



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
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Santa Barbara, CA 93101
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Department Name: 1st District Supervisor
Department No.: 011
For Agenda Of: 03/1/11
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Board Member Salud Carbajal, Supervisor, 1st District 568-2186
Contact Info: Jeremy Tittle, Executive Staff Assistant 568-2182
SUBJECT: Report on Washington DC Legislative Visits

County Counsel Concurrence

As to form: N/A

Other Concurrence: N/A

As to form: No

Recommended Actions:

Receive report on Washington DC legislative visits to advocate for Santa Barbara County's 2011 Federal Legislative Platform Priorities

Summary Text:

Supervisor Salud Carbajal, his Executive Staff Assistant Jeremy Tittle, Public Works Director Scott McGolpin, and Interim Parks Director and Deputy Public Works Director Tom Fayram traveled to Washington, D.C. for meetings scheduled on January 26-28 to advocate in support of the Board's 2011 Federal Legislative Platform. Thomas Walters & Associates, Inc., the County's Washington, D.C. representative, arranged and participated in the meetings with Supervisor Carbajal, Mr. Tittle, Mr. McGolpin, and Mr. Fayram. Meetings included:

- **Ryan Hunt**, Professional Staff, Senator Dianne Feinstein
- **Congresswoman Lois Capps**
- **Jonathan Levenshus**, Legislative Director, Congresswoman Lois Capps
- **Kenneth Steinhardt**, Senior Legislative Assistant, Congressman Elton Gallegly
- **Kira Finkler**, Deputy Commissioner External & Intergovernmental Affairs, U.S. Bureau of Reclamation
- **David Murillo**, Deputy Commissioner, Operations, U.S. Bureau of Reclamation
- **Jeri Brewer**, MP Regional Liaison, U.S. Bureau of Reclamation
- **Noah Walker**, Professional Staff, Senator Barbara Boxer
- **Larry Lavender**, Chief of Staff, Chairman Spencer Bachus, House Committee on Financial Services

- **Michael Borden**, Majority Professional Staff, House Committee on Financial Services
- **Kevin Edgar**, Republican Senior Counsel, House Committee on Financial Services
- **Jason Goggins**, Republican Counsel, House Committee on Financial Services
- **David Agnew**, Deputy Director for Intergovernmental Affairs, White House Office of Intergovernmental Affairs
- **Let Mon Lee**, Senior Policy Advisor to Assistant Secretary for Army Civil Works, Department of the Army
- **Andrew Dohrmann**, Majority Professional Staff, Chairwoman Barbara Boxer, Senate Committee on Environment and Public Works
- **Angie Giancarlo**, Professional Staff to Chairman Rodney Frelinghuysen, House Energy and Water Appropriations Subcommittee
- **Taunja Berquam**, Professional Staff to Ranking Member Pete Visclosky, House Energy and Water Appropriations Subcommittee
- **Ruth Hupart**, Legislative Assistant, Congressman Lloyd Doggett
- **Carla McNeil**, Legislative Assistant, Congressman Mike Thompson
- **Roger Cockrell**, Professional Staff, Senate Energy and Water Development Subcommittee on Appropriations
- **Steve Stockton**, Chief of Civil Works Program, Army Corps of Engineers
- **Colonel William Leady**, Commander of South Pacific Division, Army Corps of Engineers
- **Robert Bank**, Chief of Civil Works, Engineering and Construction, Army Corps of Engineers
- **Ada Benavides**, Deputy Chief, ACOE South Pacific Division Regional Intergration Team

Meetings with our local Congressional delegation and Senators Boxer and Feinstein focused on sharing the highlights of the County's adopted Legislative Platform. This included exploring opportunities for Federal funding for County projects through the annual appropriations process. The County's funding requests which were discussed with each of the offices included the requests for the Santa Maria Levee Reach 3 Extension, the Lower Mission Creek Flood Control Project, mitigations for impacts of the surcharge requirement on Lake Cachuma facilities, the Goleta Beach stabilization project, Public Beach Access Safety Improvements, Santa Barbara County Courthouse Renovation, County Health and Human Services Campus Upgrades, and the Santa Barbara and Lompoc Veterans Building Renovations. Additionally our delegation was made aware of the County's transportation priorities for the anticipated reauthorization of SAFETEA-LU and of the County's support of legislation or anticipated legislation related to PACE programs (EMPower) and Conversion Technology. Meetings with committee staff and agency staff focused on the policy areas and projects within their purview. The meeting with Mr. Agnew at the White House focused on the importance of transportation funding to local communities, the County's opposition to cuts in Community Development Block Grants (CDBG), the impact of the FHFA's decision regarding PACE programs, and Conversion Technology. Finally the meeting with Congressman Doggett's office focused on the Conversion Technology bill he is sponsoring and the meeting with Congressman Thompson's office focused on his work on the PACE issue.

The following are some highlights and key insights that were taken away from the meetings –

- The current atmosphere and opinions regarding the appropriations process and project specific "earmarks" is much different than in past years. The Republican leadership in the House had stated earlier this year that there would be no earmarks including in the appropriations bills passed by the House. This was followed by the President's statement during his State of the

Union address that he would not sign appropriations bills with earmarks in them. Finally the Democratic Senate leadership also stated that there would be no earmarking in Senate appropriations bills as well. This collective consensus prohibiting earmarking could have a negative effect on our County's ability to receive federal funding for priority projects such as the Santa Maria Levee Extension, the Mission Creek Flood Control Project, Cachuma improvements, Goleta Beach, and others. Despite this fact, the County delegation believed that it was important to share the needs and benefits associated with these and other projects with our delegation and Appropriations Committee staff to continue to reinforce the important role that the federal government has to play in these projects. It appears that Senator Feinstein is in line to become Chair of the Senate Appropriations Subcommittee on Energy and Water so if earmarking or a similar process of identifying projects does return this could be beneficial to the County.

- In the meetings with our delegation and Appropriations Committee staff there was an understanding of the importance of the County projects and an acknowledgement of the need for a federal role in partnering on funding for them. It was beneficial that they had seen most of these projects before and in many cases been involved in providing appropriations for them in the past. There was also a general theme in the feedback from the Members and staff that the current attitudes on earmarking might change in future years. This could result in some form of earmarks being considered in future appropriations cycles or another mechanism for prioritizing federal funding for local projects being put in place. The other common theme from the meetings was the importance of advocating to the appropriate federal agencies for them to provide funding for our priority projects in the current fiscal year and any subsequent years where Congress doesn't earmark in appropriations bills. It was also emphasized that the County should be on the alert for competitive grant possibilities whenever possible, such as the Save America's Treasures program as a potential funding source for the historic Santa Barbara County courthouse.
- The current ban on earmarking does not appear to apply to authorization bills in the Senate such as the TEA transportation reauthorization. The consensus appeared to be that a reauthorization of SAFETEA-LU will finally occur this year after reauthorization efforts were tabled in the past couple of years in favor of temporary extensions. Despite the consensus that a bill will likely be considered, there still seem to be many unresolved issues regarding the size of the bill, the role of demonstration projects (earmarks), and how exactly money will flow to state and local government. During the meetings relevant to this issue, the range of County priorities related to the bill were articulated. These include support for pavement preservation programs, the benefits of allowing money to flow directly to local governments instead of passing through state governments, County local priority projects (including Hollister Avenue widening, Union Valley Parkway, Purisima Road widening, Old Town Orcutt streetscape, and Refugio Road safety improvements), as well as the County's support of the Highway 101 HOV Widening as a Project of Regional Significance. Our delegation and Committee staff gave feedback on how to best focus the County's requests. In particular, staff of the Senate Environment and Public Works Committee requested additional information on the County's pavement preservation program and Mr. McGolpin followed up with them to provide the relevant information. It was stated that there will likely be some action on a draft bill in late spring of this year although specific timelines for project submittals have not been given.

- Our delegation, Appropriations Committee staff, and the Army Corps are very familiar with the issues and needs associated with the ongoing Santa Maria Levee Repair. Despite the understanding and clear federal nexus for providing the federal match for the additional funding needed for the Reach 3 Extension, the challenge is how to secure the funding in the current environment in a timely manner. The Corps Headquarters staff stated that it is a priority to finish the Levee and that they will hold Los Angeles District staff to a schedule for completion. They committed to looking at streamlining the schedules and approvals needed. At this point securing funding is the major challenge and the best approach appears to continue to work with Corps staff to encourage them to allocate money to the project.
- The key challenge with the Mission Creek Flood Control project continues to be securing a federal construction start for the project from Congress or the President which will allow federal money to be used for the federal match for construction of the project. Given the current realities with earmarking, this will be a challenge and thus make the traditional approach to allocating construction money to the project unlikely in the near future. House Energy and Water Appropriations Committee staff mentioned that there was the possibility of reevaluating existing practices given the current realities and that it is important to be in conversations with the Army Corp about this predicament. It was also stated that the fact that the County has the local flood control benefit assessment money for the local share of the project in hand it might give added flexibility in pursuing a creative solution. The Corps staff understood the realities of the project including the fact that design is complete and it is ready for construction, but stated that little can be done until a construction start is secured. In following up on these conversations, Mr. Fayram is working with Corps District staff to arrange for a meeting between Colonel Toy, USACOE Los Angeles District Commander, and local agency partners to discuss the project and next steps further.
- In the meeting with Bureau of Reclamation Deputy Commissioners and staff, the various components of the Lake Cachuma facilities improvements were discussed including prioritization of the various improvements and follow up on the ARRA money the County received for Cachuma. It is very much up in the air at what level the Bureau will be funded and if there are no earmarks how funding for individual projects will be allocated. They stated that the fact that there are no earmarks does not mean necessary that Bureau leadership will have more discretionary money. There is a potential that Congress could ask for a spending plan as a way of articulating what projects are funded.
- Our local delegation was interested to hear about the County's Conversion Technology (CT) Project and agreed to look into the legislation (H.R. 66) that Congressman Doggett has introduced which would provide investment tax credits for qualified waste-to-energy facilities. Congressman Doggett's staff was appreciative of being made aware of the County's interest in CT and was particularly interested in the range of benefits that can come from the project. County Resource Recovery staff is following up with Congressman Doggett's office to provide more background about the County's work on this issue.
- The issue of FHFA's (Fannie Mae and Freddie Mac) decision regarding PACE assessments and the impact on our local EMPower program was discussed in a range of meetings including the meetings with our local delegation, Congressman Thompson's office, White House Intergovernmental Affairs, and Majority staff of the House Financial Services Committee. The

issue appeared to be on the radar to some degree, however there was not consensus about what could or should be done about it. This is complicated by the fact that the future of PACE is somewhat intertwined in how Congress and the Administration reform, modify, or eliminate Fannie and Freddie. Congressman Thompson introduced legislation last year to allow PACE programs to proceed and is looking to introduce similar legislation this year. Congresswoman Capps was a cosponsor of this legislation last year and Senator Boxer introduced companion legislation in the Senate. However for legislation supporting PACE to have a chance of moving forward in the House in this session, it would need to go through the Financial Services Committee and the Majority Committee staff was understanding of the County's position but did not appear to feel such legislation would likely be a priority. They did mention that there will be a focus on reforms of Fannie and Freddie. One possibility that was suggested by Committee staff was to request that a California member of the committee raise a question about PACE during an upcoming GSE hearing that the Committee would be having.

Authored by: Jeremy Tittle 568-2182