Agenda Item #11: 2019-2020 Federal Legislative Priorities

Purpose: To brief the Board of Trustees on the current ASLA federal legislative priorities process and discuss recommendations for ASLA’s 2019-2020 Federal Priorities Agenda.

History and Background: In April 2018, ASLA President Greg Miller, FASLA, issued a “Call to Action” seeking input from the entire ASLA membership on federal and state issues they believe the Society should include in its upcoming 2019-2020 legislative priorities agenda. Once again, in an effort to streamline surveys and make it easier for members to respond, ASLA combined the federal and state legislative priority surveys. ASLA received 1136 responses to the survey. ASLA government affairs staff and the Government Affairs Advisory Committee (GAAC) reviewed, vetted, and analyzed the results of the survey and formulated a set of recommended legislative issues for the 2019-2020 legislative session. In July 2018, the ASLA Executive Committee reviewed, discussed, and provided feedback on the set of recommended legislative issues. Based on the input provided by the Executive Committee and the GAAC, staff is presenting a set of federal priorities for discussion with the Board of Trustees. The Executive Committee will be asked to endorse the final 2019-2020 Federal Priorities Agenda before the 116th Congress convenes in January 2019.

Analysis of Issues: ASLA government affairs staff, the GAAC and the Executive Committee utilized the following elements to develop an effective federal policy agenda. In order to make the most strategic decisions regarding priority issues, these filters should be applied. It is unlikely that any issue will satisfy every condition; however, greater priority should be given to those meeting multiple ones.

- **Landscape Architecture Expertise** – Landscape architects have specific expertise that will allow ASLA and its members to play a leadership role on the issue or otherwise bring technical expertise to influence the public policy. As practitioners, ASLA members can help fashion policy proposals that would benefit them by explaining the types of information, requirements, standards, or processes that they believe work best or would ideally like to see applied in the projects they do.

- **Member Relevancy** – Issues must be relevant to a broad segment of the ASLA membership. An issue could be relevant because it relates to fundamental principles or beliefs held by the majority of members or because it has an economic impact on ASLA members. This is especially important in helping to engage members as advocates. ASLA’s ability to advance a federal legislative agenda depends on mobilizing a growing segment of ASLA members. If members do not quickly understand how an issue is relevant to or affects them, engaging them will be challenging, particularly in light of all the other demands on their time.

- **Federal Nexus** – The issue must be one over which the Congress or a federal department/agency has jurisdiction.
• **Timeliness** – Reason to believe that the issue will be or is likely to be on the congressional or administrative agenda in 2017-2018. Timeliness also means the ability to respond quickly to new developments.

Responses to the Federal and State Priorities Survey: ASLA received 1137 responses to the 2019-2020 Federal and State Legislative Priorities survey, the largest number of participants since starting the survey in 2010.

Past Survey Respondent Totals:
- 896 respondents for the 2017-2018 survey
- 964 respondents for the 2015-2016 survey
- 499 respondents for the 2013-2014 survey
- 552 respondents for the 2011-2012 survey

Of the many issues considered, five broad issue areas stood out as most important to ASLA members: 1) climate change and resilience; 2) transportation planning and design; 3) water and stormwater management; 4) community and national parks & federal lands; and 5) environmental and social justice. These issues stood out as important when respondents were asked about issues that should be important to ASLA, issues and federal programs that impact their employment opportunities, and about issues missing from ASLA’s current federal agenda.

Three issues ranked at the bottom of the list of priority issues for survey respondents: small business, historic preservation and HALS, and pollinators.

Survey respondents also highlighted specific federal programs that help fund their projects and provide important employment opportunities for landscape architects. Most of the top programs are transportation related, with a few parks and recreation, and community development programs. The top programs include: Recreational Trails Program (26%); Safe Routes to School (24.19%); Land and Water Conservation Fund (23.57%); TIGER (now Build) grants (21%); HUD Community Development Block Grants (17.5%); Surface Transportation Block Grants (formerly TAP) (17%); Army Corps of Engineers (16%). This question was first added to the survey in 2012, and responses assist government affairs staff with targeting advocacy efforts on specific federal programs.

The GAAC and government affairs staff reviewed the survey responses and evaluated them based on the recommended filters, including having a federal nexus, having reason to believe that the issues will be a part of the congressional or administrative agenda during 2019-2020, and the issues being relevant to a broad segment of the ASLA membership. The GAAC was particularly pleased to see climate change and environmental and social equity issues rise to the top, as this will allow landscape architects to participate in new policy conversations. The committee noted that the increase in Associate Members’ participation in the survey may have contributed to the increased interest in these issues. The committee also noted that extreme weather and extreme social events are forcing all concerned individuals and organizations to address these issues.

Policy Issues – The GAAC and government affairs staff have formulated a set of recommendations by reviewing ASLA’s current legislative agenda, analyzing the responses to the “Call For Issues,” and
contemplating what issues may be considered in the upcoming 116th Congress. These recommendations are presented below.

**Strategic Objectives:** Promote and defend laws and regulations that: advance the design, planning, and stewardship of the natural and built environment; and foster a business and regulatory climate that supports the profession of landscape architecture.

**Financial Impact:** Results will direct the use of allocated resources.

**Action Requested:** Review and provide input on the proposed 2019- 2020 priorities (below)

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### ASLA 2019-2020 Federal Priorities Agenda Recommendations

ASLA government affairs staff, the Government Affairs Advisory Committee (GAAC), and the Executive Committee recommend that the ASLA Federal Priorities Agenda for 2019-2020 include the following broad policy issues: 1.) climate change and resilience; 2.) transportation planning and design; 3.) water and stormwater management; 4.) community and national parks, & federal lands; and 5.) environmental and social justice.

**Climate Change Recommendation:** Climate change and resilience issues ranked number one in importance for survey respondents for the first time since the Federal Priorities Survey began in 2010, knocking transportation design and planning from the number one spot to number two. 2019-2020 survey respondents also ranked climate change and resilience third in order of importance in impacting their employment opportunities. Also, in the open ended question there were six respondents who suggested climate change as an issue missing from ASLA's federal agenda, further highlighting the importance of the issue.

During the next Congress, the Trump administration will likely continue its assault on federal climate change activities and will continue to dismantle federal programs, policies, and funding that address climate change. ASLA’s federal agenda will likely include defense strategies to protect and preserve programs, policies, and funding for federal climate-related activities. Also, ASLA will continue proactive strategies, including working to pass climate-related and resilience legislation like the Living Shorelines Act and promote the federal policy recommendations from the Blue Ribbon Panel report, *Smart Policies for a Changing Climate*.

**Transportation Planning and Design Recommendation:** As noted above, survey respondents ranked transportation planning and design issues number two in importance to the Society. However, it remained number one in importance to them professionally. Respondents also identified seven federal transportation programs (more than any other category of federal programs) that they or their firms access to fund their landscape architecture projects. Recreational Trails Program (26%); Safe Routes to School (24.19%); TIGER (*now Build*) grants (21%); Surface Transportation Block Grants (formerly TAP) (17%); Scenic Byways (9.5%); Congestion Mitigation Air Quality (7%).
The Fixing America’s Surface Transportation (FAST) Act, which governs all surface transportation law, including bicycle and pedestrian projects, is set to expire in 2020. In the upcoming Congress, legislators and staff will likely begin holding hearings, drafting “marker” bills, and prioritizing transportation programs and policies in order to complete reauthorization of the FAST Act before its 2020 expiration. During the next Congress, ASLA will need to focus its advocacy efforts primarily in the active transportation arena in order to protect and preserve transportation programs identified by members as critical to funding their projects.

**Water and Stormwater Management Recommendation:** Relevant to a broad segment of survey respondents, water and stormwater management issues consistently ranked second and third in all relevant survey questions. Also, Army Corps of Engineers and the Environmental Protection Agency’s Clean and Drinking Water State Revolving Fund continue to be important federal programs accessed by landscape architects working on water and stormwater management projects.

ASLA has successfully worked with Congress on policies to address water and stormwater management issues using green infrastructure, including the Water Infrastructure Flexibility Act, the Innovative Stormwater Infrastructure Act, and others. Congress is expected to wrap its work on the Water Resources Development Act (WRDA) reauthorization this Congress, leaving only appropriations work on these issues for the new Congress. ASLA will continue its efforts to work on federal programs and policies that promote the use of green infrastructure in water and stormwater management projects during the next Congress.

**Community & National Parks and Public Lands:** Survey respondents ranked national parks and federal lands issues fourth in importance to the Society. However, they identified this issue as being seventh in order of importance to their employment opportunities. Further, they ranked community parks and recreation issues fifth in order of importance to their employment opportunities. They also identified the Land and Water Conservation Fund, a federal program that funds community parks, third among federal programs accessed to fund landscape architecture projects.

The GAAC and staff recommend, and the Executive Committee agreed to combine national parks and federal lands issues and community parks and recreation into one category because of their apparent synergy, and their overlap between coalition groups, and congressional committees and agency jurisdiction. The Committee also noted that member attention to national parks and federal lands issues is heightened in part due to the Trump administration’s recent assault on these lands. Given that the administration’s actions against national parks and federal lands will likely continue into the next Congress, ASLA will need to continue to be vigilant in its advocacy efforts on behalf of these lands through the next Congress.

**Environmental and Social Justice Recommendation:** New in the rankings, respondents identified environmental and social justice seventh in importance to the profession, just below parks and recreation. It also ranked eighth in importance for employment opportunities. Further, thirty-five respondents identified environmental and social justice issues as missing from ASLA’s federal agenda. Other issues identified as missing were in the single digits, with most under five.

Recently, ASLA began advocating on behalf of environmental justice issues, with overwhelming support and participation from the Society’s membership. Given this extreme interest from the membership, and the national and global attention focused on environmental and social justice issues, ASLA will include
this broad issue area in its federal priorities agenda for the 116th Congress and ramp up advocacy efforts in this area.

**Conclusion:** After reviewing and analyzing the 2019-2020 Federal and State Legislative Priorities Survey responses, the GAAC, government affairs staff, and Executive Committee recommend that ASLA’s 2019-2020 Federal Priorities Agenda include the broad policy areas of 1.) climate change and resilience; 2.) transportation planning and design; 3.) water and stormwater management; 4.) community and national parks & federal lands; and 5.) environmental and social justice. The GAAC further recommends that these core issue areas continue to be packaged using appropriate messaging with a “Community Infrastructure for All” theme. The GAAC, government affairs staff, and Executive Committee believe that utilizing these five core issue areas and honing in on specific programs and policies of importance to landscape architects will result in a continued effective and efficient advocacy program.