

TTAC STAFF REPORT

SUBJECT: Report on Washington D.C. Trip by SBCAG Delegation

MEETING DATE: May 4, 2017

AGENDA ITEM: 9

RECOMMENDATION:

Receive a report on the 2017 SBCAG Federal Lobbying Trip to Washington, D.C.

STAFF CONTACT: Gregg Hart

SUMMARY:

SBCAG's federal legislative strategy describes the importance of SBCAG Board members continuing to meet with our congressional representatives, committee staff and Department of Transportation staff to directly communicate SBCAG priorities. SBCAG's federal lobbyist, Don Gilchrest, from Thomas Walters & Associates, scheduled meetings for the SBCAG delegation consisting of Chair Michael T. Bennett and Directors Janet Wolf and Alice Patino, SBCAG Executive Director Marjie Kirn and SBCAG Government Affairs & Public Information Manager Gregg Hart on March 29 & 30th in Washington, DC. The attached report describes the meetings and the issues discussed.

ATTACHMENTS:

1. Thomas Walters & Associates Report on SBCAG 2017 Washington, D.C. Federal Lobby Trip

REPORT

Thomas Walters & Associates, Inc.



April 25, 2017

Santa Barbara County Association of Governments Washington, D.C. Advocacy Report

SBCAG Chair/Goleta Councilmember Michael T. Bennett, SBCAG Past Chair/Santa Barbara County Supervisor Janet Wolf, SBCAG Board Member/City of Santa Maria Mayor Alice Patino, SBCAG Executive Director Marjie Kirn, and SBCAG Government Affairs & Public Information Manager Gregg Hart traveled to Washington, DC, for meetings March 29-30 to advocate for SBCAG's Federal legislative priorities. Thomas Walters & Associates, Inc. arranged and participated in the following meetings with Congressional offices and Federal Agencies:

- Congressman Salud Carbajal
- Trevor Higgins, Professional Staff to Senator Dianne Feinstein
- Kevin Chang, Professional Staff to Senator Kamala Harris
- William Niebling, Professional Staff to Senator Kamala Harris
- Geoff Gosselin, Majority Sr. Professional Staff, House Transportation and Infrastructure Subcommittee on Highways and Transit
- Mary Phillips, Majority Staff Director, House Subcommittee on Railroads, Pipelines, and Hazardous Materials
- Arielle Giordana, Majority Counsel, House Subcommittee on Railroads, Pipelines, and Hazardous Materials
- Thomas Supinka, Staff Assistant, House Subcommittee on Railroads, Pipelines, and Hazardous Materials
- Caryn Moore Lund, Majority Professional Staff Member, House Subcommittee on Highway and Transit
- Andrew Okuyiga, Minority Professional Staff, Subcommittee on Highways & Transit

- Patrick Fuchs, Majority Counsel/Sr. Professional Staff, Senate Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security, Committee on Commerce, Science and Transportation
- Ross Dietrich, Majority Legislative Aide, Senate Committee on Commerce, Science and Transportation
- Stephen Stadius, Minority Legislative Assistant, Senate Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security, Committee on Commerce, Science and Transportation
- Chance Costello, Staff Assistant, Senate Committee on Commerce, Science and Transportation
- Rebecca Higgins, Minority Committee Counsel, Senate Committee on Environment and Public Works
- Rajat Mathur, Majority Professional Staff Member, Senate Transportation, HUD and Related Agencies Appropriations Subcommittee
- Nathan Robinson, Minority Professional Staff Member, Senate Transportation, HUD and Related Agencies Appropriations Subcommittee
- Avital Barnea, Policy Analyst, DOT Office of Infrastructure Finance and Innovation.
- Caitlin Hughes Rayman, Director, Office of Freight Management and Operations, Federal Highway Administration
- Heather Dean, Congressional Liaison Specialist, Office of Legislative Affairs, Federal Highway Administration
- Trevor Gibson, Chief, Program Implementation Division, Office of Railroad Policy and Development, Federal Railroad Administration.
- Karla Bloch, Regional Manager – Southwest, Office of Program Delivery, Federal Railroad Administration.

This trip was part of our 2017 targeted legislative strategy to advocate for passenger rail and surface transportation policies and legislation, and to position SBCAG to take advantage of funding opportunities at the Federal level.

With enactment of the Fixing America's Surface Transportation Act (FAST Act) in December 2015, this year's meetings focused on programs and issues related to implementation of the new surface transportation legislation. In addition, SBCAG discussed the potential for additional infrastructure spending and advocated for the inclusion of the Highway 101 widening project.

The new freight formula program that allocates highway funding to the States and the new Nationally Significant Freight and Highway Projects (NSFHP) program that were enacted in the FAST Act provide additional potential sources of funding for highway projects. The FAST Act also included authorizations for Amtrak and for three new Intercity Passenger rail Programs, and SBCAG discussed their implementation and advocated for Congressional Appropriations for these programs.

Although Congress has continued the self-imposed moratorium on project earmarks, the trip was an opportunity to advocate for funding through discretionary grant opportunities such as the TIGER Program or FASTLANE Grants. SBCAG utilized these meetings to advocate for funding for the US 101 widening project, stressing the national, state and regional significance of the project and highlighting its support as the highest regional priority by all SBCAG member agencies. SBCAG also advocated to Congress for future TIGER Program funding to ensure that this program remains an option in future years.

SBCAG provided appropriate background information on pending legislative issues, as well as fact sheets on project requests and overview maps. The significance of the 101 to the region was a major part of the presentations, as was the Central Coast Coalition effort to highlight the importance of the corridor. In all meetings, Santa Barbara's "self-help" status as a result of Measure A was emphasized as part of our briefings.

Summary of Meetings

Delegation Meetings

House Delegation

We met with Congressman Carbajal and his staff to brief him on the 2017 Federal Platform, including implementation of the FAST ACT and funding SBCAG's priority projects.

We apprised Congressman Carbajal of SBCAG's plans to apply for TIGER grant funding for the Highway 101 project if the program is funded in FY 2017 and requested his active participation in its support. This discussion included the importance of the Highway 101 Widening Project to the Central Coast, emphasizing its status as the number one regional priority for SBCAG and its member agencies.

Congressman Carbajal also gave us his insights into the potential for Congressional action this year to provide additional funding for infrastructure. There is bipartisan support for the proposal to spending \$1 trillion on infrastructure over ten years, but the details have yet to be received from the Trump Administration. Congress will want to weigh in on the legislation as it is being drafted. The need for a funding mechanism means that this process could run late in the year. The meeting provided the SBCAG Delegation the opportunity to brief the Congressman with the latest information about the 101 Widening Project, including the actions by the State to include the project on California's list of 6 highway projects for Federal environmental and regulatory streamlining and to submit it to the Trump Administration as part of the National Governor's Association list of priority projects.

We also alerted him that changes are still needed to the National Highway Freight Network to close the Central Coast gap on the 101 Corridor. Since the FAST Act included new authorizations for Intercity Passenger Rail grant programs, SBCAG updated the Congressman on rail issues in the Central Coast in the context of Measure A implementation and the multi-modal approach to solving traffic issues in the region.

Senate Delegation

Our meetings with Senator Feinstein's staff, Trevor Higgins and Senator Harris' staff, Kevin Chang and William Niebling, enabled SBCAG to emphasize to them the importance of full implementation of the multi-year funding achieved in the FAST Act and to discuss implementation issues.

SBCAG briefed them on how the Passenger Rail Investment and Improvement Act of 2008 and ARRA were used to fund projects such as the Seacliff siding and the need to fund these programs in the future. SBCAG detailed Measure A implementation in both meetings, as well as the multi-modal approach to solving traffic issues in the region. As part of this discussion we briefed them on SBCAG's plans to apply for TIGER grant and FASTLANE grant funding for the Highway 101 project and requested their active participation in support.

In our discussion about infrastructure legislation, SBCAG explained the importance of direct Federal spending on projects like the 101 widening, since the private investment envisioned by the Trump proposal would have limited application to the project. In both meetings, staff found the specific information helpful and pledged to continue to support direct Federal funding.

Committee Meetings

Senate Subcommittee on Transportation HUD and Related Agencies Appropriations
SBCAG met with both the Majority and Minority staff from the subcommittee with jurisdiction over highway, rail, and transit program funding to discuss FY 2017 and FY 2018 funding issues.

Congress has been working to finish up the FY 2017 appropriations bills while also beginning the process for FY 2018. In addition, the President's "skinny budget" for FY 2018 was sent to Congress on March 16 and proposes to eliminate TIGER Grants and all long-distance Amtrak service. A more detailed budget proposal will be sent to Congress in late spring.

We briefed Mr. Mathur and Mr. Robinson on Measure A and the importance of SBCAG's role as a regional transportation planning organization. As part of this presentation, SBCAG explained the integrated nature of the highway and commuter rail improvements that SBCAG has been seeking and the importance of Federal

participation to partner with State and local funding already committed to these efforts. In particular, SBCAG urged the Appropriations Committee to fund the TIGER Grant Program and the new Intercity Passenger Rail Programs from the FAST Act as programs that SBCAG could compete for.

The Subcommittee staff appreciated the examples of the need for these programs and indicated support for SBCAG's requests. They also encouraged SBCAG to continue to work with Senator Feinstein as a member of the Committee to express support for the programs.

House Subcommittee on Highway and Transit/Senate Environment and Public Works Committee

The Senate Committee on Environment and Public Works has jurisdiction over Federal highway programs and Senator Harris is a member of the Committee. Our meeting with Minority Counsel Rebecca Higgins focused on legislation to fund transportation infrastructure, including funding for the 101 widening project. We also discussed the FASTLANE Grant program and the need to amend the National Highway Freight Network to close the Central Coast gap on the 101 Corridor. Ms. Higgins was very receptive to 101 Widening project as an example of transportation infrastructure that requires direct Federal spending, as opposed to private investment alone.

SBCAG also met with the House Subcommittee on Highways and Transit (Transportation and Infrastructure Committee) staff to request their support for infrastructure funding for highway and transit projects. Majority Staff Geoff Gosselin and Minority Staff Andrew Okuyiga were both briefed on the Measure A planning process and Santa Barbara's status as a self-help County. SBCAG advocated for continued Federal opportunities to fund the 101 Widening Project, and discussed the FASTLANE Grant Program and potential infrastructure legislation. Both offices agreed that the 101 project was a good example of why public-private partnerships are not always the correct approach, illuminating the need for direct Federal funding. The Committee staff informed SBCAG that they are collecting ideas right now and that actual drafting of an infrastructure bill is likely to take place later this year after funding issues are resolved.

House Subcommittee on Railroads, Pipelines, and Hazardous Materials/Senate Commerce Surface Transportation Subcommittee

SBCAG also met with the Committees with jurisdiction over rail programs to advocate for intercity passenger rail grant programs.

SBCAG highlighted both Measure A and the Federal Railroad Administration's previous funding of improvements at the Seacliff Rail Siding in our meetings. SBCAG also briefed them on the plan for additional commuter rail service in the Central Coast, the status of discussions with Union-Pacific, and how Federal funding could

be used to support these efforts. The staff appreciated the briefing in light of the potential for rail funding to be included in upcoming infrastructure legislation and also encouraged SBCAG to seek support through the FAST Act's Consolidated Rail Infrastructure and Safety Improvements Program. It is too soon to know if rail will be included in the Infrastructure Plan, but one possible approach would be to increase funding for the programs set up under the FAST Act.

Administration Meetings

We met with officials at DOT to advocate for Federal infrastructure funding for highway and rail projects.

DOT Office of the Secretary

SBCAG met with Avital Barnea, Policy Analyst, DOT Office of Infrastructure Finance and Innovation, to brief her on the 101 Widening Project and discuss potential opportunities for discretionary grant funding through the TIGER Grant and FASTLANE Grant programs. We also advocated for direct Federal funding in any future transportation infrastructure initiative.

Secretary Chao is the only DOT appointee who has been nominated by President Trump and confirmed by the Senate so far, which means that many of the offices with responsibility for these programs are not yet staffed by Administration appointees.

Although President Trump has proposed to eliminate the TIGER Grant program, some in Congress are advocating continuation of the program. In addition, the FAST Act authorized FASTLANE Grants for nationally significant freight and highway projects. If the underlying funding decisions can be resolved by Congress for FY 2017, DOT should release Notices of Funding Opportunity for the programs by late spring.

The meeting provided the opportunity to advocate in support of SBCAG's future project applications. As in all of our meetings, SBCAG stressed that Santa Barbara is a self-help County and that project applications are part of the regional transportation strategy established through Measure A. DOT is familiar with the project and our meeting provided an opportunity to discuss ways to best position future applications. SBCAG emphasized the support of the Central Coast Coalition, and the importance of the 101 Corridor.

The criteria emphasized by Secretary Chao are likely to be different from those used by the Obama Administration. These will not be known until other Trump Administration appointees are put into place, but are likely to emphasize criteria such as job creation and innovation.

Federal Highways Administration

SBCAG met with Caitlin Rayman, and Heather Dean to discuss the development of the National Highway Freight Network and its relationship to funding eligibility for the new Freight Formula Program that allocates funding to the States.

SBCAG was able to brief FHWA on the importance of the 101 Corridor in the Central Coast as a key transportation route for freight in the State of California, with critical linkages to primary freight routes and ports. In addition, the 101 corridor is the only alternate route to I-5, which is frequently closed. We also discussed the need to adjust the criteria used for designation in future legislation.

The Freight Network that DOT drafted in response to Congress' direction in MAP-21 and the FAST Act does not include the section of Highway 101 in the Central Coast, so SBCAG is currently not eligible to compete for this formula funding. However, DOT indicated that Critical Urban Freight Corridors and Critical Rural Freight Corridors can be designated by the States and would be eligible. SBCAG briefed them on the negotiations taking place at the State level and requested their support for inclusion of the 101 in the Network in the future.

Federal Railroad Administration

The meeting with the Federal Railroad Administration (FRA) provided the opportunity to build on previous meetings regarding support for rail projects to improve commuter service. SBCAG briefed FRA on the strategic plan to add additional passenger rail service in the corridor and briefed them on the status of negotiations with UPRR regarding track access rights. Trevor Gibson heads the program implementation efforts at FRA and Karla Bloch handles program delivery for SBCAG's region.

FRA indicated that SBCAG's projects are good examples of the need for Federal support for intercity passenger rail projects. The FAST Act authorized three new Intercity Passenger Rail Grant programs, which received initial funding last year. Of these programs, the one most likely to be a good fit for SBCAG is the new Consolidated Rail Infrastructure and Safety Improvements Program. Funding decisions for the program this year are pending in Congress until the FY 2017 appropriations process is wrapped up. Specifics related to future transportation infrastructure initiatives are unknown, but additional funding could potentially be provided to these programs.

Summary of Key Findings

- Funding decisions for the TIGER Grant program in FY 2017 and FY 2018 are currently unknown, but should be partially resolved in the next few weeks. If funded, the Program NOFO should be released by late spring.

- The criteria for obtaining TIGER grant funding will be slightly different this year with a new Administration, but those details won't be known until DOT is more fully staffed up. However, it will continue to be important for applications to demonstrate independent utility.
- The Nationally Significant Freight and Highway Projects program is funded at \$850 million this year and will provide an additional opportunity for SBCAG to compete for grant funding. The NOFO is expected by late spring.
- The Trump proposal to spend \$1 trillion over ten years on infrastructure has bipartisan support in Congress, but is likely to be modified as Congressional Committees and Congressional leadership help to shape the initiative.
- Many members of the House and the Senate expressed support for congressionally-directed spending, but also indicated that "earmarking" is not likely to return in the near future.
- The local House Delegation and Senators Harris and Feinstein are supportive of many of the issues advocated by SBCAG during this trip.
- The National Highway Freight Network that was designated by DOT is not likely to be modified in the near future, so SBCAG will want to continue to work with the State to explore ways to qualify for the new Freight Formula Program.
- The appropriations committees are supportive of continuing the TIGER Grant Program and funding intercity passenger rail programs authorized by the FAST Act.
- DOT will continue to issue program guidance and notices of funding opportunities throughout this year to implement other provisions from the FAST Act.

Follow-Up Actions

The Washington, D.C., Advocacy trip was a key component in SBCAG's implementation of its 2017 Federal Legislative Strategy. Follow-up actions as a result of this trip are consistent with that Strategy, and include:

- Maintain close contact with DOT staff regarding the development of TIGER Grant opportunities and potential SBCAG application for the 101 Corridor.
- If the program is funded in FY 2017, plan to submit a TIGER application by late spring/early summer.
- Once the NOFO for FASTLANE Grants is released, plan to apply for funding, if appropriate, by late spring/early summer.
- Work with Congressman Carbajal and other members of Congress in the region to support the SBCAG applications at DOT.
- Continue ongoing local efforts to maintain and express regional support for the SBCAG Agenda in general and the Highway 101 Widening Project as the highest priority in particular.

- Continue to work with the Central Coast Coalition to highlight the importance of the Highway 101 Corridor to the State of California and the nation.
- Work with Senator Feinstein in her role as an Appropriations Committee member, and with the other members of the local Congressional Delegation, to support FY 2017 and FY 2018 funding for the TIGER Grant Program, Intercity Passenger Rail Grants and other FAST Act programs.
- Communicate to the local Delegation any FAST Act implementation issues that arise this year.
- Monitor FAST Act provisions related to the National Highway Freight Network and continue to provide suggestions for adjusting the program criteria in future legislation to ensure inclusion of the 101 Corridor in the Central Coast.
- Work with the State on implementation of the Freight Formula Program including discussion of designating Highway 101 as a Critical Urban Freight Corridor or Critical Rural Freight Corridor.
- Monitor future legislation related to transportation infrastructure and continue to advocate for direct Federal spending through DOT, rather than private investment alone.