

STAFF REPORT

SUBJECT: San Joaquin One Voice® Policy Priorities

RECOMMENDED ACTION: Approve adding the list of policy priorities to the 2017 San Joaquin One Voice® Program

DISCUSSION:

In March, the SJCOG Board approved the submission of 23 projects for the 2017 San Joaquin One Voice® program and selected seven (7) projects as the top regional priorities.

In addition to these project that were submitted, SJCOG staff have identified several regionally significant policy priorities that have community-wide benefit and significance to the region. Staff is looking for feedback and direction on this list of policy related priorities:

- **Support Regional Transportation Plan Update Cycle Change from 4 to 8/10 years**
SJCOG, as the MPO for the San Joaquin region, develops the RTP which involves a very extensive process that includes years of modeling, forecasting, planning, public outreach and widespread environmental review. This strategic planning process involves many statutory requirements and because of the intense coordination and collaboration required with the various state, local, and federal agencies, as well as the public, ends up being a very costly project to complete. Furthermore, and more importantly, by the time the RTP is completed, there is little or no time for the implementation of the Plan or time to assess performance outcomes before it is time to start developing the next Plan. The RTP would be more useful if it was not required to be updated so often, which would also save significant time and expense, making the process of planning and programming much more efficient.
- **Support FAST Act freight funding and policy for priority projects identified in the ongoing San Joaquin Valley Interregional Goods Movement planning processes**
As a growing and diversified region, the San Joaquin Valley depends on an efficient goods movement system for its long-term economic success and to safely move Valley resources for transport throughout the rest of the nation. The San Joaquin Valley Interregional Goods Movement Plan, finalized in 2013, highlighted how freight movement is a vital component of the San Joaquin Valley's diverse economy that significantly plays a major role in the distribution of agricultural materials throughout California, the United States, and the world.

The Plan is being updated in 2016-17 with additional analysis for priority rural corridors and first-and-last mile connectors. It is anticipated that many of the priority projects

identified through our planning efforts will also be eligible for federal Fixing America's Surface Transportation (FAST) Act freight funding.

➤ **Support discussions to soften or eliminate the current earmark ban**

Earmarks were eliminated in 2010. Since that time, a variety of Members have made the case that in eliminating earmarks, they ceded the “power of the purse” to the Administration. The discretionary funding once used for earmarks became somewhat of a “slush fund” for the Administration to use for competitive grant programs. Members have said they know their districts better than the Administration in terms of specific needs.

Congressional Republicans recently announced the House Rules Committee will hold hearings before making a decision on whether and how to soften the current earmark ban. As the Rules Committee looks at the pros/cons of earmarks, the San Joaquin region should also focus on the benefits of our Members having the ability to identify funding for projects specific to local governments/non-profits.

➤ **Support Clean Water Act/WoTUS revisions that meet the goal of the Clean Water Act while respecting the limits of federal power**

The Clean Water Rule (finalized in August 2015) clarified which streams and wetlands receive automatic protection under the Clean Water Act. Petitioners filed 18 lawsuits in district courts and 22 petitions for review in federal appeals courts over the rule, which is also known as Waters of the U.S., or WOTUS. In February 2016, the 6th U.S. Circuit Court of Appeals found that it had jurisdiction to hear challenges. The Supreme Court decided to take up the case in January shortly before Inauguration Day, while at the same time, President Trump issued an Executive Order compelling U.S. EPA and the Army Corps of Engineers to take another look at the joint rule. Regardless, the rule remains stayed nationwide.

It remains to be seen if the new administration and Congress can come together on a revised rule that meets the goals of the Clean Water Act while respecting the limits of federal power.

➤ **Support the San Joaquin Valley Air District position regarding the Clean Air Act**

The San Joaquin region supports the provisions in the Clean Air Act that call for routine review of the health based standards, clean air objectives that are technology forcing, and clean-air deadlines that ensure expeditious cleanup and timely action. However, there are a number of the provisions in the Act that are leading to unintended consequences and misdirected resources.

The County must reduce its pollution levels by over 90 percent over the next two decades to meet the 2015 Ozone standard and are already in non-attainment for two other Ozone standards. Each of these standards requires a separate air quality plan which leads to multiple requirements and deadlines to include a labyrinth of air quality tests requiring massive coordination among numerous regional, state and federal agencies. The County faces the potential for air quality conformity lockdown if harmonization of the above

mentioned tests does not occur. Lockdown could lead to project delivery delays or the loss of millions of dollars for transportation projects.

➤ **Support the use of innovative financing mechanisms, such as Public/Private Partnerships (3Ps) and provide guidance on how the programs could be better structured in a potential infrastructure package**

As a small urbanized area, San Joaquin County has not been able to benefit from the TIFIA or RIFF programs nor have we been able to utilize public-private partnerships and other innovative financing mechanisms. However, with a greater focus on P3s, we believe the County will have an opportunity to offer guidance to the Administration and Congress on potential changes that could work for the County. The Administration is currently collecting data from local governments to determine barriers for use of innovative financing.

Now is the time to share our concerns with the Administration and Congress and provide guidance on how the programs could be better structured in a potential infrastructure package.

➤ **Support Delta Protection activities and initiatives**

The San Joaquin regional advocates for a statewide water solution that includes water system operation improvements/conveyance, regional self-reliance, levee improvements, storage and restoration to the Delta.

RECOMMENDATION:

Recommend the SJCOG Board approve the list of issues for the 2017 San Joaquin One Voice® program, as identified above.

FISCAL IMPACT:

The addition of policy priorities to the San Joaquin One Voice® platform will have no impact to SJCOG OWP. Earmarks are not expected in the 2017 budget; however funding allocations are available from departments and through grants. The status of requests for federal funding for some projects will not be known until next fiscal year.

BACKGROUND:

The 2017 San Joaquin One Voice® trip to Washington, D.C. has been in effect for 16 years. Over the years our discussions in DC have changed from not just funding requests for projects but also policy change requests and support for continued funding of programs, as earmarks are no longer available. With a new administration, we have the opportunity to receive counsel from legislators, legislative staff, and the administration about the various federal programs available and how we can successfully compete in the grant process. We still highlight our projects where possible and make every effort to educate the participants on funding opportunities that may be available through discretionary grant and incentives programs.

This year we have 46 elected officials, business leaders, and community partners from our region registered to participate in the program. The San Joaquin One Voice® trip to Washington D.C. is scheduled for April 29 - May 4, 2017.

COMMITTEE ACTIONS:

- *Technical Advisory Committee* – Unanimously approved the staff recommendation and added Transit Funding and Streamlining as additional issues of interest.
- *Management and Finance Committee* – Approved the staff recommendation.
- *Executive Committee* – had not met at the time of writing this staff report.

NEXT STEPS:

Staff is working with our consultant to develop position papers on each of these policy priorities with a goal of having the draft papers available for review and discussion at the pre-trip briefing meeting, scheduled for Monday, April 17th at 1:00 p.m. Staff will take the comments received from the committees and the One Voice participants, finalize the papers and submit them to the SJCOG Board for review and approval at the April 27, 2017 meeting.

The full list of projects, policy issues, and other details can be found on our website at www.sjcog.org/onevoice.

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