would lose the benefit of the production and availability of clean, renewable energy.

Adopted by the NACo Board of Directors
March 7, 2011

RESOLUTION IN SUPPORT OF GULF COAST RECOVERY AND RESTORATION

Issue: Environmental and economic recovery from the 2010 Gulf Coast oil spill.

Adopted Policy: NACo supports short and long term plans for Gulf Coast recovery. NACo calls on the U.S. Congress to authorize a Gulf Coast Recovery Fund to ensure the environmental and economic recovery of the Gulf region. The recovery fund should be overseen by a Gulf Coast Recovery Council that includes strong local governmental representation. Gulf Coast recovery funds should go directly to local governments.

Background: The *Deepwater Horizon* oil spill (also referred to as the BP oil spill, the Gulf of Mexico oil spill or the BP oil disaster) is an oil spill in the Gulf of Mexico which flowed for three months in 2010. The impact of the spill still continues to impact counties and parishes even after the well was capped.

In September 2010, Secretary of the Navy Ray Mabus released a report entitled: *America's Gulf Coast: A Long-Term Recovery Plan After The Deepwater Horizon Oil Spill*, detailing ideal for a Gulf Coast recovery plan. The Mabus report outlines "a recommendation for establishment of a congressionally mandated governance structure to oversee and implement these and other sources of funding Congress may appropriate with the goal of a coordinated federal, state, and local long-term recovery strategy." Implementation of the Mabus report is a good first step toward addressing local government concerns in the wake of this disaster, as long as local governments are fully involved in the process.

Gulf Coast counties and parishes have been on the front lines of the Deepwater Horizon oil spill containment, cleanup and recovery effort and have advanced hundreds of millions of local taxpayer dollars to respond to the spill. They continue to provide enhanced social services to meet the needs of people affected by the spill and will play an essential role in leading the restoration and recovery of the Gulf Coast environment and economy. Furthermore, the federal government must recognize that counties and parishes have governmental authority and responsibility to their residents and communities, and are not to be treated as subordinate "stakeholders" in the recovery process.

To date, counties and parishes in the Gulf Coast region have been frustrated and disappointed by the federal government's approach to working with local governments in responding to the Deepwater Horizon oil spill. Most recently, President Obama established a Gulf Coast Ecosystem Restoration Task Force that has no local government representation. This has added to the counties' disappointment and furthers the view that the Obama administration does not fully understand or desire to honor the intergovernmental partnership between counties and the federal government. The NACo Gulf Counties and Parishes Oil Spill Task Force was formed in July of 2010 in response to the Deepwater Horizon oil Spill. It is comprised of a number of affected counties and parishes from Texas, Louisiana, Alabama, Mississippi and Florida.

Fiscal/Urban/Rural Impact: Benefits to affected counties if established.

Adopted by the NACo Board of Directors
March 7, 2011

RESOLUTION ON PESTICIDE USE

Issue: National permit program for pesticides.

Adopted Policy: NACo supports H.R. 872, the "Reducing Regulatory Burdens Act of 2011." NACo opposes extension of the EPA's jurisdiction regarding pesticide use in (and around) county streets, gutters, and ditches. Such expansion of authority preempts state and local government authority and creates unfunded mandates. NACo supports using pesticides in accordance with the instructions on the label and supports strong penalties for those who misuse pesticides in FIFRA.

Background: In recent years, federal courts have ruled that aerial application of a pesticide over and into a "water of the U.S." requires a Clean Water Act (CWA) 402 permit, even when the pesticide use meets other requirements of federal law, including the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). In 2009, the courts ruled that the U.S. Environmental Protection Agency (EPA) must move forward with regulating pesticides under the NPDES program. In June 2009, the EPA rolled out their draft permit program, which will be finalized by April 9, 2011.

NPDES pesticide permits would be required for all pesticide discharges near "waters of the U.S." As originally proposed, the pesticide regulations would have a huge impact on state and local government activities associated with public health, land use, forest and park management, flood control, transportation projects, air and water programs, invasive species control, and endangered species protection. The EPA also intended to include monitoring and reporting requirements for applications impacting a specific number of acres. The draft proposal would also allow citizen suits to move forward. This permit will have devastating effects on county programs, particularly mosquito abatement and noxious weed control efforts, creating huge unfunded mandates for both urban and rural counties.

While this is a federal program, 44 states would be required to implement their own program, based on the finalized regulations. Six states' pesticide program would be directly overseen by the EPA. The tight timeframe is concerning for a number of states who must pass the state regulations through their state legislatures. Since these states have yet to see the revised rules, they are at a loss on how to proceed until the rules become final. This is problematic since the state programs become "official" in April 2011, leaving the states (and localities) open for citizen suits. Also, the responsibility for changing the programs to comply with this process falls upon the unit of local government which manages the program. This can be a mosquito abatement district, a cooperative weed management area, or other such district, but is most commonly an extension of county government.

The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) is the principal law that authorizes EPA to regulate the manufacture, distribution, sale, and use of pesticides in the United States. Under FIFRA, the EPA is specifically authorized to: strengthen the registration process by shifting the burden of proof to the chemical manufacturer; enforce compliance against banned and unregistered products; and promulgate the regulatory framework missing from the original law. FIFRA has been extremely effective in regulating the use and sale of pesticides to protect human health and preserve the environment. More importantly, FIFRA does not fully preempt state or local law, allowing state and local governments to also regulate pesticide use. The proposed pesticides NPDES program will create unfunded mandates for local governments and preemptions of local authorities.

This Adopted Policy is consistent with existing NACo policy that states that local streets, gutters and human made ditches should not be considered "waters of the U.S."

Fiscal/Urban/Rural Impact: The fiscal impact could be enormous on counties as they struggle to implement the new pesticides rules, especially for rural counties that have few staff and limited budgets.

Adopted by the NACo Board of Directors
March 7, 2011

RESOLUTION ON RESPONSIBLE MILITARY OVERWATER PRACTICES

Issue: Military sonar use in marine waters.

Adopted Policy: NACo supports focused dialogue and collaboration between counties and the U.S. Military to continue to improve practices and to mitigate impacts to marine mammals, fisheries, local economies, and natural resources.

Background: The military plays a critical role in our national security. However, certain over and on water military operations include deployment of sonar and detonation devices which are known to cause internal ear damage to marine mammals such as whales and pinnipeds. These animals are then disoriented and unable to properly navigate or feed, often beaching on shore. Due to the biological behavior of whales these animals remain together even in perilous conditions, resulting in devastating outcomes to entire pods. Effective measures to locate marine mammal populations before deployment of equipment should be required as well as retrieval of spent chemical and radiation laden materials where and when possible.

Many United States counties have military installations in their demographics which support maritime platforms. These bases are often a boon to local businesses and are an integrated part of their communities; however there are also impacts with regard to noise, accident potential zones, toxic clean-up and land and marine impacts that cause local citizens to approach county officials for assistance in working out collaborative agreements. It is in NACo's best interest to support counties by providing supportive language as guidance for intergovernmental land and water use policy. This resolution seeks to address maritime military training range complexes in relevant states.

Fiscal/Urban/Rural Impact: Fiscal impact to counties is negligible and may actually create a cost savings by providing policy language to guide intergovernmental agreements for environment and land use planning thereby preventing costly law suits. Maintaining healthy marine, shoreline and beach environments are economic fishing and tourism drivers.

Adopted by the NACo Board of Directors
March 7, 2011

RESOLUTION ON OCEAN ACIDIFICATION

Issue: Addressing rising carbon dioxide levels.

Adopted Policy: NACo supports federal funding for continued education and scientific study of ocean acidification.

Background: Ocean acidification is an alarming condition that threatens the health and balance of oceans globally. As carbon dioxide (CO2) levels continue to increase, the resultant effect on calcium based organisms and oxygen producing plankton in the marine environment is to dissolve them, leaving the entire food chain in peril. The anticipated impacts to the fishing and tourism industries are catastrophic.

Fiscal/Urban/Rural Impact: For counties that depend on marine fishing and tourism related industry for their economic base, ocean acidification has devastating financial impacts. Counties nationwide will be affected by the obvious consequences of non-functioning oceans for both economic, environmental and public health reasons.

Adopted by the NACo Board of Directors
March 7, 2011

FINANCE & INTERGOVERNMENTAL AFFAIRS STEERING COMMITTEE

RESOLUTION CALLING ON CONGRESS TO REPEAL EXPANDED 1099 REPORTING REQUIREMENTS

Issue: Form 1099 reporting requirements.

Adopted Policy: NACo supports the repeal of Section 9006 of Public Law 111-148 that expands IRS Form 1099 reporting requirements for counties.

Background: Section 9006 of Public Law 111-148, beginning January 1, 2012, expands the 1099 reporting requirements for counties on payments of $600 or more to vendors for goods and certain services. County governments will need to file the report to the Internal Revenue Service as well as submit a copy to the vendor receiving the payment.

Fiscal/Urban/Rural Impact: Although at the national level, the economic recovery is slowly gaining ground, state and local governments will continue to be fiscally stressed in the near term. As such, county governments must still find ways to do more with less as many are still dealing with the impact of reduced staff sizes and decreased resources. Given these challenges, any new administrative burdens will only create undue strain at a critical, yet vulnerable, stage in the overall economic recovery.

Adopted by the NACo Board of Directors
March 7, 2011

RESOLUTION TO CONTROL THE RISING BUDGET DEFICIT

Issue: Proposed measures to reduce the federal deficit and their effects on counties

Adopted Policy: National Association of Counties asserts the following:

- Congress cannot solve the budget deficit by only cutting domestic, non-military discretionary programs.
- Federal assistance to state and local governments will help mitigate further layoffs.
- Federal investment in state and local infrastructure produces private sector jobs.
- Deficit reduction should not be accomplished by shifting costs to counties (e.g. cuts to Medicaid), imposing unfunded mandates, or pre-empting county programs or taxing authority.
- The National Association of Counties supports maintaining federal financial assistance for county programs at the 2010 fiscal year levels.

Background: As President Obama and the U. S. Congress evaluate alternatives to control the Federal Government's rising deficit, counties are concerned that too much emphasis will be placed on reductions to domestic, discretionary spending programs that will affect the American people. When a recession occurs or the economy falters and there is high unemployment, services at the county level are needed most. Historically, there is a greater need for social services, health care, counseling, job training and local economic development during times like we are facing now. Domestic, discretionary programs are critical to the ability of counties to carry out their responsibilities as service providers for both the federal and state governments.

The current economic climate has translated into diminished revenue streams at the local level. Over the past three years, counties have seen revenue collections drastically diminish. Local governments across the nation are facing a perfect storm through a combination of decreased local tax revenues (primarily property and sales) and major reductions in state financial assistance, while at the same time facing an increased demand for social and health services. As a result, counties of all sizes and in all parts of the nation have been forced to institute significant layoffs, furloughs and service reductions. We anticipate that this climate will continue through at least 2014, and perhaps beyond.

While we are not calling for additional increases in assistance like the 2009 stimulus plan, we are asking the Administration and the Congress to consider the following points as they deal with the difficult issue of deficit reduction:

- YOU CAN NOT SOLVE THE BUDGET DEFICIT BY ONLY CUTTING DOMESTIC, NON-MILITARY DISCRETIONARY PROGRAMS. The current national debt is over $14 trillion. Non-Military, discretionary programs are only 12 percent, or approximately $430 billion, of the annual federal budget of $3.6 trillion. These cuts will not put a significant dent in the deficit. So, why decimate important domestic programs carried out by state and local government that serve our national goals and our common residents?

- FEDERAL ASSISTANCE TO STATE AND LOCAL GOVERNMENTS WILL HELP MITIGATE FURTHER LAYOFFS. According to the Congressional Budget Office, the $800 billion stimulus plan passed in early 2009 provided a boost to the economy that preserved at least 1.4 million jobs. Even with this assistance, state and local governments still had to shed more than 200,000 jobs in 2010. It would have been even worse without the stimulus package. With the stimulus funds running out in 2011, more layoffs are probable this year. With further major cuts in domestic programs, even more reductions are likely, adding to the already high 9.4% unemployment rate.

- FEDERAL INVESTMENT IN STATE AND LOCAL INFRASTRUCTURE PRODUCES PRIVATE SECTOR JOBS. Investment by the Federal Government in county programs such as transportation, water and sewer projects, energy efficiency, rural development, CDBG, PILT, SRS and others produce both public and private sector jobs, has a multiplier effect, and promotes local economic development.

Deteriorating infrastructure is a hindrance to economic expansion, while infrastructure investments unlock untapped potential in our economy leading to higher GDP and increased tax revenues. Counties are responsible for a substantial portion of America's infrastructure – 45% of the nation's bridges, 44% of the roads and highways, one-third of the airports and transit systems, and much of our water and sewer system. We can, therefore, vastly contribute to the creation of jobs and economic recovery.

- DEFICIT REDUCTION SHOULD NOT BE ACCOMPLISHED BY SHIFTING COSTS TO COUNTIES, IMPOSING UNFUNDED MANDATES, OR PRE-EMPTING COUNTY PROGRAMS OR TAXING AUTHORITY. Cost shifting to, or imposing underfunded or unfunded mandates on, state and local government will only exacerbate the current fiscal strain and delay efforts toward economic recovery.

County governments are partners with the states and the federal government in providing important programs and services to the American people. We are working hard, making significant cuts, instituting reforms, and being creative in facing the worst fiscal crisis since the Great Depression. Counties will participate in addressing the challenges our nation is facing and expect the federal government and Congress to do the same without drastically hurting the people we all serve.

Fiscal/Urban/Rural Impacts: Significant for all counties by potential loss of programmatic financial assistance from the federal government.

Adopted by the NACo Board of Directors
March 7, 2011

HEALTH STEERING COMMITTEE

RESOLUTION IN SUPPORT OF CHARITY CARE REQUIREMENTS FOR NON-PROFIT HEALTH CARE FACILITIES

Issue: Charity care requirements for non-profit and tax-exempt health care facilities.

Adopted Policy: NACo supports imposing charity care requirements on non-profit and tax-exempt health care facilities, including standards that measure facilities' access to and utilization of tax-exempt capital, to objectively determine the amount of actual health care providers tender to those in need against the value of tax exemptions that the facilities receive.

Background: County governments across the United States of America are the health care providers of last resort for the most vulnerable indigent and uninsured residents in our neighborhoods and communities. NACo, in efforts to ensure less cost shifting to county governments, supports federal policies, such as adequate Medicaid funding, to assist in providing health care coverage to such residents and reimbursing county health providers for treatment rendered to our nation's most critical populations. Stable and adequate Medicaid funding, in tandem with how other providers assist in caring for uninsured individuals, directly affects county budgets, local taxpayers who fund government operations and those who rely on public and non-profit providers for their health care needs. The United States Congress and many states and counties have considered or addressed issues related to charity care and tax exemptions, seeking to establish fair but objective benchmarks against which hospitals would be measured to determine the granting or renewing of tax exemptions for providing actual charity health care to those in need. Without objective standards to determine the amount of actual charity health care non-profit and tax-exempt health care facilities provide to members of their neighborhoods and communities, county governments cannot accurately access the performance of health care facilities receiving tax exemptions funded by county government taxpayers. The following issues should be considered in crafting appropriate charity care standards: definitions of "charity care" for the purposes of tax exemption qualification and eligibility; guidelines for counties to consider when determining whether a tax exemption applied for by a non-profit hospital should be granted, rejected, renewed or denied; the current and unique fiscal situations confronting states and units of local government today when making recommendations on the appropriate percentage, level or standard of charity care to qualify for tax exemptions.

Fiscal/Urban/Rural Impact: Requiring charity care in proportion to tax exemption will significantly decrease the burden of uncompensated care at county hospitals, both urban and rural.

Adopted by the NACo Board of Directors
March 7, 2011

RESOLUTION IN SUPPORT OF THE HEALTHY FOOD FINANCING INITIATIVE

Issue: Access to Healthy Foods.

Adopted Policy: NACo supports the Healthy Food Financing Initiative (HFFI) and urges Congress and the Administration to authorize and provide adequate resources to implement the initiative in partnership with counties and local jurisdictions.

Background: Roughly 23 million Americans in underserved and low-income communities lack healthy food options and instead frequent fast food and convenience stores selling high-fat and high-sugar processed foods. Underserved and low-income communities lack economic development opportunities and benefits associated with local grocery stores, including the creation of quality jobs and complimentary retail stores and services. Americans in underserved and low income communities have significantly higher rates of obesity, increasing the chances that they will develop serious health problems including type 2 diabetes, heart disease or other chronic health issues. Childhood obesity is a major crisis in many of these communities, affecting over 30 percent of children ages 10-17.

President Obama launched the Healthy Food Financing Initiative (HFFI) in February 2010 in order to tackle this healthy food access challenge. The President's FY 2011 budget included $345 million dollars for HFFI from three agencies – USDA, Treasury, and HHS. These funds would provide loan and grant financing to attract grocery stores and other fresh food retail to underserved urban, suburban, and rural areas; and renovate and expand existing stores so they can provide the healthy foods that communities want and need.

HFFI would attract investment in underserved communities by providing critical loan and grant financing. These one time resources would help fresh food retailers overcome the higher initial barriers to entry into underserved, low-income rural, suburban, and urban areas. It would also support renovation and expansion of existing stores so they can provide the healthy foods that communities want and need.

The Administration's efforts to fund and implement HFFI have been slowed and curtailed due to lack of congressional appropriations and authorizing language. On November 30, 2010, a bipartisan coalition in the House and Senate introduced Healthy Food Financing Initiative bills designed to overcome these hurdles. These bills were introduced with bipartisan support by Sen. Kirsten Gillibrand (D-NY) and Rep. Allyson Schwartz (D-PA) (S 3986/HR 6462). The bills are likely to be reintroduced in the new Congress and seek to dramatically reduce the number of low-income Americans living in "food deserts." Based off a highly successful model in Pennsylvania, the $500 million Healthy Food Financing Initiative would authorize USDA to administer a mix of federal loans and grants to provide one-time start-up assistance for supermarkets, corner stores, co-ops, and farmers' markets in underserved low-income areas. If passed, the initiative is projected to create or preserve 44,500 long-term jobs and 50,000 construction jobs - all while helping millions of Americans eat healthier.

The Healthy Food Financing Initiative is a viable, effective, economically sustainable solution to the problem of limited access to healthy foods, and can reduce health disparities, improve the health of families and children, create jobs and stimulate local economic development in low-income and underserved communities.

Fiscal/Urban/Rural Impacts: The proposed initiative supports growth and job creation in underserved rural, suburban and urban counties.

Adopted by the NACo Board of Directors
March 7, 2011

RESOLUTION IN SUPPORT OF PROVISIONS OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT THAT HELP COUNTY SAFETY NET AND BEHAVIORAL HEALTH PROGRAMS

Issue: Essential need to implement key features of the Patient Protection and Affordable Care Act of 2010 (PPACA).

Adopted Policy: The National Association of Counties supports full funding for, and implementation of, the provisions of PPACA that support the ability of counties to meet the service needs of low income and disabled populations. Specifically, NACo supports the extension of affordable health coverage and benefits – including expanding Medicaid – to uninsured and underinsured residents who rely on county health care delivery systems; the coordination of services to ensure that everyone has a medical/health home for efficient, accessible and cost-effective care; the enhancement of access to preventive care and health promotion, for underserved populations; and the promotion of the use of peer supports and counselors, together with effective care coordination that spans health and social support services.

Background: Key features of the PPACA are fully compatible with and supportive of the operations of county safety net agencies including local behavioral health and developmental disability authorities, and promote the coordination and integration of behavioral health and primary care, with the goal of demonstrating the best care and recovery of consumers served by these systems; they support the expansion of the Medicaid program in a manner that does not place a financial burden on state, county and local authorities; they promote care coordination across Federal programs that serve persons with disabilities; and they extend mental health and substance use care parity legislation to all private and public health plans.

Fiscal/Urban/Rural Impact: In the short term, these policies will require additional federal resources**.** However, over the longer run, this investment will pay off in better health outcomes for low income populations and a greater contribution of persons with disabilities to the economic recovery and productivity of the United States. Although the impact of these policies will be great in urban areas, we expect them to be even greater in rural areas, where such services are currently very sparse.

Adopted by the NACo Board of Directors
March 7, 2011

HUMAN SERVICES AND EDUCATION STEERING COMMITTEE

RESOLUTION ON THE COMMUNITY SERVICES BLOCK GRANT

Issue: The Community Services Block Grant (CSBG) has been targeted for serious cuts and program changes.

Adopted Policy: NACo supports full funding for CSBG as well as the program's formula grant structure.

Background: The Community Services Block Grant (CSBG), which was funded at $700 million in FY 2010, is being cut by approximately 50 percent in the House Continuing Resolution for FY 2011 (H.R. 1) as well as the President's proposed FY 2012 budget. Additionally, the President's budget includes language that would "introduce competitiveness" into CSBG. While the proposed budget doesn't provide further details, this language is being interpreted as a proposal to change CSBG to a totally competitive grant process.

CSBG operates in 90 percent of the nation's counties through a network of more than 1,100 eligible public or private entities, many of which are community action agencies (CAAs). CSBG grants go to the states, but they are mandated to pass through 95 percent of the funds to the eligible entities. Many of these anti-poverty agencies also serve as the local Head Start agency and the local energy assistance agency. After Hurricane Katrina, many CSBG agencies played a key role in helping individuals who were displaced. CSBG agency boards are composed of local elected officials and community representatives.

Turning CSBG into competitive grants would disadvantage smaller communities that don't have the wherewithal to hire grant writers. It should be noted that CSBG already has a competitive component. States are allowed to use a percentage of their allocation for discretionary grants.

Fiscal/Urban/Rural Impact: Would preserve county funds

Adopted by the NACo Board of Directors
March 7, 2011

JUSTICE AND PUBLIC SAFETY STEERING COMMITTEE

RESOLUTION IN SUPPORT OF STRENGTHENED FEMA OUTREACH AND TECHNICAL ASSISTANCE FOR FLOOD HAZARD MAPPING

Issue: Flood Hazard Mapping and Strengthening FEMA's outreach and technical assistance with counties.

Adopted Policy: NACo urges the U.S. Congress to fully support a transparent and fiscally reasonable process by which counties and residents can revise and amend FEMA's Digital Flood Insurance Rate Maps. Additionally, NACo urges the federal government to enhance flood hazard mapping outreach and technical assistance in local communities.

Background: In 2009, in an effort to modernize maps, the Federal Emergency Management Agency (FEMA) issued an updated Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) with major changes from the previous versions. The 2009 FIRMs significantly expand the Special Flood Hazard Areas (SFHAs) delineated within many counties, especially coastal counties. These changes will affect future land use and development on a number of private and public properties, and require affected property owners with home loans from federal lending institutions to purchase flood insurance.

FEMA has begun to work on further revisions to the 2009 Flood Maps. FEMA expects that the revised flood maps will be completed and become effective sometime in 2012 or 2013. The revisions will incorporate updated topographical data and hydraulic and hydrologic modeling. In this regard, FEMA anticipates that its new coastal hydrodynamic model of coastal areas such as the San Francisco Bay will account for tidal action, wave run up, and storm surge; and may ultimately raise the 100-year water levels by up to two feet. If so, this will further expand the limits of Special Flood Hazard Areas in the affected counties.

FEMA has published notices of new maps in the Federal Register and local newspapers in many instances. However, many counties have indicated that FEMA has not engaged directly with communities in a public process. As a result, direct community outreach and response to residents' questions has been left to the local jurisdictions. This has especially been hard for the affected communities, since the local officials do not necessarily have all the answers to questions on FEMA's approach, analysis, and study assumptions in creating the map updates.

Fiscal/Urban/Rural Impact: There will be minimal federal costs associated with the adoption of this policy. The potential savings for county residents as a result of the commission's work is expected to be substantial.

Adopted by the NACo Board of Directors
March 7, 2011

RESOLUTION IN SUPPORT OF LEVEES AND FLOOD CONTROL STRUCTURES

Issue: Addressing Treatment of Existing Levees and Flood Control Structures in FEMA Flood Insurance Studies producing new Flood Insurance Rate Maps (FIRMS).

Adopted Policy: The National Association of Counties supports H.R. 764 and similar bills that ensure fair treatment of existing levees and flood control structures under the national flood insurance program.

Background: The Fair Treatment of Existing Levees Act of 2011, H.R. 764, was introduced on February 17, 2011 and declares that FEMA may not use the assumption that an existing levee or flood structure does not exist to designate an area as having new flood hazards pursuant to issuance, revision, updating or any other purpose to implement changes in flood insurance maps. An exception will be granted in cases where no affected community notifies FEMA of objections to the Administrator's hazard modeling processes within 90 days of enactment of this act.

On February 3 and February 18, 27 US Senators and 49 Members of Congress respectively, signed letters to the Honorable W. Craig Fugate, Administrator of the US Federal Emergency Management Agency (FEMA) addressing this very issue.

FEMAs current "without levees" modeling policy assumes that a levee or flood control structure that exist in reality, is completely removed, without analysis, before proceeding with their modeling process. This policy results in reduced precision of flood maps, and necessarily the overstatement of the risk of flooding in some areas and understating the risk of flooding in other areas further eroding public confidence in the mapping process.

Fiscal/Urban/Rural Impact: Letters sent to Administrator Fugate state "in cases where FEMA treats a flood control structure as if it has been completely wiped off the map, we may be unnecessarily devaluing property and hurting the economies of cities, towns, counties and businesses."… "When American jobs are at risk, FEMA should use the methods readily available to it rather than settle for an all-or-nothing approach, thus shifting the financial burden from the federal government to local governments and their citizens." It is understood that levees and flood control structures, both riverine and coastal are vital infrastructure to virtually all of the U.S.

Adopted by the NACo Board of Directors
March 7, 2011

RESOLUTION IN SUPPORT FOR THE NATIONAL INITIATIVE ON CYBER EDUCATION (NICE)

Issue: Support of the National Initiative on Cyber Education (NICE)

Adopted Policy: NACo supports the National Initiative on Cyber Education.

Background: Cybersecurity has been identified as one of the most serious economic and national security challenges in the nation. Established by the Federal Government, the National Initiative for Cybersecurity Education (NICE) is seeking to address this challenge head on with a strategy to build a cyber savvy nation through training and awareness. NICE has evolved from President Obama's *Comprehensive National Cybersecurity Initiative*, and extends its scope beyond the federal workplace to include civilians and students in kindergarten through post-graduate school. One of the goals of NICE is to establish an operational, sustainable and continually improving cybersecurity education program for the nation to use sound cyber practices that will enhance the nation's security.

The National Institute of Standards and Technology (NIST) is leading the NICE initiative to ensure coordination, cooperation, focus, public engagement, technology transfer and sustainability. Additionally, the initiative is represented by the following four tracks:

Track 1: National Cybersecurity Awareness Lead: Department of Homeland Security (DHS) ;

Track 2: Formal Cybersecurity Education Co-Lead Department of Education (DoED) and Office of Science and Technology Policy (OSTP);

Track 3: Federal Cybersecurity Workforce Structure Lead: Office of Personnel Management (OPM); and

Track 4: Cybersecurity Workforce Training and Professional Development Tri-Leads: Department of Defense (DoD), Office of the Director of National Intelligence (ODNI), Department of Homeland Security (DHS).

Through collaborative partnerships between federal, state and local governments, industry, academia, non-government organizations and the general public, NICE hopes to educate raise and public awareness about cybersecurity **so** our nation is resilient to cyber incidents and cyber threats.

Fiscal/Urban/Rural Impact: Urban and rural residents will benefit equally by increased awareness and education. Private partners and grants will supplement in-kind community member participation.

Adopted by the NACo Board of Directors
March 7, 2011

LABOR AND EMPLOYMENT STEERING COMMITTEE

RESOLUTION SUPPORTING GOALS OF NACo'S VETERANS AND MILITARY SERVICE TASK FORCE WITH RESPECT TO JOB TRAINING AND ACCESS TO EMPLOYMENT SERVICES

Issue: Veterans access to job training and employment services.

Adopted Policy: NACo supports the goals of the NACo Veterans and Military Service Task Force (VMSTF) to develop county best practices and policies that serve to promote job training and employment services to veterans and military service members.

Background: NACo has convened a Veterans and Military Service Task Force (VMSTF) to engage and highlight county best practices and policies to promote innovative programs, services and benefits for our nation's military, veterans and their families. Among the key objectives is to highlight best practices and policies in employment services and access to employment.

The goal of the NACo Veterans and Military Service Task Force (VMSTF) is to engage NACo and its members to develop and highlight county best practices and policies to promote innovative programs, services and benefits for our nation's military, veterans and their families. Program integration will include coordination with veterans' service organizations and appropriate federal and state government agencies to highlight key NACo objectives, including the County Government Works campaign.

In order to include veterans and military service issues in health and human service planning, delivery, coordination and outreach, the Task Force will focus primarily on best practices and policies in four subject areas:

1. Physical and mental health, substance abuse, suicide prevention;
2. Housing and homelessness;
3. Employment services and access to employment; and
4. Justice including law enforcement, courts and probation.

The U.S. Department of Labor, Veterans' Employment and Training Service (VETS) offers employment and training services to eligible veterans.

Fiscal/Urban/Rural Impact: Increasing access to job training and employment services for veterans and military service members.

Adopted by the NACo Board of Directors
March 7, 2011

PUBLIC LANDS STEERING COMMITTEE

RESOLUTION IN SUPPORT OF CHANGING FOREST SERVICE EMPLOYEE SUPERVISION

Issue: Chain of command for Forest Service Law Enforcement Personnel

Adopted Policy: NACo supports a change in Forest Service personnel organization to place law enforcement officers under the direction of Forest Supervisors.

Background: Several decades ago, there was reported abuse of Forest Service procedures, allegedly involving Service line officers. As a response, and at the urging of, among others, the Forest Service Employees for Environmental Ethics, the law enforcement branch of the Service was "stovepiped", meaning that these officers no longer were supervised by local or regional authority, but answered instead directly to the Washington Office. As a result, there can be little to no interaction between enforcement officers and the local supervisors and line officers.

As timber harvest has dramatically declined, there is no longer a reason to isolate these enforcement officers from the chain of command. In fact, the loss of interaction has resulted in adverse public relations between the Forest Service and forest communities. When new personnel are transferred into areas without an understanding of the area's culture and the agency's interdependence upon the community, all too often the result is public conflict.

If there is direct supervision and accountability to local Forest Service officials, there is a much greater opportunity for such conflicts to be resolved before it becomes a community issue. A positive influence on public relations for the agency would be of great benefit for all parties involved.

Fiscal/Urban/Rural Impact: No fiscal impact, with a positive impact on rural communities' relationship with the Forest Service.

Adopted by the NACo Board of Directors
March 7, 2011

RESOLUTION TO RESCIND DEPARTMENT OF INTERIOR SECRETARIAL ORDER 3310

Issue: Rescind DOI Secretarial Order 3310.

Adopted Policy: The National Association of Counties strongly urges that Secretary Salazar immediately rescind Order 3310 that calls for the Bureau of Land Management (BLM) to inventory "Wild Lands" and manage them for wilderness without Congressional approval. NACo urges Congress to enact legislation stating unequivocally that Congressional approval is required prior to any special designation of federally managed public lands.

Background: Secretary Salazar Issued Order 3310 overturning the established policy on new wilderness inventories on public land, eliminating public process and violating the intent of the Federal Land Policy and Management Act (FLPMA), as only Congress has the authority to designate lands as Wilderness. Secretarial Order 3310 directs the Bureau of Land Management to begin to inventory, designate, and manage Federal lands as Wilderness, independent of the United States Congress. It undermines the established public process for land use planning and expressly violates the intent of the Federal Land Policy and Management Act, as only Congress has the authority to designate lands as Wilderness.

Counties should be fully involved as affected partners in any process to designate wilderness. Congress and Federal agencies should coordinate with affected counties when considering special land use designations that impact the use and status of public lands. NACo strongly opposes the actions by the Interior Department and maintains our members' position opposing Federal land management agency actions that limit access and multiple use of lands that otherwise would be available to the public (i.e. Wilderness Study Areas, "Wild Lands," or any other de facto wilderness designation).

In the Norton vs Utah settlement, BLM and Utah acknowledged that "management of Post-603 lands to preserve their alleged wilderness character is inconsistent with FLPMA's Section 603 limited delegation of authority," (par. 17 at p. 8) and that BLM "will not establish, manage, or otherwise treat public lands, other than Section 603 WSAs and Congressionally designated wilderness, as WSAs or as wilderness pursuant to the Section 202 process absent congressional authorization." (par. 5 at p. 12)

Fiscal/Urban/Rural Impact: The active management of America's Public lands to accommodate beneficial multiple uses is essential to the public health, safety and economic vitality of communities across the United States. Public lands that receive special designations are removed from multiple use and prohibit activities vital to the nation, including mineral exploration and harvesting, ranching, agriculture, energy generation from renewable resources, military training, and most types of recreational activities. Revenues generated from public land support critical state and local government services and loss of such revenues would further cripple the economies of local communities and place unnecessary new burdens on State and local government and school budgets.

Adopted by the NACo Board of Directors
March 7, 2011

TELECOMMUNICATIONS & TECHNOLOGY STEERING COMMITTEE

RESOLUTION IN SUPPORT OF THE WHITE HOUSE WIRELESS INNOVATION AND INFRASTRUCTURE INITIATIVE

Issue: Support of the White House wireless innovation and infrastructure initiative.

Adopted Policy: NACo supports the goals of the Administration's Wireless Innovation and Infrastructure Initiative.

Background: In his State of the Union address, President Obama set the goal of enabling businesses to provide high-speed wireless services to at least 98 percent of all Americans within five years. The rollout of the next generation of high-speed wireless—the "4G" technology now being deployed in the United States by leading carriers— promises considerable benefits to our economy and society. More than 10 times faster than current high speed wireless services, this technology promises to benefit all Americans, bolster public safety, and spur innovation in wireless services, equipment, and applications. By catalyzing private investment and innovation and reducing the deficit by $9.6 billion, this initiative will help the United States win the future and compete in the 21st century economy.

- Nearly Double Wireless Spectrum Available for Mobile Broadband: The President has set the goal of freeing up 500 MHz of spectrum for everything from smartphones to wireless broadband connectivity for laptops to new forms of machine-to-machine communication within a decade. Critical to realizing this goal are "voluntary incentive auctions" and more efficient use of government spectrum, estimated to raise $27.8 billion over the next decade.
- Provide At Least 98 percent of Americans with Access to 4G High-Speed Wireless: Private investments are extending 4G to most of the Nation. Rural communities are important to all of America and the jobs and infrastructure investment in advanced telecommunications networks for rural areas can't be forgotten as they transition the Universal Service funding mechanisms. The President's initiative would support a one-time investment of $5 billion and reform of the "Universal Service Fund" to ensure millions more Americans will be able to use this technology.
- Catalyze Innovation Through a Wireless Innovation (WIN): To spur innovation, $3 billion of the spectrum proceeds will go to research and development of emerging wireless technologies and applications.
- Develop and Deploy a Nationwide, Interoperable Wireless Network for Public Safety: The President's Budget calls for a $10.7 billion commitment to support the development and deployment of a nationwide wireless broadband network to afford public safety agencies with far greater levels of effectiveness and interoperability. An important element of this plan is the reallocation of the D Block for public safety and $500 million within the WIN Fund.
- Cut the Deficit By $9.6 Billion over the next decade: Nearly $10 billion of spectrum auction revenue will be devoted to deficit reduction.

Fiscal/Urban/Rural Impacts: Substantial opportunities for counties to improve economic development and spur job creation.

Adopted by the NACo Board of Directors
March 7, 2011

TRANSPORTATION STEERING COMMITTEE

RESOLUTION ON ELIGIBILITY FOR FUNDING THROUGH THE FEDERAL LANDS HIGHWAY PROGRAM

Issue: Eligibility for road improvement funding.

Adopted Policy: Congress should amend the Federal Lands Highway Program to make it available to fund improvements to any road that accesses or passes through federally managed forest lands, specifically including lands managed by the U.S Forest Service and the Bureau of Land Management.

Background: The purpose of the Federal Lands Highway Program is to provide safe and adequate transportation access to and through the National Forest System (NFS) lands for visitors, recreationists, resource users and others, which is not met by other transportation programs. Forest Highways assist in rural and community development, economic development and promotion of tourism and travel. Reconstruction, rehabilitation, safety and ad preservation projects on roads serving the National Forest System are all eligible under the program.

Oregon's counties have accessed millions of dollars in federal funds through grant projects that are solicited by the State Department of Transportation.

However, in addition to National Forest lands, Oregon is home to over 2 million acres of land under the Department of Interior's Bureau of Land Management. Due to the language authorizing this program in SAFETEA-LU, roads that access and pass through these federal forests are ineligible for assistance under the Forest Highway Program.

In Lane County, McGowan Creek Road, milepost 2.5 has been the site of one vehicle crash that resulted in a fatality and several other serious injury wrecks. This road is under the management and maintenance of the Bureau of Land Management. In jointly seeking to apply for funding to fix this particular risk, Lane County and the BLM discovered they were in-eligible to apply for funding through the Federal Lands Highway Program.

Fiscal/Urban/Rural Impact: If this change were to occur, it could provide funding to address hazardous road issues on roads that access or pass through lands managed by the Bureau of Land Management in addition to roads which access or are managed by the National Forest Service.

Adopted by the NACo Board of Directors
March 7, 2011