

Revised Agenda Item No. 10

Board of Directors

September 3, 2014

10:30 a.m.

Location
SANBAG

Super Chief Conference Room
1170 W. 3rd Street, 2nd Floor
San Bernardino, CA

CONSENT CALENDAR

Council of Governments

10. That the Board:

A. Receive and file the State and Federal Update

B. Adopt the composition of the Washington D.C. Advocacy Team to include the President, Vice President and/or the Immediate Past President, as well as one Board Member with topic specific expertise, the Executive Director, and the Director of Legislative and Public Affairs.

C. Oppose the designation of a National Monument for the portions of the Angeles National Forest and San Bernardino National Forest lying within the boundaries of San Bernardino County unless sufficient time is given for public dialogue regarding the potential impacts and benefits of such a designation. Send a letter to this effect to the Undersecretary of the U.S. Department of Agriculture, the appropriate Members of Congress, and the Administration. Wendy Strack

This item was revised to reflect Staff's recommendation that the SANBAG Board of Directors consider opposing the National Monument designation in San Bernardino County until the issues can be properly considered and publicly debated. Revisions are noted in BOLD.

Minute Action

AGENDA ITEM: 10

Date: September 3, 2014

Subject:

State and Federal Legislative Update

Recommendation:

That the Board:

A. Receive and file the State and Federal Update

B. Adopt the composition of the Washington D.C. Advocacy Team to include the President, Vice President and/or the Immediate Past President, as well as one Board Member with topic specific expertise, the Executive Director, and the Director of Legislative and Public Affairs.

C. Oppose the designation of a National Monument for the portions of the Angeles National Forest and San Bernardino National Forest lying within the boundaries of San Bernardino County unless sufficient time is given for public dialogue regarding the potential impacts and benefits of such a designation. Send a letter to this effect to the Undersecretary of the U.S. Department of Agriculture, the appropriate Members of Congress, and the Administration.

Background:

State

As the State nears the end of the 2013-2014 Legislative Session, a few key deadlines remain. The Legislature returned from Summer Recess on August 4th and is working to finish action on bills ahead of their year-end deadline.

August 15: Second House Appropriations Committee Deadlines

August 31: Last Day of Session

September 30: Last Day for the Governor to Sign or Veto bills

November 30: Adjournment

December 1: The 2015-2016 Legislative Session Begins

Staff continues to monitor bills shown in the Legislative Bill Matrix (Attachment A) as they move through the legislative process. A verbal update will be provided on major items pending in the last month of session.

Entity: CMA, COG, CTA, CTC, SAFE

Federal

Surface Transportation Reauthorization

With the federal Surface Transportation bill, Moving Ahead for Progress in the 21st Century (MAP-21) set to expire on September 30th, and the Highway Trust Fund (HTF) projected to go insolvent in August, Congress needed to act before the August recess in order to avoid actions by the U.S. Department of Transportation (USDOT) to slow disbursements to states.

In July, Chairman of the House Ways and Means Committee Dave Camp (D – Michigan) introduced a \$10 billion HTF bailout package, H.R. 5021, accompanied by an eight-month extension of MAP-21. This passed out of the House and was sent to the Senate on July 15th.

On July 29th, the Senate passed H.R. 5021 with two amendments. The amendments reduce both the available revenues and length of the bill, shortening it from May 31, 2015 to December 19, 2014, and removing \$2.9 billion in “pension smoothing” offsets.

The amended bill was sent back to the House, but it was rejected and sent back to the Senate on July 31st. Following the House action, the Senate acted later that day to accept the original House bill. The final bill now heads to the President for action. If signed, it will allow the HTF to remain solvent and provide MAP-21 authorization levels and policies through May 31, 2015.

National Recreational Area

In 2013, the National Park Service (NPS) released their final report recommending the establishment of a “San Gabriel Unit” of the Santa Monica Mountains National Recreation Area (NRA). The recommendation largely limited the NRA designations to portions of the San Gabriel Valley with the exclusion of national forest land, despite the more extensive land area originally studied.

Congresswoman Judy Chu (D-CA) subsequently led a series of stakeholder meetings and has introduced the San Gabriel National Recreation Area Act. The bill, H.R. 4858, would designate the San Gabriel Mountains and portions of the San Bernardino Mountains, river corridors and some surrounding urban areas as an NRA. The Congresswoman’s goal for this legislation would be to allow the NPS to coordinate stakeholders at the Federal, State, and local level and contribute to community-based projects focused on sustainable recreation, education, and the preservation of local habitat and history.

As part of SANBAG’s 2014 D.C. advocacy trip, this topic was covered by Congresswoman Chu. The legislation had recently been released and SANBAG requested an extension of the comment period to allow for appropriate review time. Congresswoman Chu granted the request made by SANBAG and a number of entities and the review time was extended. SANBAG then submitted a comment letter outlining the Board’s adopted principles and specific comments on the proposed legislation.

Several of SANBAG’s requests were incorporated into the introduced version of the bill, including:

- Addition of two representatives from SANBAG to the San Gabriel National Recreation Area Partnership Board.
- Inclusion of language providing additional protections for transportation and public transit within the NRA boundaries, though a little less specific than originally suggested by SANBAG.

Items omitted include specific references to capacity enhancing projects and suggestions to include additional representatives to the Partnership Board from the impacted cities, the business community, and other resource agencies from San Bernardino County.

Since this item was presented to the General Policy Committee on August 13, 2014, SANBAG has been made aware of a request made by Congresswoman Chu to the Administration to designate portions of the Angeles National Forest and San Bernardino National Forest as a “National Monument” by Executive Order. The Administration is seriously considering the request and moved quickly to hold stakeholder meetings with the Undersecretary of the U.S. Department of Agriculture, the Chief of the U.S. Forest Service (USFS) and other USFS personnel on August 25th and 26th, as well as to hold a public meeting on August 26th in Baldwin Park.

There is some speculation that an announcement could come before the November 2014 General Election, without any further planned vetting of the proposal in San Bernardino County.

As it is still unclear what the National Monument designation will mean to the residents of the communities of Lytle Creek, Wrightwood, and Mt. Baldy, as well as impacts to land uses, private property rights, and transportation needs in the area, Congressman Paul Cook (R-CA) has requested that the SANBAG Board of Directors consider opposing the designation in San Bernardino County until the issues can be properly considered and publicly debated.

Staff recommends that we request that the portions of the Angeles National Forest and San Bernardino National Forest that fall within San Bernardino County be removed from further consideration as a National Monument until such time as a proper vetting of the issues can occur with the impacted communities. SANBAG is well aware of the need for additional resources and attention that are urgently needed in the communities of Mt. Baldy, Lytle Creek, Wrightwood, as well as in Cucamonga Canyon. However, these issues are amongst those that can be considered through sufficient public dialogue over time, not rushed in a matter of weeks. Staff additionally recommends that a letter to this effect be sent to the USDA Undersecretary, the appropriate Members of Congress, and the Administration.

Washington D.C. Advocacy Team

Every year, the SANBAG advocacy team travels to Washington D.C. and meets with the Congressional and Senate leaders, key Committee Members, the San Bernardino County

delegation and key transportation staff. The purpose of the trip is to communicate SANBAG's federal priorities.

In the past, the composition of the group has varied from year to year. Typically, the group has consisted of SANBAG's President, Vice President, Immediate Past President and committee chairs, as well as SANBAG's Executive Director and Director of Legislative and Public Affairs.

However, it has become increasingly apparent that because of the limited time and space afforded for meetings on the hill, it may be worth considering sending a smaller delegation to Washington D.C. At this time, staff is proposing that the composition of the team going forward be the President, Vice President and/or Immediate Past President (if either the President or Vice President cannot attend), and/or one Board member who has specific knowledge of an advocacy issue of significance. The Executive Director and the Director of Legislative and Public Affairs would continue to accompany the group. A smaller team will give Board members more time to speak with Members and address priority issues.

Financial Impact:

This item has no fiscal impact on the Fiscal Year 2014/2015 SANBAG Budget.

Reviewed By:

This item was reviewed and unanimously recommended for approval by the General Policy Committee on August 13, 2014.

Responsible Staff:

Wendy Strack, Director of Legislative and Public Affairs