

TO: Regional Transportation Commission – Policy Workshop
Bicycle Committee
Elderly & Disabled Transportation Advisory Committee
Interagency Technical Advisory Committee

FROM: Kim Shultz, Senior Transportation Planner

REGARDING: Draft 2007 State and Federal Legislative Agenda

RECOMMENDATIONS

Staff recommends that the Regional Transportation Commission and the respective advisory committees:

1. Review and provide comment on the Draft 2007 State and Federal Legislative Agendas (Attachments 1 & 2, respectively); and,
 2. Direct staff to prepare the Final Draft 2007 State and Federal Legislative Agendas for consideration at the January 2007 meeting of the Regional Transportation Commission.
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BACKGROUND

Every year the Regional Transportation Commission (RTC) adopts a legislative agenda to guide its support and opposition of state and federal legislative or administrative actions. RTC staff coordinates with the Santa Cruz Metropolitan Transit District, the local jurisdictions in our county, and other regional transportation planning agencies around the state in the development and implementation of the RTC legislative program. The 2006 Legislative Agendas were approved by the RTC in March 2006, after review and comment by the RTC's advisory committees.

In June 2006, the RTC renewed the contract with Carolyn Chaney & Associates to serve as the RTC's Federal Legislative Assistant. At your November meeting, the RTC awarded a contract to JEA & Associates to serve as the RTC's State Legislative Assistant.

DISCUSSION

Based on the advice of the State and Federal Legislative Assistants, staff proposes advancing the development and adoption of the respective legislative agendas for 2007. The Draft 2007 State and Federal Legislative Agendas (Attachments 1 & 2, respectively) have been updated from the approved 2006 Legislative Agenda with underline for

proposed new language and strikeout for deleted language. Proposed changes and the status of legislative issues are discussed below.

With the Commission's input on the Draft 2007 Legislative Agendas, these documents will be circulated to the Commission's committees for review and comment in November and December. Final adoption of the 2007 Legislative Agendas is scheduled for your January meeting.

State Legislative Agenda

The Draft 2007 State Legislative Agenda (Attachment 1) is virtually the same as that adopted in 2006 and includes recommendations from the RTC's State Legislative Assistant. Two provisions in the 2006 Agenda have been deleted as a result of action taken this past legislative session:

- **Provision 1.e. CMAQ Funds.** SB 1587, signed by the governor in September 2006 provides a 2-year phase out of CMAQ funds to the Santa Cruz region.
- **Provision 3. Supporting creation of a transportation bond measure.** The Legislature and Governor created Proposition 1B, a \$19.9 billion transportation bond on the November 2006 ballot.

Revisions and/or additions to the draft agenda are recommended by staff and the RTC's State Legislative Assistant. Several of the proposed changes are a result of propositions on the 2006 General Election Ballot and position the RTC took in support or opposition to those propositions.

- **Provision 3. Support follow-up to the Transportation Bond Measure**
Implementing language is required for some of the funding programs authorized by Proposition 1B, the Transportation Infrastructure Bond. This item supports the development of fair and equitable program funding and project criteria. Advocacy efforts may be necessary with the administrative, legislative and regulatory agencies to maximize the amount of funds coming to the Santa Cruz region and to ensure that the local agencies retain the authority to decide how to program any new funds.
- **Provision 7.a. List of Transportation Bond Projects.** This is a placeholder to list specific projects identified by the RTC for pursuit of funding through the transportation bond measure (i.e. the \$4.5 billion Corridor Mobility Improvement Program to be allocated by the California Transportation Commission). Advocacy efforts will be necessary to ensure that the Santa Cruz region realizes a fair share of transportation bond funds.
- **Provision 7.b. Transit Specifics.**
 - Support of legislation that promotes transit-oriented development, such as Metro's Pacific Station and funding provided by Proposition 1C.

- Support protection of remaining Proposition 116 funds, particularly for the acquisition of the Santa Cruz Branch Rail Line.
 - Monitor efforts by Metropolitan Planning Organizations (MPOs) to link funding to the Regional Blue Print Plans.
- **Provision 7.g. Eminent Domain.** This is a new item prompted by Proposition 90 and general concern among voters and legislators that controls may be warranted to avoid potential abuse of the government’s use of eminent domain. The goal of this item is to ensure that any new controls placed on eminent domain authority do not unduly affect transportation projects.

Staff and the RTC’s State Legislative Assistant will closely monitor efforts to require regional “blueprint planning” efforts. While one of the goals outlined in the *Regional Transportation Plan (RTP)* is to coordinate land use and transportation decisions, staff is concerned that legislative action requiring regional blue prints may result in costly and duplicative planning efforts that impact local control of land use decision making. If a “blueprint” or Regional Growth Plan is included in the implementing legislation of the Housing Bond (Proposition 1C), it will be important to support efforts to ensure that it remains self-contained within the housing element, and does not spill over into transportation elements of the bond.

Federal Legislative Agenda

The Draft 2007 Federal Legislative Agenda ([Attachment 2](#)) has been updated from the approved 2006 Legislative Agenda with input from RTC’s Federal Legislative Assistant, Carolyn Chaney and Associates. As previously reported by Ms. Chaney, Congress has been unable to meet the maximum annual allocations authorized by the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) due to ambitious revenue generation assumptions used in adopting this federal transportation authorization bill. Rather than promoting one type of transportation project or program over another, staff recommends maximizing the funding allocations provided in SAFETEA-LU and monitoring discussions related to future transportation authorization bills.

Specifically, staff recommends amending the following provisions:

- **Provision 2.a. Maximize Flexible Transportation Funding.** Staff recommends amending this provision to replace the term “Transit” with the broader term “Transportation”, and support the maximum allocation possible to improve transit, relieve traffic congestion, encourage alternative modes, and meet increased paratransit demands. Given constrained revenues, more discretion should be given to the local and regional agencies to implement those programs that best serve the interests and needs of each area.
- **Provision 4. Monitor the National Surface Transportation Policy and Revenue Study Commission.** Recognizing current and future funding challenges SAFETEA-LU authorized formation of a committee to review this issue. Ms.

Chaney recommends paying particular attention to the solvency of the Highway Trust Fund, as well as monitoring the process to identify any opportunities the creation of new funding mechanisms can provide.

When Ms. Chaney was in Santa Cruz in September 2006, staff reviewed the status of all projects to identify opportunities where federal assistance may be beneficial. One such area discussed was the prospective acquisition and needed maintenance of the Santa Cruz Branch Rail Line. The 2004 American Jobs Creation Act, set to expire in December 2007, includes a provision providing a tax credit to qualifying entities conducting qualified railroad track maintenance efforts. Staff recommends adding Provision 7 to the draft legislative agenda which supports extending this program as a method to enhance the maintenance of railroad facilities.

Staff also recommends adding Provision 11, supporting the creation of a Federal/State capital funding program for rail road projects. The program would be similar to the highway capital projects program wherein federal funds are used to meet 80% of a project's cost and state revenue provides the remaining 20% of the needed project funds. Federal Senate Bill 1516 included language for such a program. The program was not approved and is expected to be introduced again in the next legislative session. Also, this program could be included in discussions currently underway in the National Surface Transportation Policy and Revenue Study Commission.

Staff will provide a report from Ms. Chaney in January on prospective issues Congress may be addressing in the upcoming year, and the impact, if any, the recent elections have on the federal transportation agenda.

SUMMARY

This report provides the initial Draft 2007 State and Federal Legislative Agendas for review and comment to the Regional Transportation Commission and the Commission's advisory committees. Staff proposes to present the Final Draft of the 2007 State and Federal Legislative Agendas, with the comments received from the advisory committees, to the Regional Transportation Commission for approval at the January 2007 meeting.

Attachments:

1. Draft 2007 State Legislative Agenda
2. Draft 2007 Federal Legislative Agenda