



WRITTEN STATEMENT FOR THE RECORD

**HON. MELISSA CRIBBINS
COMMISSIONER
COOS COUNTY, OREGON**

ON BEHALF OF THE NATIONAL ASSOCIATION OF COUNTIES

BUILDING A 100 PERCENT CLEAN ECONOMY: THE CHALLENGES FACING FRONTLINE COMMUNITIES

**BEFORE THE SUBCOMMITTEE ON ENVIRONMENT & CLIMATE CHANGE
COMMITTEE ON ENERGY & COMMERCE
UNITED STATES HOUSE OF REPRESENTATIVES**

**NOVEMBER 20, 2019
WASHINGTON, D.C.**

Chairman Tonko, Ranking Member Shimkus and distinguished members of the subcommittee, thank you for holding today's hearing on building a 100 percent clean economy and the challenges facing frontline communities—and for the opportunity to testify on behalf of the National Association of Counties (NACo) and the nation's 3,069 counties we represent.

My name is Melissa Cribbins and I am an elected county commissioner from Coos County, Oregon. Coos County is a rural county with a population of just over 63,000 residents, located along the southern Oregon coast, 175 miles southwest of Portland. The county encompasses 1,806 square miles and nearly a quarter of our county is considered federal public lands. The county has long relied on a few key industries for economic stability, including forest products, tourism, fishing and agriculture.

I serve as Chair of NACo's Environment, Energy and Land Use Steering Committee and have the wonderful opportunity to work with county officials from across the country to address key issues facing county governments and identify ways to work with our state and federal partners towards productive and practical policy solutions that can be implemented at the local level.

Today's hearing addresses key issues for county governments who hold many responsibilities when it comes to environmental stewardship, land use and economic resiliency.

Counties are highly diverse, not only in my state of Oregon, but across the nation, and vary immensely in natural resources, social and political systems, cultural, economic and structural circumstances, public health and environmental responsibilities. Counties range in area from 26 square miles (Arlington County, Virginia) to 87,860 square miles (North Slope Borough, Alaska).

The population of counties varies from Loving County, Texas, with just under 100 residents to Los Angeles County, California, which is home to close to ten million people. Of the nation's 3,069 counties, approximately 70 percent are considered "rural," with populations less than 50,000, and 50 percent of these have populations below 25,000. At the same time, there are more than 120 major urban counties, which collectively provide essential services to more than 130 million people every day.

Many of counties' responsibilities are mandated by both the state and federal government. While county responsibilities differ widely, most states give their counties significant authorities. These authorities include construction and maintenance of roads, bridges and critical infrastructure, assessment of property taxes, record keeping, running elections, and overseeing jails, court systems and public hospitals. Counties are also responsible for child welfare, consumer protection, economic development, employment and workforce training, emergency management, land use planning and zoning.

Among our numerous responsibilities, environmental stewardship is a primary function of county governments to create healthy, safe and vibrant communities for our residents. As both regulators and regulated entities, counties are responsible for protecting local air, water and land resources. This includes maintaining water systems to provide clean drinking water, revitalizing contaminated sites to ensure safe and equitable neighborhoods, providing waste and recycling services to minimize pollution and implementing land use and energy policies to promote sustainability communities, along with many other duties.

Concurrently, counties must balance other essential responsibilities, such as promoting community and economic development opportunities without causing adverse environmental impacts.

As a county commissioner, I have seen firsthand the significant role local governments play in environmental protection and sustainability, while promoting economic growth.

Today, I will discuss several key points for your consideration as the subcommittee assesses challenges at the local level as we work to foster a clean economy:

- 1. As regulators and regulated entities, county governments play a key role in maintaining a healthy, sustainable and equitable environment for our residents.**
- 2. Due to limited local resources and mounting federal and state mandates, often combined with fragile local economies, county governments are challenged to both make long-term strategic budget investments and work towards environmental sustainability.**
- 3. Early, consistent and meaningful engagement with intergovernmental partners is vital in the development and implementation of effective energy and environmental policies, programs and regulations.**

First, as regulators and regulated entities, county governments play a key role in promoting a healthy and sustainable environment for our residents.

Charged with protecting the health and well-being of our communities, counties have the ability to issue rules and regulations. We enact zoning and other land use ordinances to safeguard valuable natural resources and protect the safety of our citizens.

For example, under the federal Clean Air Act (CAA), counties are often responsible for controlling air pollution, which may include enforcement authority for rules governing burning or vehicle emissions. Similarly, under the federal Clean Water Act (CWA), counties may enact rules on illicit discharges, removal of septic tanks and adoption of setbacks for land use plans. Counties may additionally be responsible for water recharge areas, green infrastructure, water conservation programs and pesticide use for mosquito abatement. We also provide extensive outreach and education to residents and businesses on protecting water quality and reducing water pollution.

In Coos County, our role is diverse and spans from regulating solid waste disposal to cleaning nuisance properties. For example, we had an old converted school that was involved in a fire. The landowner collected the insurance proceeds and disappeared. After the taxes became significantly delinquent, the County foreclosed and took title to the property. The school was contaminated with asbestos and lead, but also had an illegal solid waste disposal site. We partnered with one of our local cities to clean up the site, which has been an ongoing process. Once the site is restored, we will turn it over to a community action agency that will convert the site into affordable housing units with Head Start programs.

We have also partnered with one of our local communities to work on decreasing discharge from failing residential septic systems into the nearby lake. The community's economy is entirely dependent on tourism, as there is no industry in the community. Unfortunately, in recent years, harmful algal blooms are becoming present earlier and earlier, and are dramatically decreasing tourism. In our role of protecting public health and the environment, the County has stepped forward to identify key properties that are contributing to the water quality issues and have worked toward decreasing nutrient-loading in the lake.

No matter what the situation or challenge, it is our job as county officials to assess the needs of our local community and make sound decisions that will help the next generations.

Second, due to limited local resources and mounting federal and state mandates, often combined with fragile local economies, county governments are challenged to make both long-term strategic budget investments and work towards environmental sustainability.

Regardless of size, fiscal constraints and tight budgets are major challenges for most counties. The rapid increase in state and federal unfunded mandates adds another layer of fiscal strain. In many instances, counties are mandated to provide a growing number of services while operating under greater state and federal restrictions on how we generate revenue.

In fact, 45 states impose some type of limitation on county property taxes, affecting the main revenue source for counties. According to a 2016 NACo survey, 44 percent of counties reported reducing or eliminating services in their last fiscal year due to revenue constraints and increasing costs associated with providing mandated services.

In my state of Oregon, we face several key challenges that limit us from meeting our environment and clean energy goals.

Coos County collects about five million dollars per year in property taxes, which represents our primary source of unrestricted income to pay for public safety, taxation and assessment, recording and elections, and all common administrative functions. It costs us nearly seven million dollars per year to operate the jail alone.

We used to receive nearly twelve million dollars per year in timber revenue from the O&C timberlands, not adjusted for inflation, before the closure of the federal forests from the listing of the spotted owl, which has decimated our timber industry. We now receive about \$1.5 million each year in Secure Rural Schools funding to make up for this loss. This is a ninety percent reduction in funding, but costs have continued to rise. This means that we are expected to provide the same level of services on ten percent of the funding.

The county has made efforts to transition our economy, but tourism jobs do not provide the living wages that our families need. It used to be possible for one person to work in the timber or fishing industry and provide for a family. Now, we find that, even with both spouses working, we frequently have families that continue to slip below the poverty line.

In my county alone, 58 percent of our school-age children qualify for free or reduced school lunch. In the summer, the schools offer free lunches in the parks and schools, so these children do not go hungry when school is not in session, because the additional burden to struggling families when summer comes is nearly insurmountable. We know that the best cure for poverty is jobs, but we frequently find ourselves hamstrung by regulation in our attempts to encourage economic development.

Coos County faces an additional challenge in our ability to raise revenue from the large amount of federal public land in our jurisdiction. As I mentioned earlier, Coos County encompasses 1,806 square miles and nearly a quarter of our county is considered federal public lands.

Local governments like mine are not able to tax the property values or products derived from these lands, yet are often responsible to support and provide essential government services (mandated by law), such as first responders and emergency services, transportation infrastructure, law enforcement, education and health care.

And we are not alone. Approximately sixty-one percent of counties nationwide have federal lands within our boundaries, and federal policies pertaining to these lands have a direct impact on the quality of life and economic well-being of our local communities.

One final challenge facing local governments that I would like to highlight is the increase in disasters. Over the past 20 years, natural and man-made disasters have increased in frequency, severity and cost. On average, 24 percent of counties have experienced at least one disaster in each of the last three years.

The past three hurricane and wildfire seasons included six hurricanes that cost a combined \$330 billion in damages and eight wildfires causing over \$40 billion in damages. Over the last decade, most counties have received a major disaster declaration, with many receiving more than one disaster declaration over that time frame. In Oregon, while we do not have hurricanes and rarely have tornadoes, we have struggled with the issue of catastrophic wildfires. In 2018 alone, Oregon had 841 total fires, affecting more than 430,000 acres.

Counties ask that Congress continue to support major disaster assistance programs, such as the Emergency Management Grant Program (EMPG), which helps provide the necessary support to build and sustain capabilities necessary to protect citizens, avoid the escalation of an event and save post-disaster expenditures by the federal government. Last year, while 66 major disasters were declared, EMPG resources enabled state and local emergency managers to handle 23,331 additional events.

Whether to help address the growing number of mandates on county governments or even the rise in disasters, the public needs a strong partnership between federal, state and local governments to ensure costs are shared fairly and services are delivered expeditiously. Unfunded mandates hide from policymakers and the general public the true impact of federal programs when the cost of implementation is shifted to overburdened local governments.

This cost shift creates budgetary imbalances that require cuts to other critical local services like environmental protection, energy sustainability, fire suppression and prevention, law enforcement, emergency response, education and infrastructure, or increases in local taxes and fees on constituents to make up the difference. Ultimately, our shared constituents suffer from reduced public services or increased taxes at the local level.

Early, consistent and meaningful engagement with intergovernmental partners is vital in the development and implementation of effective energy and environmental policies, programs and regulations.

Congress plays a key role in developing policies that not only guide our actions at the local level but have a major impact on the resilience and competitiveness of our economies.

As an example of how Congress can act as a positive force, because of legislative changes under the Disaster Recovery Reform Act of 2018, FEMA's Hazard Mitigation Grant Program began offering grants to state, local and tribal governments in order to mitigate the effects of wildfires. Additionally, changes to Title III of the Secure Rural Schools program in 2018 allow counties to use funds to develop and carry out community and wildfire protection plans and activities under the Firewise Communities Program.

Let me also provide you with an example of legislation that we need help from Congress to pass. Counties are responsible for providing critical services to renewable energy sites, including those on public lands. Many of my colleagues across the country are partnering with federal agencies to develop energy conservation plans to streamline the development of renewable energy and federal lands. We hope to see Congress pass renewable energy revenue-sharing legislation, known as the Public Land Renewable Energy Development Act, to help ease the cost burdens that public lands counties face in providing necessary services.

Counties can also provide our federal partners with data to help inform the decision-making process. For example, many counties are responsible for developing local land use or natural resources plans. These professionally developed documents contain important socioeconomic, geographic and scientific data that may be used by federal agencies to develop their own resource management plans. By using this readily available data, the federal government can draft regulations that meet the needs of local communities while also ensuring meaningful environmental protection.

Counties are often the level of government closest to the people and directly accountable to our constituents. As a result, meaningful consultation with counties and local governments early in the legislative and rulemaking process is imperative to reduce the risk of unfunded mandates and produce more pragmatic and successful strategies for implementing federal policies—especially around clean energy and the environment.

For intergovernmental consultation to be truly meaningful, Congress and federal agencies must engage state and local governments as partners, who actively participate in the planning, development and implementation of federal rules.

Conclusion

In conclusion, counties stand ready to work with Congress and our federal agency partners to develop policies that can help both improve our environment, sustain our economy and ensure the resiliency of our local communities. Federal policies and programs developed with only the impact on the federal treasury and without the impact on state and local governments in mind put the ability of local governments to fulfill our responsibilities at risk.

Counties continue to serve as reliable partners in implementing federal regulations and policies in order to meet our shared goals and protect residents. We hope that federal agencies show an even greater willingness to partner with state and local governments on these issues moving forward.

Thank you again for the opportunity to testify on this important topic.