

May 31, 2016 [View this email in your browser](#)



NATIONAL ASSOCIATION OF REGIONAL COUNCILS

eREGIONS



EXECUTIVE NOTE

NARC Members,

NARC's primary mission is to assist regional councils and MPOs so that they can better serve their member local governments and regions more effectively. Please tell us about topics you want to explore so we can expand our webinar offerings! This June, NARC will hold two webinars to bring members timely information. This Thursday, we bring you a presentation on shared services with the National League of Cities. Next week, the Census Bureau will provide an overview of their new Business Builder Demo. Look for further details on these two webinars in the Events section below.

This summer, NARC heads to New Orleans, LA; Jupiter, FL; and Bryan, TX for workshops on solar energy development and implementation under the Solar Outreach Partnership (SolarOPs) grant. NARC has been holding these workshops for six years and has helped regional organizations around the country reduce the soft costs of solar and explore innovative ways to finance and incorporate more solar in their communities. For more on NARC's solar efforts visit www.narc.org/solarops. To hear more about NARC's members efforts in solar energy outreach and deployment, join us in Salt Lake City for presentations from **Solar Ready II** regions at the meeting of NARC's Energy Committee.

Best,
Leslie

NEWS FROM WASHINGTON

Congress is in session.

Overview

The Supreme Court today ruled in favor of landowners challenging U.S. Army Corps of Engineers (USACE) determinations that land contains “waters of the United States” under the *Clean Water Act*. The broader legal challenge to the *Waters of the U.S.* rule was blocked by a Court of Appeals last October. This case, *US Army Corps of Engineers v. Hawkes Co. Inc.*, speaks to the ability to challenge Army Corps determinations in a federal court.

Congress will return to Washington, D.C. next week. Lawmakers left a snarled appropriations process in both the House and Senate when momentum to adopt funding bills slowed to a crawl just as the election season heats up. With the end of the fiscal year on September 30th, Congress has limited time to accomplish their responsibility to enact 12 separate funding measures that will fund federal programs in FY2017. As legislators look to the November elections, it is likely that they will enact a continuing resolution to keep the government open beyond September 30.

Controversial amendments on social issues have slowed early progress on appropriations bills and interfered with House leadership efforts to return to regular order and pass individual spending bills. The Senate has adopted three appropriations bills – Commerce, Science and Justice (including EDA funding); Transportation, Housing and Urban Development; and Agriculture.

Last week, the House debated and then voted down the Energy and Water Appropriations bill while the House Appropriations Committee approved seven bills.

FHWA and FTA Proposed Rule

Last week, just before the long holiday weekend, the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) jointly released the long-awaited **regulations governing statewide and metropolitan planning**. This finalizes a proposed rule first released in June 2014 and incorporates changes to the planning process contained in both the MAP-21 and FAST Act reauthorizations.

NARC is still reading through the final rule, but one area of interest is how the final rule handles the regulation from MAP-21 regarding transit representation on TMA boards. The original interpretation of the MAP-21 provision by FTA/FHWA was, in NARC’s view and the view of others, overly broad. At our urging, Congress included a provision in the FAST Act that was intended to slightly narrow that interpretation. The language from the FAST Act, which now appears in section 450.310 of the new regulations (**page 34148 of the Federal Register**), maintains the requirement that a designated transit representative must be on the board of every MPO that serves a population greater than one million; but Congress specified that the representative can be determined by the MPO according to their bylaws or enabling statute and that the designated representative can also serve as a local elected official. We anticipate this solves many of the complaints members had about this provision, but we’d like to hear whether you agree.

There is much more to this rule and we will provide further detail soon. If you have any questions, please contact Erich Zimmermann at erich@narc.org.

FEMA's Fifth National Preparedness Report

The Federal Emergency Management Agency (FEMA) today announced the release of its fifth annual *National Preparedness Report* (NPR). The 2016 NPR analyzes both the United States’ progress and needs for improvements in relation to reaching its National Preparedness Goal. The report encourages state, local, tribal, and territorial governments to consider and use its findings when planning for and prioritizing new programs, resource allocation, and community initiatives.

Contained in the report are 37 key findings and 32 core capabilities, some of which have been recognized as national areas for improvement.

Fact Sheet: Mitigating the Risk of Wildfires in the Wildland-Urban Interface

The White House Office of the Press Secretary recently released a fact sheet describing the increasing damage caused by more frequent wildfires and President Obama's Executive Order concerning this issue. The Executive Order aims to address and lower risks to people, property and Federal buildings in areas at greater risk for wildfire damage. More than thirty-nine agencies and jurisdictions from all levels of government agreed to a commitment statement calling for collaboration in both handling wildfires safely and reducing risks for damage.

DOL's Highly Anticipated & Controversial Overtime Pay Rule

Last week, the U.S. Department of Labor (DOL) released its highly anticipated and controversial overtime pay rule, which will go into effect on December 1. DOL last updated the regulations in 2004. The new rule focuses primarily on updating salary and compensation levels needed for executive, administrative, and professional employees to be exempt from overtime requirements. The rule would qualify an estimated 4.2 million additional workers for overtime pay by raising the salary at which workers qualify for overtime to \$47,476 from the current \$23,660. Lawmakers in both the House and Senate have introduced legislation to block implementation of the rule. The rule also automatically updates the salary threshold every three years to remain at the 40th percentile of full-time salaried workers in the lowest-income region of the country. DOL estimates that by the first update in 2020, the threshold will rise to \$51,000. Bonuses and incentive payments will be allowed to count up to 10 percent of the new salary level. DOL will hold a series of informational webinars on the Overtime Final Rule beginning June 2. *See information regarding webinars in the Events section below.*

Specifically, the Final Rule:

- Sets the standard salary level at the 40th percentile of earnings of full-time salaried workers in the lowest-wage Census Region, currently the South (\$913 per week; \$47,476 annually for a full-year worker);
- Sets the total annual compensation requirement for highly compensated employees (HCE) subject to a minimal duties test to the annual equivalent of the 90th percentile of full-time salaried workers nationally (\$134,004); and
- Establishes a mechanism for automatically updating the salary and compensation levels every three years to maintain the levels at the above percentiles and to ensure that they continue to provide useful and effective tests for exemption.

Additionally, the Final Rule amends the salary basis test to allow employers to use non-discretionary bonuses and incentive payments (including commissions) to satisfy up to ten percent of the new standard salary level.

The following three documents should be helpful to you in gaining further understanding of the new rule:

- **[Final Rule Fact Sheet](#)**
- **[Questions and Answers](#)**
- **[Final Rule Webinar Schedule and Registration](#)**

OTHER NEWS

The 'Silver Tsunami' Has Arrived in Government

A recent report by *Governing* highlights new statistics about the increase in retirements and quits in the public sector since 2014. The report addresses possible reasons for the increase, such as postponed retirements from the Great Recession, benefit cuts, baby boomers in and approaching retirement age, and minimal increases in pay. State and local governments are considering ways to lower the impact of losing their more experienced workers. Data featured in the report comes from

a 2016 **Center for State and Local Government Excellence survey**, DOL, and various state and county departments.

U.S. Department of Energy's SolSmart Program Update

New information and resources are now available on how to create a strong regional SolSmart Advisor application!

1. **Clarifications on requirements for submitting an Advisor application:** Your Scope of Work should not only describe the tasks and deliverables you expect your Advisor to accomplish, but also a description of the efforts you have taken to recruit your member communities to participate. The scope should be grounded in these communities' willingness to participate. The more communities you can convince to commit to pursuing SolSmart designation, the stronger your application will be. This commitment must be in the form of having at least one community fill out and submit the **SolSmart intake form**. Reminder: the deadline is June 20th.
2. **Upcoming Q&A sessions:** If you would like to ask questions about the Advisors program or application process, there will be *two* Q&A sessions: June 2nd at 1 PM ET and June 8th at 1 PM ET. **Register here** for information about how to join the call. If you cannot join, questions can be directed to Chad Laurent at Meister Consultants Group: chad.laurent@mc-group.com.
3. **NEW information online:** Visit the **SolSmart Advisors page**, for a 10-minute recorded presentation that provides some ideas about application strategies and creative ways of partnering if your community would not score as highly on level of need, population served, or another criteria of the program.

FUNDING

[View full list of grants!](#)

FEATURED JOBS

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Services Coordination Mentor

Alamo Area Council of Governments, San Antonio, TX

Executive Director

Santa Barbara County Association of Governments, Santa Barbara, CA

Principal Transportation Planner

Southern New Hampshire Planning Commission, Manchester, NH

Accountant I

West Florida Regional Planning Council, Pensacola, FL

EVENTS

[View full list of events!](#)

NARC Webinar! The Sharing Economy

June 2, 1:30 - 2:30 PM ET

Over the last five or so years the sharing economy has made a huge impact nationally and globally. As sharing economy companies (e.g. AirBnB, Uber, Lyft, etc.) continue to enter new markets, the regulatory environment surrounding these new business models remains in flux. Different communities approach these new platforms in vastly different ways. This webinar will be a discussion of the challenges and opportunities inherent in the sharing economy. Join NARC and the National League of Cities to learn about the economic benefits, current approaches that jurisdictions are taking, and regulatory challenges these industries may introduce.

NARC Webinar! Census Business Builder Demo

June 9, 12:30 – 1:30 PM ET

The Census Business Builder: Regional Analyst Edition is a new suite of economic and demographic data tools that allow for quick analysis of a region's economy and demographic profile. The tool allows users to build a region by aggregating counties in an easy to use map interface. Over 80 Census demographic and economic data variables are available, and the results can be viewed in the map or in report form. *The Census Business Builder: Small Business Edition* tool allows small business entrepreneurs to research information for opening a first business or expanding existing ones, and allows users to pick from over 50 business types and view economic and demographic data that can help them select the right location for their business. Join this NARC and Census Bureau webinar to learn how to access and use these great tools.

Residential Solar Financing 101

June 22, 1:00 PM – 2:00 PM ET

This webinar provides state and municipal officials with information about current solar financing options. Travis Lowder from the National Renewable Energy Laboratory (NREL) will discuss common residential solar financing choices, consumer protection issues, broad trends, and publicly supported solar financing programs from around the country. This webinar is the first in a series of Sustainable Solar Education Project webinars on topics related to photovoltaics (PV) equitability and consumer protection. It includes a presentation of the Clean Energy States Alliance's **Sustainable Solar Education Project**, a project funded through a grant from the U.S. Department of Energy (DOE) SunShot Initiative Solar Training and Education for Professionals program.

500 Cities Project

June 30, 2:00 PM – 3:00 PM ET

The Robert Wood Johnson Foundation will be hosting an informational webinar on the the 500 Cities Project, a project that collects, analyzes, and makes available city- and track-level data. The project's focus on studying health-related trends can assist cities in prevention initiatives and in creating and evaluating health objectives. Data will be tracked for America's 500 largest cities and displayed beginning in the summer of 2017 through an interactive website.

CONTACT US

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