



2019

FEDERAL ISSUES



ABOUT WSAC

Created in 1906, the Washington State Association of Counties (WSAC) serves the counties of Washington State. WSAC members include elected county commissioners, council members and executives from all of Washington's 39 counties. WSAC provides a variety of services to its member counties including advocacy, training and workshops, and a forum to network and share best practices.

On federal issues, WSAC works in conjunction with the National Association of Counties (NACo).

CORE MEMBER SERVICES

—

- Professional Development & Training
- Business Programs and Services
- Advocacy with the Legislature and Executive
- Branch Agencies

COLLABORATIVE OPPORTUNITIES

—

- Gather input and survey counties about your issues.
- Disseminate information.
- Coordinate response/action on common issues.
- Provide venues for presentations and dialogue amongst Washington Counties members.

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2019 STATE LEGISLATIVE AGENDA

**FOR THE 2019 LEGISLATIVE SESSION,
WSAC WILL FOCUS ON THE FOLLOWING
LEGISLATIVE PRIORITIES:**



FISH PASSAGE BARRIER REMOVAL

Counties support legislation that will provide adequate funding to remove fish barriers for all jurisdictions across the state, including a long-term commitment that will remove priority fish barriers - not just respond to the state's obligations under the Culverts decision.

The Legislature must provide adequate funding to remove fish barriers and provide necessary tools to meet the 2030 mandate.



ADEQUATE FUNDING FOR TRIAL COURT PUBLIC DEFENSE

Access to a defense attorney in criminal matters is a basic constitutional right that counties were assigned by the Legislature. Yet, the State funds less than 4% of the cost for these services. Counties currently spend \$155 million annually with the State providing only \$6 million.

For effective and equal access to justice, the Legislature must fund the full cost of trial court public defense services.



OPPOSE NEW UNFUNDED MANDATES

The Legislature has continued to shift costs through policy changes without addressing the underlying funding problems that face county budgets. Counties have been diverting funds from road maintenance, reducing investments in infrastructure, and leaving critical public safety positions unfilled in order to meet the obligations the State keeps piling on.

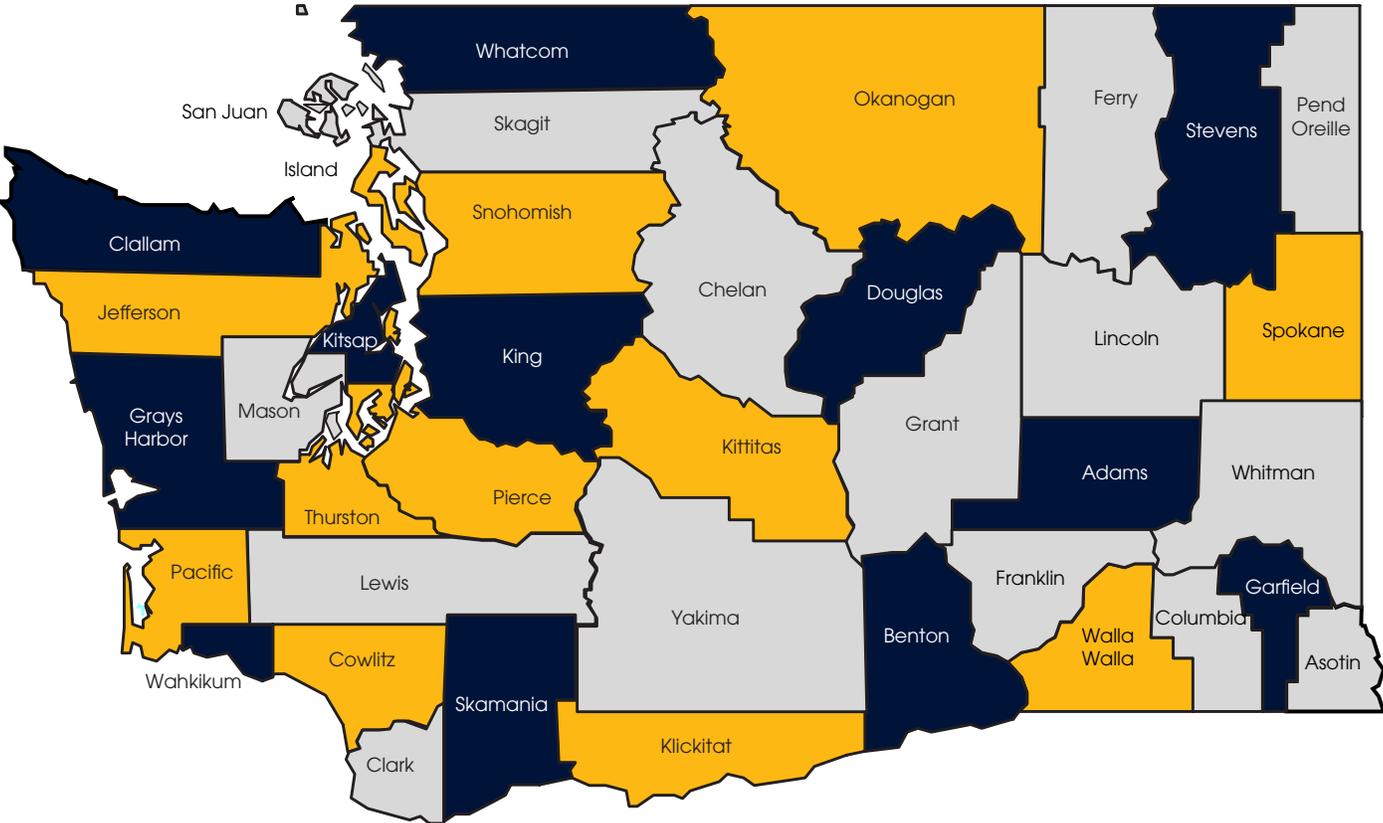
Counties oppose any legislation that will increase costs for local government without funding provided from the State.



FOUNDATIONAL PUBLIC HEALTH SERVICES

Providing public health services is a shared state and local responsibility. Some public health services are so critical that they must be provided to every resident. Other public health needs may be unique to certain regions of our state, so each community determines and implements local priorities. The Foundational Public Health Services (FPHS) model ensures all residents can depend on a core set of services that only governmental public health can provide.

Support Foundational Public Health Services funding for local health jurisdictions to assure that the system is able to respond to public health threats.



WSAC IS WORKING TO SECURE THE FISCAL SUSTAINABILITY OF ALL 39 COUNTIES BY ADVANCING LEGISLATION TO CONTROL COST DRIVERS AND PROVIDE ADEQUATE REVENUE.

FEDERAL PRIORITIES

INFRASTRUCTURE

Washington State is expected to grow by 2 million new residents over the next 20 years, and it will take significant infrastructure investment to assure we maintain and sustain a robust and competitive economy and thriving communities.

A collaborative project in 2017 of four Washington State Associations (Business, Ports, Cities, and Counties) found “Washington’s Infrastructure needs are estimated to be more than \$190 Billion.” This study, Building the Economy: Infrastructure Needs in Washington found the total investment would result in an estimated 600,000 to 660,000 direct and indirect job-years. WSAC supports additional federal funding for critical public infrastructure to support a

vibrant economy, public health and safety, and a sustainable environment. Specific examples of identified critical infrastructure include:

- Bridges
- Highways and Local Roads
- Freight Rail
- Aviation
- Wastewater
- Marine Ports
- Rural Broadband
- Water Supply
- Stormwater
- Natural Resources
- Fish Barrier Removal
- Energy
- Water Storage and Distribution
- State and Local Ferries

CATASTROPHIC WILDFIRES

WSAC asks Congress and the Administration to enact legislation and policy to reduce the threat of catastrophic wildfire.

Catastrophic wildfires destroy public lands, jeopardize access to vital resources, decrease biodiversity and impact public health and safety. WSAC believes that a comprehensive approach is necessary to address this growing threat to communities. This includes:

- Active forest management
- Fire recovery efforts
- Addressing regulatory burdens that hinder management activities
- Stopping frivolous lawsuits
- Ensuring agency budgets are adequate.

OPIOID DEPENDENCE, OVERDOSE, AND FATALITIES

WSAC seeks continued Federal support for Local and State efforts to eliminate opioid dependence, overdose, and fatalities.

Opioid addiction is one of the most pressing public health and safety challenges facing Washington State today. According to the Centers for Disease Control and Prevention, prescription painkillers and heroin are driving one of the deadliest drug epidemics in the nation’s history, claiming the lives of over 700 Washingtonians a year.

The consequences of opioid addiction are reverberating throughout society, devastating families and overwhelming health care providers, law enforcement and social services, with particularly dire consequences for rural and underserved communities. Turning the tide on the opioid epidemic will require a coordinated and aggressive response across all

levels of government. The Washington State Association of Counties urges Congress and the Administration to act swiftly in addressing this national emergency by providing additional resources and taking the steps outlined below. Recognizing that the government cannot tackle this issue alone, County Leaders are also calling upon private sector partners — from manufacturers to pharmacies and health care providers — to be part of the solution.

- Federal support for comprehensive state and local efforts;
- Preventing & identifying addiction;
- Expanding access to treatment & recovery;
- Enhancing support for law enforcement and court systems, and
- Synchronize treatment and recovery laws with judicial mandates.

PAYMENTS IN LIEU OF TAXES

WSAC appreciates Congress’ recognition that Payments in Lieu of Taxes (PILT) is a vital funding mechanism to assure counties receive a property tax like compensation for federal lands within their boundaries.

WSAC supports extending full, predictable and permanent mandatory funding for the PILT program, which compensates

counties for tax-exempt federal land within their boundaries and for the services they provide on tax-exempt public lands within their boundaries.

In Federal Fiscal Year (FFY) 2018, Washington’s counties (37 of 39) received \$29 million in PILT.

SECURE RURAL SCHOOLS

WSAC supports legislative efforts to provide permanent reauthorization and funding of the Secure Rural Schools (SRS) program. We support funding this program via a trust set up with a one-time infusion of federal funds and adding the historic 25% timber payments dollars to the trust. This would restore funding levels back to historic 25% funding

level counties received with inflation built into the payment mechanism.

In Federal Fiscal Year 2018, Washington's counties (26 of 39) received \$16.1 million in SRS funding.

County	SRS/Fed FY 2017	PILT/Fed FY 2017	DEPT OF ENERGY FY 2018	DFW PILT 2017- 2019	DNR PILT FY 2018	DNR/TIMBER 6YR ANNUAL AVG	TOTAL	% OF TOTAL REVENUE
Adams	-	56,395	-	1,909	1,176	-	59,480	0.06%
Asotin	58,286	187,837	-	36,123	-	-	282,246	0.26%
Benton	-	173,911	1,352,260	-	-	-	1,526,171	1.41%
Chelan	1,204,402	3,559,987	-	39,858	12,294	-	4,816,541	4.46%
Clallam	829,986	1,368,211	-	-	1,819	5,346,125	7,546,141	6.98%
Clark	3,610	3,523	-	-	2,003	5,148,652	5,157,787	4.77%
Columbia	136,775	427,801	-	20,713	-	-	585,289	0.54%
Cowlitz	120,201	79,801	-	-	1,630	1,391,581	1,593,213	1.47%
Douglas	1	158,303	-	-	322	-	158,626	0.15%
Ferry	791,640	1,165,787	-	22,798	-	-	1,980,225	1.83%
Franklin	-	172,494	141,860	-	692	-	315,046	0.29%
Garfield	94,608	265,507	-	12,744	-	-	372,859	0.34%
Grant	-	757,137	484,116	71,930	131	-	1,313,314	1.21%
Grays Harbor	325,420	389,339	-	-	93,493	1,990,553	2,798,805	2.59%
Island	-	2,034	-	-	-	-	2,034	0.00%
Jefferson	812,341	1,833,818	-	-	77,220	1,888,740	4,612,119	4.27%
King	215,908	887,463	-	-	453,083	1,687,730	3,244,183	3.00%
Kitsap	-	-	-	-	61,795	1,064,604	1,126,399	1.04%
Kittitas	540,642	1,315,861	-	382,638	367,202	-	2,606,343	2.41%
Klickitat	38,864	125,305	-	51,019	51,812	181,181	448,181	0.41%
Lewis	1,598,702	1,208,437	-	-	1,490	5,347,044	8,155,673	7.54%
Lincoln	-	238,871	-	13,535	376	-	252,782	0.23%
Mason	316,232	431,129	-	-	21,595	3,650,186	4,419,143	4.09%
Okanogan	1,532,757	3,247,396	-	264,036	124,901	-	5,169,090	4.78%
Pacific	-	7,006	-	-	39,699	1,108,946	1,155,651	1.07%
Pend Oreille	702,885	1,328,875	-	5,546	-	-	2,037,306	1.88%
Pierce	212,240	889,391	-	-	595	202,198	1,304,423	1.21%
San Juan	-	8,128	-	-	18,525	-	26,653	0.02%
Skagit	491,630	1,413,197	-	-	294,001	7,976,340	10,175,167	9.41%
Skamania	3,182,630	1,314,750	-	-	39,672	1,255,434	5,792,485	5.36%
Snohomish	650,411	1,651,134	-	-	420,088	7,642,052	10,363,684	9.59%
Spokane	-	5,487	-	-	24,548	-	30,035	0.03%
Stevens	300,154	727,221	-	-	3,366	61,832	1,092,573	1.01%
Thurston	1,149	1,516	-	-	101,496	6,792,841	6,897,001	6.38%
Wahkiakum	-	-	-	-	4,081	1,155,058	1,159,139	1.07%
Walla Walla	2,874	30,705	-	-	-	-	33,579	0.03%
Whatcom	793,362	2,212,235	-	-	8,495	3,690,129	6,704,221	6.20%
Whitman	-	57,240	-	-	-	-	57,240	0.05%
Yakima	1,175,551	1,334,095	-	186,056	28,279	-	2,723,981	2.52%
TOTALS:	16,133,259	29,037,327		1,108,905	2,255,879	57,581,221	108,094,826	100.00%

BUDGET & FINANCE

SUPPORT AUTHORITY TO COLLECT EXISTING SALES TAX

The Washington State Association of Counties (WSAC) recognizes that the United States Supreme Court has ruled in favor of South Dakota to collect sales tax on out of state internet sellers. WSAC asks Congress to maintain the authority given to state and local governments to enforce existing sales tax laws on remote purchases made over the internet. This includes rejecting legislative proposals that mandate an origin-based method of collecting remote sales taxes and in turn support bi-partisan legislation like the Marketplace Fairness Act (MFA). There are four issues that Congress may need to provide statutory guidance on:

- Definition of Substantial Nexus
- Definition of Small Seller Exemption
- Rules on Retroactivity
- Relationship to Sales Tax Streamlining Agreement

The issue of taxing remote sales has compounded in recent years due to the extraordinary development of the Internet as a retail marketplace. Washington State's 39 Counties lose millions of dollars in uncollected sales taxes. At the same time, Main Street businesses are at a significant competitive disadvantage to online retailers. This disadvantage is amplified because online merchants and their customers use local infrastructure and services without contributing to their provision. According to the State of Washington's Department of Revenue, collecting a DESTINATION BASED remote sales and use tax would generate an estimated \$250 million in local sales and use tax during the Fiscal 2019-21 biennium.

SECURE RURAL SCHOOLS (SRS)

WSAC supports legislative efforts to provide permanent reauthorization and funding of the Secure Rural Schools (SRS) program (P.L. 110-343).

We support funding this program via a trust set up with a one-time infusion of federal funds and adding the historic

25% timber payments dollars to the trust. This would restore funding levels back to historic 25% funding level counties received with inflation built into the payment mechanism.

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PAYMENT IN LIEU OF TAXES (PILT)

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WSAC supports extending full, predictable and permanent mandatory funding for the Payments in Lieu of Taxes (PILT)

program (P.L. 103- 379), which compensates counties for tax-exempt federal land within their boundaries and for the services they provide on tax-exempt public lands within their boundaries.

In Federal Fiscal Year (FFY) 2018, Washington's counties (37 of 39) received \$29 million in PILT.

PROTECT COUNTY REVENUE AND INVESTMENT STRATEGIES - TAX-EXEMPT MUNICIPAL BONDS

Protect the use of tax-exempt municipal bonds. This federal policy is no "loophole". Tax Exempt Bonds help reduce the cost of debt service and program costs to citizens. Washington's counties support the tax-exempt status of municipal bonds to provide vital investment in public facilities from jails to roads, courthouses to parks, stormwater and wastewater treatment facilities and other important community infrastructure.

Washington's counties also urge Congress to restore the use of tax-exempt advance refunding bonds, which allow local governments to be good stewards of taxpayer dollars by refinancing outstanding debt. Advance refunding bonds saved the state of Washington, counties, other municipalities, and taxpayers over \$550 million from 2012 to 2016.

PROTECT DEFENSE SPENDING IN WASHINGTON STATE

Federal military spending in Washington State is critical to the states' economy and many of our counties. Washington State is fortunate to contain a number of significant military installations including:

- **Joint Base Lewis McChord** (Pierce/Thurston Counties)
- **Yakima Firing Range** (Kittitas and Yakima Counties)
- **Fairchild Air Force Base** (Spokane County)
- **Puget Sound Naval Ship Yard** (Kitsap County)
- **Naval Base Kitsap** (Kitsap County)
- **Everett Naval Station** (Snohomish County)
- **Whidbey Island Naval Air Station** (Island County)
- **Naval Undersea Weapons Engineering Station** (Kitsap and Jefferson Counties)
- **Camp Murray – State of Washington Military Department** (Pierce County)
- **Coast Guard Assets and Missions** (Clallam, King, Whatcom, Pacific, Grays Harbor)

WSAC supports efforts to achieve military objectives at these military installations. Washington's Counties seek collaboration to address military impacts to local land use and natural resources. Mitigation strategies and technical support are necessary to balance the competing needs in our local communities.

In addition to the federal military installations, our Washington State National Guard and Military Department are vital to providing support and response to state and federal disasters including floods, earthquakes, catastrophic forest fires, and other emergencies that outpace the ability of local emergency responders. WSAC supports the findings of the National Commission on the Future of the Army that recommends sustainable resources for the Washington State National Guard.

INTERNATIONAL TRADE

WSAC understands how critical trade between the United States and other nations is to the economy of our counties and the State of Washington. 40% of jobs in Washington State are linked to international trade. As such, WSAC supports appropriate legislation, policies and investments to sustain and increase Washington's global competitiveness in the marketplace including:

- Programs that increase present market share or develop new product markets;
- Elimination of trade barriers that limit the export of Washington based products; and
- Increase federal, state and local investment in freight mobility.



ELECTIONS

WSAC urges Congress to fully fund all requirements of the Help America Vote Act and any future federal requirements to assure fair and secure elections. The funds allocated to Washington State through the Help America Vote Act, and in many cases passed through to counties, were used to upgrade voting systems continuously, register voters in statewide voter registration databases, provide provisional voting options, improve voter accessibility, and implement other improvements to the administration of elections.

WSAC is increasingly concerned that the aging and "legacy" election systems and equipment replacement needs should be provided with the assistance of new and additional federal funding.

PUBLIC SAFETY, HEALTH

STABLE AND CONSISTENT FEDERAL FUNDING FOR PUBLIC HEALTH

Local public health has a critical and unique public safety role that is focused on protecting and improving the health of families and communities. Demand for governmental public health services has increased with the changing nature of preventable diseases, the resurgence of “historical” diseases, and the surge of new diseases, but there is also clear diminished and inequitable funding for these services across the State of Washington. Stable and consistent funding of essential federal grants helps counties build resiliency in the event of outbreaks, economic changes, and natural disasters.

The Prevention and Public Health Fund (PPHF), Public Health All-Hazards and Preparedness Act (PHAHPA), and the Maternal and Child Block grant provide local governments to protect communities from threats and hazards and keep families safe and healthy. PPHF funds local programs in prevention-related activities including vaccination, communicable disease, and chronic disease prevention. PHAHPA funds local public health emergency response efforts in areas such as wildfire smoke and air quality, communicable disease outbreaks, mass casualty events. State and local governments will not make up reductions in these federal grants.

VAPING AND E-CIGARETTES

The Federal Drug Administration must act swiftly to implement rules for the sale, manufacture, distribution, and marketing of electronic cigarettes and novel products consistent with other nicotine and tobacco products. Currently, little scientific evidence exists to show that e-cigarettes are effective cessation devices. In 2010, a federal court ruling blocked the FDA's attempts to regulate e-cigarettes as drugs or drug delivery devices broadly. However, the FDA can still regulate

e-cigarettes, similar to regulations for nicotine replacement therapy, if therapeutic claims are made. To that end, the FDA has the authority to regulate e-cigarettes as tobacco products under the Family Smoking Prevention and Tobacco Control Act even though the FDA has yet to exert that authority. Further, nothing in federal law should pre-empt a local public health jurisdiction from creating more stringent local ordinances.

MEDICAID INMATE EXCLUSION

Washington's counties support repealing, or otherwise easing the Medicaid inmate exclusion – and other restrictions on federal health benefits – for otherwise eligible beneficiaries in pre-trial custody. The disruption in continuity of care for individuals caused by this federal regulation, especially for those with complex medical & behavioral health conditions,

is of primary concern. This regulation impairs the ability to achieve good health outcomes as individuals' transition in and out of our county jails and corrections system. Counties also struggle to contain uninsured cost when inmates lose benefits, driving medical cost even further. This has caused early release and dropping of charges to contain medical cost.

AND HUMAN SERVICE

BEHAVIORAL HEALTH

Elected and appointed county leaders are fully engaged in reforming the behavioral health system in Washington State. Our county jails continue to be the largest mental health institutions in the state, and this is both morally and financially unacceptable.

Twenty-two counties and one city have implemented a 1/10th of one percent sales and use tax (approximately \$100 million) to support behavioral health services (accounting for approximately 90% of available revenue). Counties are actively forming new Behavioral Health Organizations and working with the state to expand and integrate behavioral and physical health care services, and create a seamless system of care.

Congress and the Federal Agencies can assist in focusing on several items:

- Permanently revise the federal Institutions for Mental Disease exclusion rule to allow Medicaid to be used for brief acute behavioral health care stays or support a Section 1115 Waiver that provides for this long-term in Washington State. This IMD rule prohibits Medicaid to reimburse for both mental health and chemical dependency inpatient services in facilities with more than 16 beds. If this rule were suspended/eliminated there would immediately be additional detox, triage and inpatient treatment beds available;
- Revise the substance abuse confidentiality rules to align with HIPAA and other related regulations;
- Expand access to medication-assisted treatment and provide additional Medicaid-funded Suboxone treatment slots;
- Support Federal Legislation, such as the Mental Health Awareness and Improvement Act (Sen. Murray and Sen. Alexander);
- Federal legislation, programs, policies and rules associated with behavioral health programs and services must provide flexibility to meet the most pressing local needs and the most prevalent mental health issues for clients:
- Substance use disorder services;
- Funding for detox services;
- Housing opportunities for individuals with behavioral health issues are foundational to people's wellbeing and ability to stabilize and seek treatment, including low barrier housing;
- Transportation is often an obstacle to sustain treatment for clients and access services;
- Opportunities to provide best practice programs and services partnering the courts, criminal justice system, and co-occurring service providers are deemed key to manage system impacts and reduce costs;
- Availability of evidence-based programs for early detection and intervention of children/youth who are developing mental health issues, including psychosis;
- National education on drug take-back, so citizens know why and how to dispose of their no longer needed prescription drugs.

OUR COUNTY JAILS CONTINUE TO BE THE LARGEST MENTAL HEALTH INSTITUTIONS IN THE STATE AND THIS IS BOTH MORALLY AND FINANCIALLY UNACCEPTABLE.

PUBLIC SAFETY, HEALTH

OPIOID DEPENDENCE, OVERDOSE, AND FATALITIES

Opioid addiction is one of the most pressing public health and safety challenges facing Washington State today. We appreciate Congresses legislative efforts to address the opioid crisis. According to the Centers for Disease Control and Prevention, prescription painkillers and heroin are driving one of the deadliest drug epidemics in the nation's history, claiming the lives of over 700 Washingtonians a year.

The consequences of opioid addiction are reverberating throughout society, devastating families and overwhelming health care providers, law enforcement and social services, foster care, with particularly dire consequences for rural and underserved communities. Turning the tide on the opioid epidemic will require a coordinated and aggressive response across all levels of government. The Washington State Association of Counties urges Congress and the Administration to act swiftly in addressing this national emergency by providing additional resources and taking the steps outlined below. Recognizing that the government cannot tackle this issue alone, County Leaders are also calling upon private sector partners — from manufacturers to pharmacies and health care providers — to be part of the solution.

Ongoing Support for Comprehensive State And Local Efforts

- Provide ongoing supplemental funding to help states and communities turn the tide on the opioid epidemic.
- Asks Congress to continue its support for local and state efforts to reduce dependence on opioids and all other addictive substances, overdose and fatalities in local communities by providing additional emergency supplemental funding through existing federal grant programs.
- Support continued legislation, like the Comprehensive Addiction and Recovery Act 2.0 (CARA 2.0) that aims to stem the tide of this crisis by providing federal support for local efforts to curb prescription painkiller and

heroin abuse. Programs authorized by CARA should be fully funded through the annual appropriations process to provide local communities the resources they need to fight the opioid crisis.

Preventing & Identifying Addiction

- Improve provider education and training on pain management and safe opioid prescribing.
- Improve access to and encourage the manufacture and evaluation of abuse-deterrent formulations (ADFs) of opioid painkillers.
- Support pharmacies and law enforcement agencies in establishing and expanding permanent takeback programs for disposing of unneeded controlled substances.

Expanding Access To Treatment & Recovery

- Develop additional guidance regarding best practices for addiction treatment and the distribution of naloxone.
- Permanently eliminate the Institutions for Mental Diseases (IMD) exclusion to help provide the long-term certainty that states, counties, non-governmental organizations, and private providers must have to fully expand access to inpatient treatment for Medicaid enrollees with substance use disorder.

Enhancing Support For Law Enforcement

- Reinstate equitable sharing payments under the Department of Justice (DOJ) Asset Forfeiture Program.
- Expand the federal Heroin Response Strategy to support coordination among regional High Intensity Drug Trafficking Areas (HIDTAs) and a public health-public safety approach to combatting heroin.

AND HUMAN SERVICE

FEMA INDIVIDUAL ASSISTANCE

The criteria for FEMA Individual Assistance must be modified to assure rural residents are dealt with in a fair and equitable manner. FEMA should immediately pursue a change in their policies to allow communities impacted by wildfires access to the agency's Individual Assistance Programs. Current FEMA criteria requiring "concentration of damage" unfairly denies Individual Assistance to rural residents with losses from flooding, landslides, earthquakes, and catastrophic fires.

NATIONAL WEATHER SERVICE - DOPPLER RADAR GAP

The National Weather Service's Doppler radar network has a gap or hole in coverage along the eastern slopes of the Cascades and part of the Columbia Basin extending from the Canadian border in Okanogan County south into Klickitat County (portions of seven Counties). WSAC supports resources (estimated at \$200,000) to complete a feasibility study as a first step in attempting to fill the weather radar gap and give the National Weather Service the opportunity to alert communities when potentially devastating weather events are approaching and/or occurring. The feasibility study intends to identify the strategic locations to place new weather radar equipment to support future installation of new Doppler radar for the region.

OLDER AMERICANS ACT (OAA)

County Commissioners and Councilmembers in Washington State serve on the leadership of our 13 Area Agencies on Aging. WSAC asks Congress to reauthorize the OAA before the September 30, 2019 deadline and to expand the local discretion and flexibility to distribute funds as needed. WSAC urges the strengthening, through additional funding, of the Older Americans Act (OAA) in these key areas:

- Home-delivered nutrition services
- Case management
- Information and assistance service
- Supportive Services (including Long-Term Care)
- Ombudsman Program
- Health Promotion
- Disease Prevention

REPEAL THE 40 PERCENT EXCISE TAX ON EMPLOYER-SPONSORED HEALTH INSURANCE

Support legislation to permanently repeal the excise tax on county sponsored employee health insurance offerings, so counties are not faced with additional financial burdens and remain competitive in attracting and retaining a quality workforce.

TRANSPORTATION AND

INFRASTRUCTURE

Infrastructure is the foundation of a robust and competitive economy and thriving communities. A collaborative project of four Washington State Associations (Business, Ports, Cities, and Counties) found “Washington’s Infrastructure needs are estimated to be more than \$190 Billion.” This study, Building the Economy: Infrastructure Needs in Washington found the total investment would result in an estimated 600,000 to 660,000 direct and indirect job-years. WSAC supports additional federal funding for critical public infrastructure to support a vibrant economy, public health and safety, and a sustainable environment. Specific examples of identified critical infrastructure include:

- Bridges
- Highways and Local Roads
- Freight Rail
- Aviation
- Wastewater
- Marine Ports
- Rural Broadband
- Water Supply
- Stormwater
- Natural Resources
- Fish Barrier Removal
- Energy
- Water Storage and Distribution
- State and Local Ferries

TRANSPORTATION

- Washington State’s 39 Counties operates over ½ of the centerline road miles in Washington State – 39,221 miles. We maintain 3,389 bridges greater than 20 feet of which 600 are structurally deficient or functionally obsolete. Additionally, we are responsible for over 3,000 small bridges and culverts that likely impede adult salmon and other fish species from returning upstream for spawning.
- Five Counties (Pierce, Whatcom, Wahkiakum, Skagit, King [passenger only]) operate ferry systems.
- King County operates the eighth largest bus transit system in the nation.
- Washington’s Counties are making significant investments in light rail and transit systems.

- Many counties own airports including Boeing Field (King) and Paine Field (Snohomish).
- It is important for Congress and federal agencies to understand that counties are major owners of transportation infrastructure and as such provided levels of funding and authority that adequately reflect their role in the nation’s transportation systems.
- Highway Trust Fund: WSAC supports using Highway Trust Fund revenue for a total public transportation program (roadways and transit) and that Congress and the Administration should retain the existing budget treatment of the highway and mass transit accounts within the Highway Trust Fund.
- WSAC supports the long-term solvency of the Highway Trust Fund by considering revenue sources that will better capture all users of the nation’s highways and account for all vehicles. Congress should also consider streamlining administrative requirements to direct more funding toward road, bridge, and highway improvement.
- Support federal funding to implement the Washington State Ferries 2040 Long Range Plan.

HARBOR MAINTENANCE TRUST FUND

WSAC supports the full expenditure of harbor maintenance trust fund collections on dredging and harbor maintenance to provide equity for deep draft ports that contribute collections to the fund but do not have significant dredging needs by allowing them to utilize trust fund dollars for limited port-related uses other than dredging.

WSAC asks that Congress fulfill its commitments to fully implement the deep-water port set aside to aide our deep-water ports and dredge-dependent ports on the Columbia River and within Puget Sound.

INFRASTRUCTURE

AVIATION

WSAC supports funding the Airports and Airway Trust Fund at levels to meet current and future infrastructure needs and allow for the steady flow of authorized funds without cuts or delays.

- **Airport Rates and Charges:** WSAC supports local governments and airport operators having the full authority to impose and enforce fees, rates, and charges that dedicate all airport revenue to airport development, capital financing, and operations.
- **Off-Airport User Fees:** WSAC supports the continued authority of local governments and other public airports to set fees, rates, and charges for the use of airport facilities by off-airport business, with the proceeds being dedicated to airport development, capital financing, and operations.
- **Federal Aviation Administration – Air Traffic Control System.** WSAC opposes privatization of the nation's air traffic control system as we believe privatization will have a negative impact on rural airports and communities, and frankly, the current ATC system works well.
- **Support an increase to the Passenger Facility Charges (PFCs)** as a reasonable and important funding local revenue source to pay for the significant demand and need to increase airport capacity and development in Washington State.

STORMWATER

We support targeted federal investment in cost-effective approaches to retrofitting stormwater facilities and collect stormwater runoff in separate storm sewers and discharge it to surface waters as required under the federal Clean Water Act. It is important counties receive federal funding support to implement the Municipal Stormwater Permits, and National Pollutant Discharge Elimination System (NPDES) permits so these burdens do not fall solely on ratepayers.

WATER INFRASTRUCTURE

Congress needs to provide programmatic and project funding to support local and state investments in initiatives such as:

- Yakima Basin Integrated Plan
- Columbia River Water Management Program
- Chehalis Basin Integrated Strategy
- Completion of Congressionally Authorized Columbia Basin Project

These programs and associated projects are designed to support salmon recovery, improve ecological conditions, and support the growing demands on water supplies to support growth for industrial, agriculture, municipal and exempt wells.

RURAL BROADBAND

WSAC asks for Congress and the Administration assure there is an appropriate level of local input in FCC decisions regarding broadband deployment, infrastructure, and funding.

- **Connect America Funding Phase II** funding was released through an auction without any County or local government input. Companies without a presence and as far away as Maryland won this funding for a few rural counties in Washington and without a physical presence to supply the needed deployment and infrastructure needs.
- **FCC Maps** need to be revised and reviewed on the ground to determine accuracy and reflect what is needed, relevant, realistic and available in rural areas.
- **FCC** needs to reconsider and revise its new 5G rule that circumvents local government control over infrastructure. This new rule puts public safety at risk and reasons to become an unfunded mandate.

INFRASTRUCTURE IS THE FOUNDATION OF A STRONG, COMPETITIVE ECONOMY AND THRIVING COMMUNITIES.

NATURAL RESOURCES

FEDERAL FOREST HEALTH AND MANAGEMENT

WSAC supports policies and legislation, as well as pilot programs and projects, to renew the federal government's commitment to manage federal forests for the benefit of counties containing federal forestland. Management should be conducted in a manner that produces a sustainable resource yield, improved forest health, and aids in the prevention of catastrophic wildfires. Some specific examples that WSAC encourages Congress to:

- Provide federal funding to communities and counties to plan and prepare for the catastrophic effects of wildfires on Federal Forest lands;
- Authorize longer term USFS and BLM contracts to provide stability and certainty to companies involved in forest management and restoration projects;
- Incentivize and support the use of forest products to create mass timber, e.g., cross-laminated timber;
- Direct the USFS and BLM to establish pilot programs to improve forest health and reduce the impact of catastrophic wildfires.

FEDERAL LANDS TRANSFER TO THE STATES

WSAC supports a systematic and factual review of the potential benefits and risks associated with the transfer of federal lands to Washington State or its counties.

COLUMBIA RIVER TREATY

Our Counties along the Columbia River and within the Columbia River Basin are actively involved in participating in the update process for the Columbia River Treaty – an international agreement between Canada and the United States regarding the cooperative development and operation of the water resources of the Columbia River Basin for the current stated benefits of flood control and power.

It is imperative that the Washington State Congressional Delegation ensure that the input, participation, and decisions of local elected leaders are included in Treaty review and update. We ask the administration and Congress assure that a modernized Treaty is designed to meet the future regional water supply needs for irrigation, municipal and industrial use, instream flows, navigation, and recreation.

WSAC asks that negotiations be completed within a period of two years from the start of negotiations and that established benchmarks and milestones created by the U.S. Columbia Basin Region are met by the parties during the negotiating process. The Lead US Negotiator shall continue to keep counties, and other key local partners, apprised of progress on meeting negotiating milestones and benchmarks.

COLUMBIA RIVER SYSTEM OPERATIONS ENVIRONMENTAL IMPACT STATEMENT DEVELOPMENT

WSAC is closely monitoring the U.S. Army Corps of Engineers, Bureau of Reclamation and Bonneville Power Administration development of a "Columbia River System Operations" environmental impact statement (EIS). We are deeply concerned with radical changes and proposals that will negatively impact flood risk management, irrigation, power generation, navigation, fish and wildlife, cultural resources and recreation opportunities provided by the current system.

WATERS OF THE UNITED STATES

Washington's 39 Counties maintains over 40,000 miles of roads and associated ditches, bridges, culverts, stormwater facilities, and other supporting transportation infrastructure. We ask support for efforts to withdraw and re-write the final "Waters of the U.S." rule in a manner that is inclusive of state and local governments. Additionally, we set forth principles the agencies should consider when revising or rewriting the rule, including the exemption of certain county road ditches.

WATER QUALITY STANDARDS - CLEAN WATER ACT

We continue to support the delegated authority to Washington State to develop local solutions to implement all facets of the Clean Water Act, without interference from the Environmental Protection Agency, including:

- Update to the Washington State Water Quality Standards, including human health criteria.
- Update to non-point pollution plan and Concentrated Animal Feeding Operations (CAFO) permits.
- National Estuary Program
- Pacific Coastal Salmon Recovery Programs
- Mitchell Act or other programs and services including appropriate hatchery activities that assist in our Regional Salmon Recovery Efforts
- Support the Congressional Puget Sound Recovery Caucus to improve the profile and standing of the Puget Sound under national restoration, conservation, recovery, and economic development programs for coastal and maritime communities.
- WSAC supports the PUGET SOS Act – Promoting United Government Efforts to Save Our Sound

NATIONAL FLOOD INSURANCE PROGRAM (NFIP) AND BIGGERT-WATERS ACT

WSAC supports a sustainable, fiscally responsible NFIP to protect the businesses and homeowners who built according to code and have followed all applicable laws. We urge Congress and the administration to keep flood insurance rates affordable to citizens while balancing the fiscal solvency of the program.

SALMON RECOVERY AND WATERSHED RESTORATION

All 39 Counties are engaged in the recovery of salmonid and endangered fish species and Watershed planning and restoration. WSAC supports an equitable method to assure federal funds go to on the ground, local government projects and programs supported by local implementing organizations, local governments, tribes, and citizens. WSAC seeks stable and predictable funding for both Coastal, Puget Sound, and Columbia River Basin recovery activities:

- Fish Passage Barrier Removal
- Puget Sound Nearshore Ecosystem Restoration

ENDANGERED SPECIES ACT REFORM

WSAC supports effective and balanced legislative and administrative improvements to the ESA that support the protection of fish, wildlife and plant populations, responsible land, water, and resource management and take into account economic community impacts.

REAUTHORIZATION OF THE LAND AND WATER CONSERVATION FUND

WSAC calls for the reauthorization of the Land and Water Conservation Fund (LWCF). In Washington State, LWCF has provided over \$600 million to fund more than 600 projects over the past 50 years. These projects help to protect community greenspaces, builds parks and trails, and improves boating and recreational access.

WSAC supports LWCF reauthorization provided there is a restriction on the purchase of federal lands by USFS, BLM, or NPS unless there is consent from the County Legislative Authority within which the property lies.



2019 LEGISLATIVE

PROMOTE COUNTY INFRASTRUCTURE PRIORITIES IN A COMPREHENSIVE INFRASTRUCTURE PACKAGE:

NACo supports efforts by the administration and Congress to increase our nation's infrastructure investments to help promote economic development, public safety and overall mobility. Any federal infrastructure package should reflect county priorities, such as: allocate more federal seed capital and matching funds for locally owned infrastructure, increase

local decision-making authority and flexibility and streamline and shorten the federal permitting process while still requiring robust public participation and world-class environmental stewardship.

SUPPORT THE PAYMENT IN LIEU OF TAXES (PILT) AND SECURE RURAL SCHOOLS (SRS) PROGRAMS:

NACo supports restoring full mandatory funding for the Payments in Lieu of Taxes (PILT) program, which compensates public lands counties for untaxable federal land. NACo also supports extending the Secure Rural Schools (SRS) program as a transitional funding mechanism until the federal

government fully implements a sustainable, long-term forest management program with adequate revenue sharing for forest counties and schools.

SUPPORT REAUTHORIZATION AND IMPLEMENTATION OF THE FARM BILL:

NACo supports a long-term reauthorization of the Farm Bill to help counties provide critical investments in our nation's most underserved communities. As part of the Farm Bill implementation, NACo supports full funding for all Farm Bill titles, which help strengthen our nation's rural infrastructure (including broadband and water and wastewater systems),

protect our nation's food supply, increase access to healthy food for low-income populations through the Supplemental Nutritional Assistance Program (SNAP) and promote environmental stewardship and conservation.

ESTABLISH A MORE EFFECTIVE DEFINITION OF WATERS OF THE U.S.:

NACo believes that local streets, gutters and human-made ditches should be excluded from the definition of "Waters of the U.S." (WOTUS) under the federal Clean Water Act. NACo calls on Congress and the administration to develop and implement a new, more practical WOTUS definition in consultation and collaboration with state and local governments.

PRIORITIES

PROMOTE MENTAL HEALTH, SUBSTANCE USE DISORDERS TREATMENT AND CRIMINAL JUSTICE REFORM:

NACo supports sensible measures that promote and advance the overall safety of the public. Within this context, we also support new policies and approaches that would enhance the ability of county officials and our partners to prevent and treat mental health and substance use disorders, both in the community and within the confines of the criminal justice system. Furthermore, NACo supports policies and programs

that divert non-violent individuals struggling with mental illness and/or substance use disorders from local jails into more appropriate treatment programs. NACo also supports legislation requiring states to suspend, rather than terminate, an individual's eligibility for certain federal health benefits upon arrest, including Medicaid and veterans' benefits.

BOOST BROADBAND DEPLOYMENT AND ACCESSIBILITY WHILE PRESERVE LOCAL ZONING AUTHORITY:

NACo supports the deployment and availability of emerging technologies, such as small cell 5G, to all areas of the nation to ensure even economic and educational opportunities for all. By preserving long-standing, existing local zoning authorities of counties and other local governments in the deployment process, counties can ensure that the public interest is being served by communications providers, regardless of the delivery platform. County officials can also fulfill our responsibilities as trustees of public property and as protectors of public safety and welfare during this deployment process. NACo urges Congress and federal agencies to

recognize counties as co-regulators, providers and partners in extending the benefits of advanced telecommunications and broadband technology – including improvements to county emergency preparedness and response systems – to all Americans. Federal policymakers should support local decision-making and accountability of local elected officials and should oppose any actions that would preempt or limit the zoning and siting authority of local governments.

PROMOTE ECONOMIC MOBILITY AND OPPORTUNITY ACROSS ALL COUNTIES:

NACo supports federal investments and policies that help advance and leverage regional and local strategies focused on serving those most in need, including those addressing the root causes of poverty. While national economic indicators are strong, many communities – defined both as geographic places and certain demographics – lag the overall national performance. Counties are confronting increased demand and caseloads for workforce skills training, mental health and substance abuse treatment, public hospital services (including county-run hospitals and clinics), child protective

services and elderly care. At the same time, county officials are increasingly burdened and restricted by mounting federal and state mandates, limitations and oversight. To meet these challenges, counties need a strong federal partner committed to achieving better outcomes through local decision-making, flexibility and accountability.



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