

**Staff Evaluation of Services Provided by  
Potomac Partners, DC for 2020**

The following narrative provides specific information with respect to major issues addressed by Potomac Partners, DC (PPDC) as the Orange County Transportation Authority's (OCTA) primary federal legislative advocate, in 2020. Each issue has been evaluated based on effort and outcome using a rating of excellent, very good, good, fair, or poor.

**Coronavirus (COVID-19) Pandemic Response**

*Effort: Very Good; Outcome: Excellent*

Discussions surrounding the COVID-19 response became the dominant policy issue in 2020, stalling many previous policy discussions. Many of the actions taken this year to help support transportation agencies, especially in relation to the operation of transit services, required PPDC and OCTA to not only track changes at almost a daily rate, but also provide quick feedback to ongoing discussions. PPDC communicated OCTA's policy asks, project priorities, and funding needs to not only Orange County's delegation, but also to key members of Congressional leadership. With OCTA working within many trade coalitions to achieve policy outcomes, including with the American Public Transportation Association (APTA) and the California Transit Association, PPDC was tasked with ensuring that OCTA's unique project and funding needs were readily understood by Orange County's delegation. Perhaps the most significant outcome from these discussions was passage of the Coronavirus Aid, Relief, and Economic Security (CARES) Act. Within the CARES Act, OCTA was provided significant economic relief for transit operations and safety response, which allowed transit operations to not only be stabilized during a time with significant economic unknowns and declining revenue sources, but also provided the ability to purchase materials to sanitize and better protect employees and customers of the system. Without the funding provided by the CARES Act, transit service within Orange County would have been significantly impacted.

After the passage of the CARES Act, several additional economic stimulus measures were proposed, which would provide new resources for both transit operations and highway programs. Each proposal used different formulas, which led to varying benefits for OCTA. In addition, some of these proposals added new programs, such as providing additional funding for Capital Investment Grant program projects to respond to COVID-19 impacts. While OCTA would have benefited under many of these proposals, some proposals were drafted in a manner which would make OCTA ineligible. Ultimately, no proposal gained traction to allow passage. More work will be needed by PPDC going forward to ensure that OCTA's projects and programs benefit from any future stimulus measure, both to assist in ongoing COVID-19 response, but also to both stimulate the economy and provide the basis for future transportation planning post-pandemic.

## Policy Priorities

*Effort: Very Good; Outcome: Good*

Beyond COVID-19 response discussions, Congress was required to take action on several important transportation topics – namely work on surface transportation reauthorization, with the Fixing America's Surface Transportation (FAST) Act, which expired on September 30, 2020. Ultimately, Congress was unable to come to agreement on a long-term surface transportation reauthorization bill, and instead opted to pass a temporary one-year extension to the FAST Act. Nevertheless, PPDC used these discussions to try to advance several OCTA policy priorities including the following:

- Similar to the language secured in 2019 in the Senate Environment and Public Works Committee draft reauthorization legislation, PPDC was able to advance language in the House Transportation and Infrastructure Committee reauthorization proposal, the Investing in a New Vision for the Environment and Surface Transportation (INVEST) in America Act, to enact Transportation Infrastructure Finance and Innovation Act, as requested by OCTA. While not all of OCTA's requested reforms were included, the inclusion of reforms in drafts by both the House and Senate demonstrate a desire by Congress to address these issues in any reauthorization proposal that moves forward, laying the groundwork for OCTA and PPDC to advance these ideas moving forward.
- Working with partner transportation agencies, the Riverside County Transportation Commission, and the San Bernardino County Transportation Authority, PPDC worked to secure sponsors of amendment language to the INVEST in America Act that would better advantage sales tax agencies in newly proposed competitive grant programs. PPDC was able to work with Representative Harley Rouda (D-Newport Beach) to seek such amendment. Ultimately, due to the timing of the vote on the INVEST in America Act, and limits on amendments, the language was not included. Such language could potentially again be sought in a future surface transportation reauthorization proposal.
- Working with key delegation members to mold policy proposals related to mandates for zero-emission bus technology and transit security measures. In order to inform these efforts, PPDC worked to educate members of Congress on existing requirements under state and federal law, innovative approaches taken by OCTA, and floated revisions to these proposals that would allow transit agencies within California to best take advantage of these efforts. This included briefing OCTA's delegation offices on unique issues related to the use of hydrogen fuel as it pertains to taking advantage of the alternative fuel excise tax credit. The groundwork laid by PPDC could allow for clarification efforts to be pursued next year.
- Tracking discussions surrounding the Safer Affordable Fuel-Efficient Vehicles proposed rule, and potential impacts to OCTA projects and programs. As part of this efforts, PPDC advised on timing of communications and likely Administration direction going forward.

- Informing discussions associated with newly proposed tolling provisions in the INVEST in America Act. Such provisions present significant challenges in the operation of existing facilities, the future of interoperability and development of future facilities. PPDC advised on the potential for future reforms and associated strategy and worked to understand the perspective of key members of Congress. It is anticipated that this policy area will be one of the most significant issues OCTA engages in the next session.

## **Appropriations and Grant Funding Opportunities**

*Effort: Very Good; Outcome: Good*

With the focus on COVID-19 response this year, the appropriations process was slowed down, preventing a timely appropriations agreement. This resulted in a short-term continuing resolution through December 11, 2020. Early in 2020, OCTA staff had worked to develop several appropriations requests to advance with delegation members, including proposals associated with securing additional Bus and Bus Facilities funding and providing increased transparency associated with discretionary grant programs. Each of these proposals was put on hold due to the focus on COVID-19. While these proposals could again be advanced by PPDC next year as part of the appropriations process, it is anticipated that COVID-19 related issues will again be a priority.

Related to discretionary grants, PPDC again led efforts to secure support from delegation members for projects pursued by OCTA. This included getting support letters for OCTA's applications for the Low or No Emission Vehicle Program, the Infrastructure for Rebuilding America program, the Better Utilizing Investments to Leverage Development program, and the Bus and Bus Facilities grant programs. In addition, PPDC tried to advance unique methods in demonstrating the importance of these projects aligned with Administration priorities, securing a letter from Representative Correa (D-Santa Ana) detailing the importance of the State Route 55 Improvement Project to opportunity zones in the area. While OCTA was not ultimately successful in receiving funding from these programs, Administration officials often cited strong delegation support as something that was rated very highly when reviewing OCTA grant applications. Further work will be necessary to position OCTA more competitively within these programs going forward, with PPDC helping to brainstorm ideas.

## **General Services**

*Effort: Good; Outcome: Good*

With COVID-19 preventing travel by OCTA officials to Washington DC this year, normal PPDC processes to schedule face-to-face meetings with members of Congress, staff, and members of the Administration to discuss issues of importance to OCTA were put on hold. While in planning for trips to DC, PPDC had secured meetings with key members of the delegation, leadership, and the Administration; these were all cancelled once travel restrictions were in place. With travel restrictions likely to remain in place

moving forward, PPDC will need to come up with a plan to facilitate continued contact between OCTA officials and members of the Administration and delegation next year, utilizing virtual communication and other tools. In addition, if there is turnover in any positions of leadership or within Orange County's delegation next year, PPDC will need to work to develop relationships with new members, positioning OCTA at the table for any policy discussions. This includes strengthening relationships on both sides of the isle within Congress.

Given the challenges associated with COVID-19, PPDC has remained responsive to requests by OCTA, provided timely information, advice, and reports. While the bulk of PPDC's work for OCTA surrounded informing federal policy discussions, PPDC also worked on several other issues on behalf of OCTA including promptly responding to questions from federal delegation members and advising on new policy proposals. This included participating in meetings requested by Orange County delegations staff to provide briefings on COVID-19 impacts to OCTA's transportation projects and programs, and in tracking policy proposals by transportation advocacy groups such as APTA and the International Bridge, Tunnel and Turnpike Association.

### **Overall Rating**

*Effort: Very Good; Outcome: Good*

PPDC's efforts overall are rated as very good based on responsiveness, time dedicated to advocating for and advancing of OCTA's positions and policies, timeliness of information, assisting in building cooperative relationships with Congress and members of the Administration, and availability. PPDC's outcomes overall are rated as very good based on the outcomes of the issues discussed.