



South Coast Air Quality Management District



21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

REVISED

LEGISLATIVE COMMITTEE MEETING

Committee Members

Council Member Judith Mitchell, Chair
Council Member Joe Buscaino, Vice Chair
Dr. William A. Burke
Senator Vanessa Delgado (Ret.)
Supervisor V. Manuel Perez
Supervisor Janice Rutherford

**February 14, 2020 ♦ 9:00 a.m. ♦ Conference Room CC-8
21865 Copley Drive, Diamond Bar, CA 91765**

TELECONFERENCE LOCATIONS

11461 W. Sunset Boulevard
Brentwood Room 1
Los Angeles, CA 90049

6055 E. Washington Blvd.
Suite 495
Commerce, CA 90040

8575 Haven Avenue
Suite 110
Rancho Cucamonga, CA 91730

(The public may attend at any location listed above.)

Call-in for listening purposes only is available by dialing:

Toll Free: 866-244-8528

Listen Only Passcode: 5821432

In addition, a webcast is available for viewing and listening at:

<http://www.aqmd.gov/home/library/webcasts>

AGENDA

Members of the public may address this body concerning any agenda item before or during consideration of that item (Gov't. Code Section 54854.3(a)). Please provide a Request to Address the Committee card to the Committee Secretary if you wish to address the Committee on an agenda item. If no cards are available, please notify South Coast AQMD staff or a Board Member of your desire to speak. All agendas for regular meetings are posted at South Coast AQMD Headquarters, 21865 Copley Drive, Diamond Bar, California, at least 72 hours in advance of the regular meeting. Speakers may be limited to three (3) minutes each.

CALL TO ORDER

DISCUSSION ITEMS (Items 1 through 3):

1. Update and Discussion on Federal Legislative Issues
(No Motion Required)
Consultants will provide a brief oral report of Federal legislative activities in Washington DC.
[Attachment 1 - Written Reports]

Gary Hoitsma
Carmen Group
pgs 4-5
Amelia Jenkins
Cassidy & Associates
pgs 6-8
Mark Kadesh
Kadesh & Associates, LLC
pg 9
2. Update and Discussion on State Legislative Issues
(No Motion Required)
Consultants will provide a brief oral report on State legislative activities in Sacramento.
[Attachment 2 - Written Reports]

David Quintana
Quintana, Watts and Hartmann
pg 10
Will Gonzalez
California Advisors, LLC
pgs 11-12
Paul Gonsalves
Joe A. Gonsalves & Son
pgs 13-16
3. Update on Legislation Regarding Voting District Authorization for Clean Air
(No Motion Required)
Staff will provide an update regarding South Coast AQMD-sponsored legislation relating to a voting district authorization to allow for potential voter initiative ballot funding measures within the District.

Derrick J. Alatorre
Deputy Executive Officer
Legislative, Public Affairs & Media

ACTION ITEM (Item 4):

4. Recommend Position on Federal Bill
(Motion Requested)
This item is to seek approval from the committee on staff's recommendation for position on the following bill:
[Attachment 3]

<u>Bill#</u>	<u>Author</u>	<u>Bill Title</u>
H.R. 2616	DeSaulnier, Porter, and Rouda	Clean Corridors Act of 2019

Lisa Tanaka O'Malley
Senior Public Affairs Manager,
Legislative, Public Affairs & Media

pgs 17-32

OTHER MATTERS:

5. Other Business
Any member of this body, or its staff, on his or her own initiative or in response to questions posed by the public, may ask a question for clarification, may make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual

information, request staff to report back at a subsequent meeting concerning any matter, or may take action to direct staff to place a matter of business on a future agenda. (Govt. Code Section 54954.2)

6. **Public Comment Period**

At the end of the regular meeting agenda, an opportunity is provided for the public to speak on any subject within the Legislative Committee's authority that is not on the agenda. Speakers may be limited to three (3) minutes each.

7. **Next Meeting Date** – Friday, March 13, 2020 at 9:00 am.

ADJOURNMENT

Document Availability

All documents (i) constituting non-exempt public records, (ii) relating to an item on an agenda for a regular meeting, and (iii) having been distributed to at least a majority of the Committee after the agenda is posted, are available prior to the meeting for public review at the South Coast Air Quality Management District, Public Information Center, 21865 Copley Drive, Diamond Bar, CA 91765.

Americans with Disabilities Act

The agenda and documents in the agenda packet will be made available, upon request, in appropriate alternative formats to assist persons with a disability (Gov't Code Section 54954.2(a)). Disability-related accommodations will also be made available to allow participation in the Legislative Committee meeting. Any accommodations must be requested as soon as practicable. Requests will be accommodated to the extent feasible. Please contact Stacy Garcia at (909) 396-2495 from 7:00 a.m. to 5:30 p.m., Tuesday through Friday, or send the request to sgarcia@aqmd.gov.

ATTACHMENT 1



Carmen Group
I N C O R P O R A T E D

MEMORANDUM

To: South Coast AQMD Legislative Committee

From: Carmen Group

Date: January 30, 2020

Re: Federal Update -- Executive Branch

Transportation and Infrastructure: For South Coast AQMD, two of the most-watched federal legislative efforts this year will be focused on 1) a surface transportation reauthorization bill for highways and transit; and 2) a possible larger and broader infrastructure bill that would include highways and transit but also reach to such things as aviation, water, ports, pipelines, and broadband among others. Both hold the promise to be major legislative vehicles that could carry significant positive clean-air-related priorities and provisions, and both have the potential to win significant bipartisan support. Yet both efforts are fraught with high degrees of difficulty and uncertainty, and both depend on generating billions of dollars in new revenue, which is currently nowhere in sight, especially amid January forecasts of trillion-dollar annual budget deficits as far as the eye can see. In the Senate, a bipartisan surface transportation bill was cleared through committee approval last year, while the in the House, committee action on a separate less bipartisan bill is expected early this year, but details have not yet been released. Meantime on infrastructure, House Democrats and Republicans in January released competing sets of “infrastructure principles” to help begin serious discussions on the issue, while the Ways & Means Committee head a hearing on infrastructure funding options, though seemed far from any consensus in the funding debate. The next critical markers to watch will be to see how the Trump Administration weighs in on these topics in the President’s State of the Union Address on Feb. 4 and in the President’s Annual Budget proposal set to be released on Feb. 10.

Cleaner Trucks Initiative: The EPA’s Advanced Notice of Propose Rulemaking (ANPR) was published in the Federal Register on January 21. It constitutes a solicitation for stakeholder comments (due Feb. 20) on the process to establish a new ultra-low NOx emissions standard for heavy duty trucks. The comments are supposed to inform and guide EPA in its effort to put out a formal Notice of Proposed Rulemaking (NPR) likely in the May-June timeframe, with a final rule not expected before early next year. Meantime, majority staff at the Senate Environment & Public Work Committee have informed us that Committee members are considering holding a public hearing on the CTI issue, and -- with South Coast AQMD staff -- we are actively exploring the possibility of South Coast AQMD providing testimony. In 2016, South Coast AQMD was the original lead petitioner urging the EPA to act on this important matter.

FTA Announces Funding Available for “Low-No” Bus Grants: The Federal Transit Administration in January announced the availability of \$130 million for the FY 20 Low or No Emission (Low-No) Bus Program. The program provides competitive grants for the purchase or lease of low or no emission vehicles that use advanced technology for transit operations, including related equipment or facilities. Applications are due by March 17, 2020.

US DOT Announces Funding Available for INFRA Grants: The Department of Transportation in January announced the availability of more than \$900 million for the FY 20 INFRA discretionary grant program, which is focused on national or regional highway and multimodal freight projects. Large projects that are selected will receive at least \$25 million and small projects at least \$5 million. Eligible project costs may include reconstruction and rehabilitation, acquisition of property, environmental mitigation, equipment acquisition and operational improvements related to system performance. At least 25 percent of the funds will go to rural projects. Applications are due by February 25, 2020.

DOE Announces Funding Available for Sustainable Transportation Research: The Department of Energy in January announced the availability of nearly \$300 million in funding for research and development of sustainable transportation resources and technologies. This includes three funding availability announcements: \$133 million from the Vehicle Technologies Office (VTO) to address priorities in advanced batteries and electrification, advanced engine and fuel technologies, lightweight materials, new mobility technologies and alternative fuels technology demonstrations (Concept papers due Feb. 21); \$64 million from the Fuel Cells Technology Office (FCTO) to address larger scale hydrogen production, storage, transport and use, including for heavy-duty trucks, data centers and steel production (Concept papers due Feb. 25); and \$100 million from the Bioenergy Technologies Office (BETO) to address reducing the prices of drop-in biofuels, lowering the cost of biopower, and enabling high-value products from biomass or waste resources. (Concept papers due April 30).

DOE Launches Energy Storage Grand Challenge: The Department of Energy in January announced the launch of the Energy Storage Grand Challenge, a comprehensive program to accelerate the development, commercialization, and utilization of next-generation energy storage technologies. The program will be managed by DOE’s Research and Technology Investment Committee (RTIC) and will use a coordinated group of R&D funding opportunities, prizes, partnerships, and other programs to pursue a vision of creating and sustaining U.S. global leadership in energy storage utilization with a secure domestic manufacturing supply chain that is independent of foreign sources of critical materials.

Outreach: In January, relevant contacts included majority staff at the Senate Environment & Public Works (EPW) Committee; majority staff at Senate EPW Clean Air Subcommittee and Senate Climate Solutions caucus; minority staff with the House Transportation & Infrastructure Subcommittee on Highways and Transit – all regarding transportation and infrastructure legislation and clean air priorities. Also, multiple contacts with representatives of our Business Coalition group, including staff of the US Chamber of Commerce, the Truck & Engine and Manufacturers Association, the Diesel Technology Forum and others focused primarily on the Cleaner Trucks Initiative.

To: South Coast Air Quality Management District
From: Cassidy & Associates
Date: January 30, 2020
Re: Federal Update

Look Ahead

The Senate trial continues this week. The President's defense counsel completed its counter arguments to the House Democrats' case for impeaching the president and today is the second day of the 16-hour question and answer period. Once the impeachment trial is over, Senate Energy and Natural Resources Committee Chairwoman Murkowski (R-AK) hopes to move another energy package which will include a number of the more than 70 bills advanced out of ENR last year related to clean energy, battery storage, grid security, and energy efficiency.

The House is looking to consider legislation in February related to three major issues. House Democrats have proposed a \$3.4 billion funding bill to help Puerto Rico recover from a series of earthquakes and other recent disasters. Legislation (S-3104) has been introduced in the Senate to address technical problems that would make some categories of federal employees ineligible for the paid parental leave authority that was enacted in late December. They are also likely to consider legislation related to tobacco and vaping.

Congressional Activities in January

Climate and Infrastructure

This week the House Energy and Commerce Committee released [legislative text](#) of the draft Climate Leadership and Environmental Action for our Nation's (CLEAN) Future Act to achieve net-zero greenhouse gas pollution by 2050. The bill reauthorizes the Diesel Emissions Reduction Program at \$200 million per year from FY 2021-2030; directs EPA to promulgate GHG emission standards for new passenger cars, light-duty trucks, medium-duty passenger vehicles, and heavy-duty vehicles; and directs the EPA to address emissions from methane slip in engine exhaust.

Yesterday, the Democrats in the House released a [framework](#) for a \$760 billion, five-year infrastructure package that emphasizes clean energy and climate resilience while reauthorizing the surface transportation reauthorization bill that expires September 30. The **House Transportation and Infrastructure Committee** will lead the efforts on reauthorization, however both the House Ways and Means and the House Energy and Commerce (E&C) Committees will be involved in the drafting. Ways

and Means has been tasked with finding a way to pay for the bill and held a hearing yesterday to discuss funding and financing options, and E&C will draft a broadband title for inclusion in the bill.

Government Funding

House Appropriations Chairwoman Nita Lowey (D-NY) and House Democratic Leader Hoyer (D-MD) have indicated that Democrats are discussing the revival of earmarks. Lowey met this week with freshmen and swing-seat Democrats to gauge their interest and seek input on lifting the ban on congressionally directed spending. The Trump Administration is planning to release its FY 2021 Budget on February 10.

House and Senate Committee Action

This week the **House Energy and Commerce Committee** is held a joint subcommittee hearing to examine the impact of wildfires on the power sector and public health. Pacific Gas & Electric CEO, Bill Johnson, is testifying with four additional witnesses. Background memo [here](#).

The **House Natural Resources Committee** held several legislative hearings and markups to consider bills related to fisheries and wildlife, and a hearing in the Subcommittee on Energy and Mineral Resources to consider Rep. Lowenthal's bill, H.R. 5636, the Transparency in Energy Production Act of 2020, which provides for the accurate reporting of fossil fuel extraction and emissions by entities with leases on public land.

The **House Science Committee** held a hearing entitled, "An Update on the Climate Crisis: From Science to Solutions" as well as hearings to examine research related to energy and emerging technologies, such as artificial intelligence and biotechnology.

The **Select Committee on the Climate Crisis** is expected to release its report and recommendations in March 2020 which will likely serve as a springboard for future legislating by House and Senate Democrats on climate change issues. House Republicans will offer a Republican alternative plan that includes 12 bills related to carbon capture, nuclear energy, natural gas, and grid-scale storage R&D.

Introduced Legislation

The following bills related to climate/climate change/environment:

H.R.5641 Incentivizing Value Capture for Greener Transportation Act

Sponsor: Rep. DeSaulnier, Mark [D-CA-11]

Introduced 01/16/2020

Cosponsors: (0)

Committees: House - Transportation and Infrastructure

H.R.5625 Targeting Environmental and Climate Recklessness Act of 2019

Sponsor: Rep. Escobar, Veronica [D-TX-16]

Introduced 01/16/2020

Cosponsors: (1)

Committees: House - Foreign Affairs; Judiciary; Financial Services; Oversight and Reform; Ways and Means

S.3204 FEMA Climate Change Preparedness Act

Sponsor: Sen. Markey, Edward J. [D-MA]

Introduced 01/16/2020

Cosponsors: (0)

Committees: Senate - Homeland Security and Governmental Affairs

H.R.5615 TREES Act To establish a grant program to assist retail power providers with the establishment and operation of energy conservation programs using targeted residential tree-planting programs, and for other purposes.

Sponsor: Rep. Matsui, Doris O. [D-CA-6]

Introduced 01/15/2020

Cosponsors: (6)

Committees: House - Energy and Commerce

H.Res.797 Encouraging the Environmental Protection Agency to maintain and strengthen requirements under the Clean Water Act and reverse ongoing administrative actions to weaken this landmark law and protections for United States waters.

Sponsor: Rep. Dingell, Debbie [D-MI-12]

Introduced 01/14/2020

Cosponsors: (85)

Committees: House - Transportation and Infrastructure

H.R.5558 USA Electrify Forward Act To promote American leadership in vehicle manufacturing, job creation, improved air quality, and climate protection through domestic manufacturing of low- and zero-emission vehicles and development of electric vehicle charging networks, and for other purposes.

Sponsor: Rep. Dingell, Debbie [D-MI-12]

Introduced 01/08/2020

Cosponsors: (0)

Committees: House - Energy and Commerce

Summary of Congressional Outreach

- ❖ Weekly calls with SCAQMD staff.
- ❖ Monitoring Clean Trucks Initiative and ongoing Heavy-Duty NOx rulemaking.
- ❖ Meeting with Energy and Commerce Committee staff.

South Coast AQMD Report for the January 2020 Legislative Meeting covering December 2019 Kadesh & Associates

January:

January featured three weeks in session for the House, but the Senate was dominated by the Impeachment Trial. Unless an agreement on witnesses is found, the trial will likely end on January 31st or February 1st with a largely, if not exclusively, party line vote for acquittal. We assisted the South Coast AQMD executive and government affairs team in shaping and arranging their DC visit for the first week of February to discuss: the Clean Truck Initiative/EPA rule making; the Safer Affordable Fuel Efficient (SAFE) rule; the Surface Transportation Reauthorization/Infrastructure bill and related legislation; and the newly released House Majority infrastructure plan.

House Democrat's released their Infrastructure, Transportation and Environment framework on January 29. According to the House Majority Transportation and Infrastructure Committee, ***MOVING AMERICA AND THE ENVIRONMENT FORWARD: Funding Our Roads, Transit, Rail, Aviation, Broadband, Wastewater and Drinking Water Infrastructure, also known as the Moving Forward Framework*** comprises a 5-year, \$760 billion investment to "get existing infrastructure working again and fund new, transformative projects that will create more than 10 million jobs, while reducing carbon pollution, dramatically improving safety, and spurring economic activity. It's infrastructure investment that is smarter, safer, and made to last."

Modern Highways & Highway Safety Investments — \$329 Billion, including "Dramatically increasing the availability of charging stations and other alternative fueling options for electric and zero-emissions vehicles."
Transit Investment — \$105 Billion, including "Increases investment in zero-emission buses to reduce carbon pollution."

Rail Investments — \$55 Billion, Including "Expands our passenger rail network, giving travelers a reliable, low-carbon option to travel both short and long distances, including to regions that lack frequent or affordable airport service."

Airport Investments — \$30 Billion, including "Incentivizes the development and use of sustainable aviation fuels and new aircraft technologies to reduce the carbon pollution from air travel."

Clean Water & Wastewater Infrastructure — \$50.5 Billion

Water Infrastructure (Flood protection, navigation, etc.) — \$10 Billion

Harbor Infrastructure — \$19.7 Billion

Brownfield Restoration — \$2.7 Billion

Drinking Water — \$25.4 Billion

Clean Energy— \$34.3 Billion, Including, "Invests in electric grid modernization to accommodate more renewable energy and to make the grid more secure, resilient and efficient" and "Supports the development of an electric vehicle charging network to facilitate the transition to zero emissions vehicles from coast to coast."

Public Safety Communications — \$12 Billion

Contacts:

Contacts included staff with House Members who were targeted for meetings the first week of February, committee staff regarding reauthorization of the Surface Transportation bill and Rep. DeSaulnier's staff regarding the Clean Corridors bill.

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ATTACHMENT 2

RESOLUTE

January 31, 2020

TO: South Coast Air Quality Management District

FROM: David Quintana, Partner - RESOLUTE

RE: Report For January 2020

GENERAL UPDATE:

- January 31st was the deadline to pass any 2-year bills, out of their house of origin.

LEGISLATIVE UPDATE:

- Met with Majority Leader Ian Calderon, with AQMD staff.
- Met with Chairman Eduardo Garcia, with AQMD staff.
- Met with Assemblymember Patrick O'Donnell.
- Met with Legislative Director for Assemblymember Ramos, Katherine Van Horn.



CALIFORNIA ADVISORS, LLC

SCAQMD Report
California Advisors, LLC
February 14, 2020 Legislative Committee Hearing

General Update

January brought a flurry of action back to the Capitol. The Governor unveiled his 2020-21 budget on January 10th, where he laid out his priorities for the upcoming year. One of the more troubling items in his budget were the proposed cuts to the AB 617 program related to local air monitoring programs. The Governor's budget cut both the implementation and incentive dollars from the previous years. However, at the first budget hearings of the year, which were held in the Senate and the Assembly, several legislators in both houses raised these cuts as an issue after having heard from South Coast AQMD on why these cuts hurt communities across the state. In response, the Department of Finance explained the cuts by saying they expected less Greenhouse Gas Reduction Fund revenues than in previous years.

January 31st marked the end of the month "two-year" bill deadline. While there were relatively few bills that moved in January, two notable pieces of legislation dominated most conversations in Sacramento. There was a major housing bill related to increasing production and another proposal related to expanding the state's recycling program. However, both of those bills failed to secure the votes on the Senate floor to pass. This is just the beginning for both of those issues and the conversations surrounding both issues will continue throughout the year.

As the Legislature moves into February, the focus switches to the February 21st bill introduction deadline. Lawmakers will be introducing hundreds of bills in the coming weeks that will shape this year's session. Also, February marks the beginning of the budget sub-committee process where both houses begin to break down the budget by issue area.

Elected Officials Contacted on Behalf of SCAQMD:

California Advisors met with the following legislators or their offices on behalf of South Coast Air Quality Management District:

Senate:

Ben Allen (SB 732), Toni Atkins (SB 732), Maria Elena Durazo (SB 732), Lena Gonzalez (SB 732, AB 617 Funding), Anthony Portantino (SB 732)

Assembly:

Wendy Carrillo (SB 732, AB 617 Funding), Cristina Garcia (AB 617 Funding) Anthony Rendon (SB 732, AB 617 Funding), Eloise Reyes (SB 732, AB 617 Funding), Miguel Santiago (SB 732, AB 617 Funding)

2020 Legislative Update

Voting District Authorization for Clean Air Legislation

SB 732 (Allen) was pulled from Senate Appropriations Committee at the request of the author before the bill could be heard in January. We have continued to facilitate stakeholder meetings, build coalition members, and work with South Coast staff on the language.



Joe A. Gonsalves & Son

Anthony D. Gonsalves

Jason A. Gonsalves

Paul A. Gonsalves

PROFESSIONAL LEGISLATIVE REPRESENTATION

925 L ST. · SUITE 250 · SACRAMENTO, CA 95814-3766

916 441-0597 · FAX 916 441-5061

Email: gonsalves@gonsalvi.com

TO: South Coast Air Quality Management District

FROM: Anthony, Jason & Paul Gonsalves

SUBJECT: Legislative Update – January 2019

DATE: Thursday, January 30, 2020

The Legislature returned from its fall recess on January 6, 2020 to begin the second year of the 2019-2020 session. Legislators have spent much of January working to hear and pass bills introduced in 2019 that must move out of their house of origin by January 31st to stay alive. While legislators have already started introducing new bills, this process will ramp up significantly as we approach the February 21, 2020 bill introduction deadline.

On January 10, Governor Newsom released his proposed 2020-2021 budget. At \$222 billion, the proposed budget will be the highest on record and includes billions of dollars in new spending commitments for the state.

COSCO SETTLEMENT

On December 18, 2019, the California Air Resources Board (CARB) announced that COSCO Container Lines Co. paid \$965,000 in penalties for violating the Ocean-Going At-Berth Regulation. The violations were discovered during routine audits of the Shanghai-based company's 2014-2017 fleet visits to the Port of Los Angeles/Long Beach and the Port of Oakland.

CARB's investigation revealed that from 2014-2016, COSCO's visits to these ports did not meet operational time limits for at least half of the visits. The fleet also failed to reduce the auxiliary engine power generation by the required 50%. Combined, these failures resulted in 2,401 violations of the Ocean-Going At-Berth Regulation. For the 2017 compliance year, COSCO's Oakland fleet did not meet operational time limits for at least 70% of the fleet's visits, and did not reduce the auxiliary engine power generation by 70% as required, resulting in 211 violations.

To settle the case, COSCO agreed to pay \$965,300 to the Air Pollution Control Fund to support air pollution research, and to comply with all applicable CARB regulations. COSCO also committed to have 100% of its vessels shore-power capable, and early compliance with the 80% reduction requirements before the 2020 deadline stipulated in the Regulation. COSCO cooperated with the investigation and met its commitment for exceeding 80% power reductions in 2018.

Adopted in 2007, the At-Berth Regulation was aimed to reduce emissions from diesel auxiliary engines on container ships, passenger ships and refrigerated-cargo ships while berthing at a California port. Vessel operators can either turn off auxiliary engines and connect to grid-based shore power, or use alternative technologies to comply with the emission reduction requirements of the regulation. The regulation requires a fleet operator to reduce at-berth oxides of nitrogen (NOx) and particulate matter (PM) emissions from its vessels' auxiliary engines in port by at least 80% by 2020.

GOVERNOR NEWSOM'S JANUARY BUDGET PROPOSAL

On January 10, 2020, Governor Newsom released his \$222.2 billion state budget proposal for 2020-21. The proposed Budget continues to grow the reserves in the Rainy-Day Fund and assumes an additional transfer of nearly \$2 billion in 2020-21 and an additional \$1.4 billion over the remainder of the three-year forecast period. The Rainy-Day Fund balance is projected to be \$18 billion in 2020-21 and \$19.4 billion by 2023-24. The proposed Budget also maintains \$900 million in the Safety Net Reserve, sets aside \$110 million more in the Public-School System Stabilization Account, and reserves \$1.6 billion in the Special Fund for Economic Uncertainties to address emergencies and other unforeseen events. Overall, the Budget has \$21 billion set aside in reserves.

The budget proposal keeps Affordable Housing and Homelessness at the top of the Governor's priority list by proposing \$500 million for the state's housing tax credit program, \$1 billion for the California Access to Housing and Services Fund, and a host of proposals that would streamline processes to accelerate housing production. In addition to housing and homelessness, the Governor proposed Budget includes a comprehensive approach to California's investments to protect the state's environment, address the effects of climate change, and promote resiliency. The climate budget includes \$12 billion over the next five years. Three key areas of the climate budget are a proposed climate resilience bond, cap-and-trade expenditures to continue the transition to a carbon-neutral economy, and a new Climate Catalyst Fund to promote the deployment of new technologies, especially by small businesses and emerging industries.

The Climate Catalyst Fund, which will be administered by the Infrastructure and Economic Development Bank, will finance investments in low-carbon transportation, sustainable agriculture and waste diversion through low-interest loans. The Budget proposes to capitalize the Fund with \$1 billion from the General Fund over the next four years. The Fund will have a revolving loan structure that will leverage private capital and will support projects well into the future. It will be designed to support good jobs and a just transition to achieving California's climate goals.

The Governor's proposed budget does include funding for AB 617, however, the funding was reduced from the amount that was dedicated last year. In last year's budget, the Legislature and Governor allocated \$50 million for implementation activities statewide and \$245 million for incentive programs. However, this year, the Governor's budget only includes \$25 million for implementation and \$200 million for incentive programs statewide. These cuts come at a terrible time as CARB identified 2 new communities within the SCAQMD, bringing the total number of communities within SCAQMD to 5.

The cuts to air quality programs did not stop there. The Governor also cut the Clean Vehicle Rebate Program (CVRP) from \$238 million to \$125 million. The CVRP promotes the purchase of clean vehicles by offering rebates of up to \$7,000 for the purchase or lease of new, eligible zero-emission vehicles, including electric, plug-in hybrid electric and fuel cell vehicles. Additionally, the Governor's Budget proposal also included a cut to the Clean Trucks, Buses & Off-Road Freight Equipment Program from \$182 million to \$150 million. The Clean Trucks Program funds zero- and near-zero emission truck, bus, and off-road vehicle and equipment technologies.

Our firm has been working very closely with your staff and Legislators on restoring the funds to these programs. We are confident that the Legislature will continue to make funding these programs a priority in the State Budget and we will continue to work closely with them and keep you apprised.

LOW CARBON FUEL STANDARD

The Low Carbon Fuel Standard (LCFS) began in 2011 and is designed to lower the carbon intensity in fuels by assessing each step in their production, from extraction to combustion. Fuels are compared to an annually declining baseline. If a fuel has a carbon intensity above that baseline it generates a deficit for the producer. If the intensity is below the baseline it can generate credits which may then be sold to a producer who has a deficit.

California's Low Carbon Fuel Standard has supported an innovative revolution in alternative fuels. Those fuels have replaced more than 2.5 billion gallons of petroleum fuel in the past 12 months, providing Californians with cleaner alternatives. Today CARB released a list of certified, third party verifiers who will provide the next level of program quality control.

The LCFS regulation steadily drives down the carbon intensity of transportation fuels sold in California, resulting in cleaner fuels. Third-party verification provides an additional check that program data is complete and accurate, and that credits generated under the program represent additional and enforceable emission reductions. CARB-certified training is consistent with the stringent verification program under California's Cap-and-Trade Program and with international best practices.

2020 LEGISLATIVE CALENDAR:

February Deadlines

Feb. 17 Presidents' Day.

Feb. 21 Last day for bills to be **introduced** (J.R. 61(b)(4), J.R. 54(a)).

March Deadlines

Mar. 27 Cesar Chavez Day observed.

April Deadlines

Apr. 2 Spring Recess begins upon adjournment (J.R. 51(b)(1)).

Apr. 13 Legislature reconvenes from Spring Recess (J.R. 51(b)(1)).

Apr. 24 Last day for **policy committees** to hear and report to fiscal committees **fiscal bills** introduced in their house (J.R. 61(b)(5)).

May Deadlines

May 1 Last day for **policy committees** to meet and report to the floor **nonfiscal** bills introduced in their house (J.R. 61(b)(6)).

May 8 Last day for **policy committees** to meet prior to June 1 (J.R. 61(b)(7)).

May 15 Last day for **fiscal committees** to hear and report to the **floor** bills introduced in their house (J.R. 61 (b)(8)). Last day for **fiscal committees** to meet prior to June 1 (J.R. 61 (b)(9)).

May 25 Memorial Day.

May 26-May 29 Floor session only. No committee may meet for any purpose except for Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees (J.R. 61(b)(10)).

May 29 Last day for each house to pass bills introduced in that house (J.R. 61(b)(11)).

June Deadlines

June 1 Committee meetings may resume (J.R. 61(b)(12)).

June 15 Budget Bill must be passed by midnight (Art. IV, Sec. 12(c)).

June 25 Last day for a legislative measure to qualify for the Nov. 3 General Election ballot (Elections Code Sec. 9040).

June 26 Last day for **policy committees** to hear and report fiscal bills to fiscal committees (J.R. 61(b)(13)).

July Deadlines

July 2 Last day for **policy committees** to meet and report bills (J.R. 61(b)(14)).

Summer Recess begins upon adjournment, provided Budget Bill has been passed (J.R. 51(b)(2)).

July 3 Independence Day observed.

August Deadlines

Aug. 3 Legislature reconvenes from **Summer Recess** (J.R. 51(b)(2)).

Aug. 14 Last day for **fiscal committees** to meet and report bills (J.R. 61(b)(15)).

Aug. 17-31 Floor session only. No committee may meet for any purpose except Rules Committee, bills referred pursuant to Assembly Rule 77.2, and Conference Committees (J.R. 61(b)(16)).

Aug. 21 Last day to **amend** bills on the floor (J.R. 61(b)(17)).

Aug. 31 Last day for each house to pass bills (Art. IV, Sec 10(c), J.R. 61(b)(18)). Final Recess begins upon adjournment (J.R. 51(b)(3)).

ATTACHMENT 3

HR 2616 (DeSaulnier, Porter, Rouda)
Establish a grant program for the installation of electric vehicle charging infrastructure and hydrogen fueling infrastructure along the National Highway System

Summary: This bill would amend current law designating electric, hydrogen, propane and natural gas fueling corridors at strategic locations along major national highways to increase the frequency of the updating, redesignation and reporting from every five (5) years to every three (3) years. The bill also establishes a national grant program to construct and install electric charging and hydrogen fueling infrastructure at \$300 million per year through fiscal year 2020.

Background: Federal law, Title 23 USC Section 177, directs the Secretary of Transportation (Secretary) to designate national electric vehicle charging and hydrogen, propane and natural gas fueling corridors at strategic locations along major national highways to improve the mobility of passenger and commercial vehicles across the United States. Under current law, the Secretary is required to update and redesignate the corridors every five (5) years and to report on infrastructure and standardizations needs as well as establish “an aspirational goal of achieving strategic deployment of electric vehicle charging infrastructure, hydrogen fueling infrastructure, propane fueling infrastructure and natural gas fueling infrastructure in those corridors by the end of fiscal year 2020.”

Status: 5/9/19 – Bill introduced.
5/9/19 – Bill referred to House Committee on Transportation and Infrastructure.
5/10/19 – Referred to the Subcommittee on Highways and Transit.

Specific Provisions: This bill would increase the frequency in which the Secretary is required to update and redesignate “Clean Corridors” for electric, hydrogen, propane and natural gas charging/fueling infrastructure from every five (5) years to every three (3) years. Further, the bill would require the Secretary to report every three (3) years on efforts to achieve the deployment of electric, hydrogen, propane and natural gas infrastructure. The bill also directs the Secretary to consult with the Secretary of Energy to summarize best practices and provide guidance for project development of electric charging and hydrogen fueling infrastructure. In addition, the bill would establish a \$300 million per year grant program through fiscal year 2028 to construct and install electric charging and hydrogen fueling infrastructure.

Impacts on South Coast QMD’s Mission, Operations or Initiatives: This bill is in line with South Coast AQMD’s goals promoting the development of zero and near zero vehicles to reduce air pollution and meet the federal National Ambient Air Quality Standards.

South Coast AQMD staff recommends support for this bill which would help to establish zero-emissions charging and fueling infrastructure throughout the national highway system.

Recommended Position: SUPPORT

SUPPORT:

Earthjustice
Edison Electric Institute
EVBox
Fuel Cell & Hydrogen Energy Association
National Electrical Manufacturers Association
ChargePoint
American Wind Energy Association
Association of Global Automakers
Natural Resources Defense Council
Electric Drive Transportation Association

OPPOSITION: Unknown

Introduced in Senate (07/29/2019)

America's Transportation Infrastructure Act of 2019

This bill addresses several provisions related to highway transportation infrastructure, including provisions to improve road safety, accelerate project completions, improve resiliency to disasters, and reduce highway emissions.

Among other things, the bill

- reauthorizes several transportation programs from FY2021-FY2025, including the federal-aid highway program and the transportation infrastructure finance and innovation program;
- increases funding for tribal and federal lands transportation programs;
- provides for a bridge investment program to award competitive grants to certain governmental entities for projects that improve (1) the condition of bridges; and (2) the safety, efficiency, and reliability of the movement of people and freight over bridges;
- requires the Department of Transportation to encourage each state to develop a voluntary plan that provides for the immediate and long-term personnel and workforce needs of the state to deliver transportation and public infrastructure projects;
- establishes a two-year goal for the completion of environmental review with respect to highway projects and a 90-day timeline for related project authorizations;
- sets forth several new climate-related grant programs, including for resiliency, carbon reduction, charging and refueling, alternative road user fees, carbon capture, and diesel emissions;
- expands the flexibility and eligible uses of formula funds provided out of the Highway Trust Fund; and
- prioritizes the research and development of animal detection systems that reduce the number of wildlife-vehicle collisions.

The link to the bill is, <https://www.congress.gov/bill/116th-congress/senate-bill/2302>

America's Transportation Infrastructure Act of 2019

Section-by-Section

TITLE I—FEDERAL-AID HIGHWAYS

Subtitle A—Authorization and Programs

Sec.1101.Authorization of appropriations.

Provides the level of contract authority funding to be made available from the Highway Trust Fund for Federal-aid highway programs for the five-year authorization period of the bill, fiscal years 2021 through 2025. The bill provides a total of \$287 billion in contract authority from the highway account of the Highway Trust Fund.

Sec.1102.Obligation ceiling.

Sets the annual limitation on obligations for Federal-aid highway programs for each of fiscal years 2021 through 2025. The bill provides a total of \$283.6 billion in obligation limitation.

Sec.1103.Definitions.

Adds definitions for “Resilience” and “Natural Infrastructure” to the list of defined terms under Section 101 of title 23.

Sec.1104.Apportionment.

Provides the amounts for administrative expenses of the Federal Highway Administration for each fiscal year and the calculation process for distributing Federal-aid highway program funds .

Sec.1105.National highway performance program.

Augments the purpose of the National Highway Performance Program (NHPP) to include a focus on measures that increase resiliency to the impacts of sea level rise, extreme weather events, flooding, and other natural disasters, such as earthquakes and rockslides. In addition to resiliency projects currently eligible on the National Highway System, the bill allows States to use up to 15 percent of their NHPP funds for protective features to improve resiliency of a Federal-aid highway or bridge off the National Highway System.

Sec.1106.Emergency relief.

Augments the Emergency Relief (ER) program's definition of a natural disaster to include wildfire and sea level rise and allows the use of ER program funds on protective features to improve resiliency including: raising roadway grades, relocating roads in floodplains to higher ground, stabilizing slide areas and slopes, installing riprap, lengthening or raising bridges to increase waterway openings, deepening channels, improving drainage, replacing or upsizing culverts, installing seismic monitoring on bridges, use of natural infrastructure to mitigate the risk of storms and flooding, or other features as determined by the Secretary .

Sec.1107.Federal share payable.

Provides for a maximum Federal share of up to 100 percent for a project to add protective features to improve resiliency on a Federal-aid highway or bridge project if such protective feature is an improvement designed to mitigate the risk of recurring damage or the cost of future

repair from extreme weather events, flooding, and other natural disasters.

Sec.1108.Railway-highway grade crossings.

Maintains current funding levels at \$245 million per year for each fiscal year 2021 through 2025 for the Railway-Highway Crossings (Section 130) Program, a set-aside within the Highway Safety Improvement Program. Adds an emphasis on reducing pedestrian fatalities and injuries from trespassing at grade crossings, adds program flexibilities, and increases the Federal share for projects funded under the Section 130 program from 90 to 100 percent.

Sec.1109.Surface transportation block grant (STBG) program.

Maintains the FY2020 amount (55 percent) of STBG funding that is sub-allocated to metropolitan areas. Increases the Transportation Alternatives Program (TAP) set-aside and sub-allocation amounts and provides small communities greater access to TAP funding. Adds new eligibilities to STBG including construction of wildlife crossing structures, rural barge landing, dock, and waterfront infrastructure projects, and the construction of certain privately or majority-privately owned ferry boats and terminals. Also allows low water crossing replacement projects to be eligible for use under the federal off-system set-side.

Sec.1110.Nationally significant freight and highway projects (NSFHP).

Amends NSFHP, currently known as INFRA, by raising the cap on eligible multimodal projects to 30 percent of program funds. Requires that a portion of funds go toward certain critical rural and urban state projects. Increases the minimum amount (from 10 percent to 15 percent) for small projects, increases the federal share allowable for small projects, and requires that not less than 30 percent of funds reserved for small projects be used for certain projects in rural areas. Adds new consideration of freight resilience. Creates new set-aside of \$150 million per year of NSFHP funds for a pilot program to encourage applicants to expand their non-Federal share of project costs. Also expands the program's transparency requirements. This bill authorizes a total of \$5.5 billion in dedicated funding from the Highway Trust Fund for fiscal years 2021 through 2025.

Sec.1111.Highway safety improvement program (HSIP).

Restores flexibility for certain non-infrastructure activities and behavioral safety projects, such as educational campaigns about traffic safety and enforcement activities, allowing a State to spend up to 25 percent of its HSIP funds on such projects. Also includes leading pedestrian intervals as an eligible highway safety improvement project. Leading pedestrian intervals are traffic signals that allow pedestrians to begin walking slightly prior to the green light for vehicles, which improves pedestrian safety.

Sec. 1112.Federal Lands Transportation Program (FLTP).

Raises the cap on FLTP funds that may be used to improve public safety and reduce wildlife vehicle collisions while maintaining habitat connectivity from \$10 million to \$20 million per year. Requires entities carrying out FLTP projects to consider the use of native plants and designs that minimize runoff and heat generation.

Sec.1113.Federal lands access program (FLAP).

Broadens FLAP eligible activities to include contextual wayfinding markers, landscaping, and

cooperative mitigation of visual blight. Requires entities carrying out FLAP projects to consider the use of native plants and designs that minimize runoff and heat generation.

Sec.1114.National highway freight program.

Increases the maximum number of highway miles a State may designate as critical rural freight corridors from 150 to 300 miles, and as critical urban freight corridors from 75 to 150 miles. It provides additional flexibility for lower population-density States to designate a maximum of 600 miles. The section allows up to 30 percent of program funds to be used on eligible multimodal projects.

Sec.1115.Congestion mitigation and air quality improvement program (CMAQ).

Adds flexibility to CMAQ by allowing States to spend up to 10 percent of CMAQ funds on certain lock and dam modernization or rehabilitation projects and certain marine highway corridor, connector, or crossings projects. Also clarifies that certain CMAQ-eligible operating costs are not subject to a time limitation or phase-out requirement, and expands operating assistance eligibility to transit systems outside of large urbanized areas.

Sec.1116.National scenic byways program.

Requires the Secretary to issue a request for nominations with respect to roads to be designated under the National Scenic Byways Program, and to publish the list of newly designated roads within one year of the date of enactment.

Sec.1117.Alaska Highway.

Clarifies that the Secretary may provide funding for certain sections of the Alaska Highway. This section does not alter current or require new agreements between the United States and Canada.

Sec.1118.Toll roads, bridges, tunnels, and ferries.

Clarifies that the construction of ferry boats and terminals also includes the construction of maintenance facilities, and permits the use of Federal funds to procure transit vehicles as part of the ferry boat program if the vehicles are used exclusively as part of an intermodal ferry trip.

Sec.1119.Bridge investment program.

Establishes a new competitive grant program to assist State, local, and tribal entities to rehabilitate or replace structurally deficient bridges. Authorizes \$3.3 billion in dedicated funding from the Highway Trust Fund for fiscal years 2021 through 2025 and an additional \$3.3 billion authorized for appropriations for fiscal years 2021 through 2025.

Sec.1120.Safe routes to school program.

Amends the Safe Routes to School Program to apply the program through 12th grade to enable and encourage high school students to walk and bike to school safely.

Sec.1121.Highway use tax evasion projects.

Reauthorizes funding to be used by the Secretary in conjunction with the Internal Revenue Service to address highway use tax evasion.

Sec.1122.Construction of ferry boats and ferry terminal facilities.

Authorizes \$440 million in funding from the Highway Trust Fund for fiscal years 2021 through 2025 for the Ferry Boat Program.

Sec.1123.Balance exchanges for infrastructure program.

Establishes the Balance Exchanges for Infrastructure program to incentivize certain states within the Appalachian region to use unobligated balances of funding to improve highway infrastructure.

Sec.1124.Safety incentive programs.

Provides supplemental formula and competitive grant funds to States and urbanized areas to expand and incentivize investments in transportation safety projects. Requires areas with high rates of fatalities for nonmotorized road users to focus investments on improvements to bicyclist and pedestrian safety. Authorizes \$500 million and \$100 million per year from the Highway Trust Fund for formula and competitive grants, respectively, for fiscal years 2021 through 2025.

Sec. 1125.Wildlife Crossing Safety.

Establishes a 5-year, \$250 million wildlife crossing pilot program to provide grants for projects designed to reduce wildlife-vehicle collisions and improve habitat connectivity. Also requires the Secretary to take a variety of measures (e.g. reports, voluntary guidance, data collection, methodology development) to assist States in reducing wildlife-vehicle collisions and increasing habitat connectivity.

Sec. 1126.Consolidation of Programs.

Provides continued funding for Operation Lifesaver, work zone safety grants, and safety clearinghouses.

Sec. 1127.State Freight Advisory Committees.

Adds to the makeup and role of state freight advisory committees, and lists state freight advisory committee member qualifications.

Sec.1128.Territorial and Puerto Rico Highway Program.

Authorizes increased funding for the Territorial and Puerto Rico Highway Program, a total of \$841 million for Puerto Rico for fiscal years 2021 through 2025, and \$221 million for the territories.

Subtitle B—Planning and Performance Management

Sec.1201.Transportation planning.

Adds an additional consideration for metropolitan transportation planning requirements, enhances coordination between Metropolitan Planning Organizations (MPOs), and encourages MPOs to use social media and other web-based tools to encourage public participation in the transportation planning process.

Sec.1202.Fiscal constraint on long-range transportation plans.

Eliminates the fiscal constraint requirement for Long Range Transportation Plans for any years

beyond the 4-year State Transportation Improvement Plan timeframe. Currently, Long Range Transportation Plans are required to be fiscally constrained, e.g. limited to transportation projects that could be completed with the level of funding that is reasonably expected to be available. This provision eliminates that requirement for the years of the 20-year planning horizon that are beyond the first 4 years.

Sec.1203.State human capital plans.

Requires the Secretary to encourage States to develop a voluntary human capital plan for the immediate and long-term transportation-related personnel and workforce needs of the State under title 23. These voluntary human capital plans would be publicly available and updated at least once every 5 years.

Sec.1204.Accessibility data pilot program.

Requires the Secretary to carry out a pilot program to provide data on the level of transportation access the public has to important destinations, such as daily workplaces, health care and child care facilities, education and training, grocery stores, ADA accessible sidewalks, and safe bicycling corridors, as identified by each pilot program participant to improve their transportation planning.

Sec.1205.Prioritization process pilot program.

Establishes a pilot program to support data-driven approaches to transportation planning, providing funds for selected States and MPOs to develop and implement a publicly accessible, transparent prioritization process to evaluate and select projects to include in a transportation plan.

Sec.1206.Exemptions for low population density states.

Exempts certain low population density States from specific congestion-related performance management requirements.

Sec.1207.Travel demand data and modeling.

Requires the Secretary to carry out a study that gathers travel demand data from a sampling of States and MPOs, and compares forecasts with observed travel, for the purpose of improving forecasting, and evaluating the impacts of transportation investments on travel demand.

Sec. 1208. Increasing Safe and Accessible Transportation Options.

Establishes a program to increase the funds available for planning Complete Streets, active transportation networks, transit access, and other safe and accessible options for multiple travel modes.

Subtitle C—Project Delivery and Process Improvement

Sec.1301.Efficient environmental reviews for project decisionmaking and One Federal Decision

Amends section 139 of title 23, United States Code, to provide new environmental review procedures and requirements for major infrastructure projects. Also requires the lead federal agency to develop a schedule for a major infrastructure project that is consistent, to the

maximum extent practicable, with an agency average of not more than 2 years for the completion of the environmental review process for major infrastructure projects, as measured from the date of publication of a notice of intent to prepare an environmental impact statement to the record of decision.

Sec.1302.Work zone process reviews.

Ensures that a work zone process review is required not more frequently than once every 5 years.

Sec.1303.Transportation management plans.

Removes a requirement for States to develop or implement a transportation management plan for projects that involve lane closures, if the lane closure will last only three consecutive days or fewer.

Sec.1304.Intelligent transportation systems.

Requires the Secretary to develop guidance for using existing flexibilities with respect to the systems engineering analysis to ensure nationwide consistency, wide dissemination to Federal-aid recipients, and minimal delays and paperwork for low-risk and exempt intelligent transportation systems.

Sec.1305.Alternative contracting methods.

Amends sections 201 and 308 of title 23, United States Code, to provide the Secretary flexible authority to use contracting methods available to a State under title 23 on behalf of Federal land management agencies (and Tribes under section 202) in using funds under sections 203, 204, or 308 of title 23, or section 1535 of title 31. Requires that the Secretary solicit input from stakeholders and consult with Federal land management agencies to establish clear procedures for alternative contracting methods that are consistent with Federal procurement requirements to the maximum extent practicable.

Sec.1306.Flexibility for projects.

Requires the Secretary, on request by a State, and if in the public interest, to exercise all existing flexibilities and exceptions in order to expedite processes under the requirements of title 23 and other requirements administered by the Secretary.

Sec.1307.Improved Federal-State stewardship and oversight agreements.

Requires the Secretary to develop, and request and respond to comments on, a template for Federal-State stewardship and oversight agreements developed in accordance with section 106 of title 23, United States Code (or other authority). Also requires the Secretary to update existing agreements with States according to the template.

Sec.1308.Geomatic data.

Requires the Secretary to develop and issue for public comment guidance for the acceptance and use of information obtained from a non-Federal interest through geomatic techniques, including remote sensing and land surveying, cartography, geographic information systems, global navigation satellite systems, photogrammetry, or other remote means.

Sec.1309.Evaluation of projects within an operational right-of-way.

Establishes deadlines for the review, response, and action by Federal agencies carrying out their permit, approval, or other authorization responsibilities over preventative maintenance, preservation, or highway safety projects in the operational right-of-way. Federal agencies that do not meet the requirements of this section are subject to a reporting requirement that describes why the deadline was missed.

Sec.1310.Department of Transportation reports.

Requires the Secretary to prepare a report on the preceding fiscal year describing the median time for the completion of environmental reviews and any new categorical exclusions applicable to highway projects. The report must list all regulatory requirements that have been removed or reduced, including, if available, a summary of cost savings to States, Tribes, local government, and the public. Also requires the report to contain information, to the extent it is available, on the median time to complete environmental reviews and a summary of costs savings, if available, to States, Tribes, local government, and the public, resulting from the removal or reduction of regulatory requirements.

Subtitle D—Climate Change

Sec.1401.Grants for charging and fueling infrastructure to modernize and reconnect America for the 21st century.

Establishes a competitive grant program to strategically deploy alternative fuel vehicle charging and fueling infrastructure along designated alternative fuel corridors that will be accessible to all drivers of electric, hydrogen, and natural gas vehicles. This bill provides the following amounts from the Highway Trust Fund: \$100 million for each of fiscal years 2021 and 2022; \$200 million for fiscal year 2023; and \$300 million for each of fiscal years 2024 and 2025.

Sec.1402. Reduction of Truck Emissions at Port Facilities.

Establishes a competitive grant program to reduce idling and emissions at port facilities, including port electrification projects. This section also requires the Secretary to submit a report to Congress detailing the status and effectiveness of the program. This bill provides the following amounts from the Highway Trust Fund: \$60 million for fiscal year 2021; \$70 million for each of fiscal years 2022 and 2023; \$80 million for fiscal year 2024; and \$90 million for fiscal year 2025.

Sec.1403. Carbon Reduction Incentive Program.

Provides supplemental formula and competitive grant funds to States to expand investment in transportation improvements designed to reduce on-road mobile sources of carbon, and to incentivize planning and investments to reduce carbon emissions. This bill provides \$600 million and \$100 million per year from the Highway Trust Fund for formula and competitive grants, respectively, for each of fiscal years 2021 through 2025.

Sec.1404. Congestion Relief Program.

Provides competitive grants to States and local governments to advance innovative, integrated, and multimodal solutions to congestion relief in the most congested metropolitan areas of the United States. This bill provides a total of \$200 million in dedicated funding for the program out

of the Highway Trust Fund for fiscal years 2021 through 2025.

Sec.1405.Freight Plans.

Adds new strategies for inclusion within the national freight strategic plan, including strategies to promote resilience, national economic growth and competitiveness, and strategies to reduce local air pollution and water runoff. Does not add or establish new procedural requirements for the approval of state freight plans.

Sec.1406.Utilizing significant emissions with innovative technologies (USE IT Act).

Supports carbon utilization and direct air capture research, and supports federal, state, and non-governmental collaboration in the construction and development of carbon capture, utilization, and sequestration (CCUS) facilities and carbon dioxide (CO2) pipelines.

Sec.1407.Promoting Resilient Operations for Transformative, Efficient, and Cost-saving Transportation (PROTECT) grant program.

Establishes a supplemental formula and competitive grant program to help States improve the resiliency of transportation infrastructure. This bill provides \$786 million and \$200 million from the Highway Trust Fund for formula and competitive grants, respectively, for each of fiscal years 2021 through 2025.

Sec.1408.Diesel emissions reduction.

Extends the authorization of the Diesel Emissions Reduction Act (DERA) program through fiscal year 2024, and changes current law to make clear that EPA must recognize that there are differing diesel vehicle, engine, equipment or fleet use concerns in different areas of the country as the agency funds DERA projects.

Subtitle E—Miscellaneous

Sec. 1501.Additional Deposits in Highway Trust Fund.

Repeals section 105 of title 23.

Sec.1502.Stopping threats on pedestrians.

Establishes a grant program to provide assistance to local government entities for bollard installation projects designed to prevent pedestrian injuries and acts of terrorism in areas used by large numbers of pedestrians. Authorizes the program for appropriations at \$5 million for each of fiscal years 2021 through 2025.

Sec.1503.Transfer and sale of toll credits.

Establishes a toll credit exchange on a pilot basis to enable the Secretary to evaluate the feasibility of and demand for a toll credit marketplace through which States could sell, transfer, or purchase toll credits.

Sec.1504.Forest Service Legacy Roads and Trails Remediation Program.

Amends the Forest Roads and Trails Act by requiring the Secretary, acting through the Chief of the Forest Service, to develop a national strategy to perform critical maintenance and urgent repairs and improvements on National Forest System roads, trails, and bridges. Authorizes the

program for appropriations at \$50 million per year for each of fiscal years 2021 through 2025.

Sec.1505.Disaster relief mobilization pilot program.

Provides grants on a pilot basis to local communities to develop disaster preparedness and disaster response plans that include the use of bicycles. This bill provides a total of \$5 million in dedicated funding for the pilot program out of the Highway Trust Fund for fiscal years 2021 through 2025.

Sec.1506.Appalachian regional development.

Reauthorizes the Appalachian Regional Commission (ARC) at \$180 million for each of fiscal years 2021 through 2025. Includes Catawba and Cleveland counties (in North Carolina) as part of the Appalachian region for purposes of the ARC. Establishes an Appalachian Regional Energy Hub.

Sec.1507.Requirements for transportation projects carried out through public-private partnerships.

Includes transparency requirements for projects carried out through public-private partnerships.

Sec.1508.Community connectivity pilot program.

Establishes a pilot program through which eligible entities may apply for planning funds to study the feasibility and impacts of removing transportation facilities that create barriers to mobility, access, or economic development, and for construction funds to carry out a project to remove an eligible facility and replace it with a new facility. This bill provides a total of \$120 million in dedicated funding for the pilot program out of the Highway Trust Fund for fiscal years 2021 through 2025.

Sec.1509.Repeal of rescission.

Repeals the \$7,569,000,000 rescission in Federal-aid Highway Program contract authority contained within Section 1438 of the Fixing America's Surface Transportation (FAST) Act.

Sec.1510.Federal interagency working group for conversion of federal fleet to hybrid-electric vehicles, electric vehicles, and alternative fueled vehicles.

Requires the Chair of the Council on Environmental Quality to lead a Federal interagency working group to develop a strategy to transition the vehicle fleets of the respective Federal agencies to hybrid-electric vehicles, plug-in electric drive vehicles, and alternative fueled vehicles, to the maximum extent practicable.

Sec.1511.Cybersecurity tool; cyber coordinator.

Requires FHWA to develop a tool to assist transportation authorities in identifying, detecting, protecting against, responding to, and recovering from cyber incidents. Requires FHWA to designate an office as a "cyber coordinator" for monitoring, alerting, and advising transportation authorities of cyber incidents.

Sec.1512.Study on most effective upgrades to roadway infrastructure.

Directs the Secretary to enter into an agreement with the Transportation Research Board to identify specific immediate and long-term types of upgrades necessary to benefit the largest

segment of road users, autonomous vehicles, and automated driving system, as well as to examine how to best achieve roadway infrastructure uniformity to facilitate the safe deployment of autonomous vehicles and automated driving systems.

Sec.1513.Study on vehicle-to-infrastructure communication technology.

Directs the Secretary to enter into an agreement with the Transportation Research Board to identify immediate and long-term safety benefits of vehicle-to-infrastructure connectivity technologies and technologies that would allow motor vehicles and roadway infrastructure to communicate using dedicated short-range communications (DSRC) and related safety applications.

Sec.1514.Nonhighway recreational fuel study.

Authorizes a study and report (occurring consecutively every 5 years) to produce the best available estimate of the total amount of fuel taxes paid by users of nonhighway recreational vehicles into the Highway Trust Fund. This section provides that the study will be used to assist Congress in determining an appropriate funding level for the recreational trails program.

Sec.1515.Buy America.

Requires the Secretary to issue a notice 15 days in advance prior to issuing a waiver for the Buy American requirement for Federal-aid projects.

Sec.1516.Report on data-driven infrastructure traffic safety improvements.

Requires the FHWA Administrator to conduct a study to identify data-driven infrastructure traffic safety improvements for priority focus areas, including improvements that would benefit older drivers, teenage drivers, commercial drivers, and vulnerable road users, and to issue a report to Congress containing study results and recommendations.

Sec.1517.High priority corridors on the National Highway System.

Amends section 1105 of the Intermodal Surface Transportation Efficiency Act by adding new future Interstate designations along corridors in North Carolina and Kentucky. Requires the Comptroller General to submit a report to Congress on the safety and infrastructure impacts, if any, of the continuation of weight limits on specific highway segments.

Sec.1518.Interstate weight limits.

Amends section 127 of title 23, United States Code by continuing existing weight limits along specific corridors in North Carolina and Kentucky should any such corridors become designated as a route on the Interstate System.

Sec.1519.Interstate exemption.

Allows any commercial establishment operating legally in a rest area along a specific segment of highway in Kentucky to continue to operate in the Interstate right-of-way (subject to the Interstate access standards established under section 111 of title 23) should the segment be designated as a route on the Interstate System.

Sec.1520.Report on air quality improvements.

Requires the Comptroller General to evaluate the Congestion Mitigation and Air Quality Improvement Program (CMAQ).

Sec.1521.Roadside highway safety hardware.

Requires the Secretary to implement recommendations from a Government Accountability Office (GAO) Report to develop a third party verification of roadside safety hardware testing results from crash test labs and to establish a process to enhance the independence of crash test labs when lab employees test devices that were developed within the parent organization of the employee. Also directs FHWA to continue issuing Federal-aid eligibility letters as a service to States until the third party verification processes are complete.

Sec.1522.Permeable pavements study.

Requires the Secretary to conduct a study on the effects of permeable pavements on flood control.

Sec.1523.Emergency relief projects.

Requires the Secretary to revise the emergency relief manual of FHWA to include a definition of resilience, identify procedures that may be used to incorporate resilience into Emergency Relief (ER) projects, encourage the use of Complete Streets design principles in ER projects, develop best practices for improving the use of resilience in ER projects, and develop and implement a process to track the consideration of resilience as part of the ER program, and track the costs of ER projects.

Sec.1524.Certain gathering and supply lines located on Federal land and Indian land.

Allows the Secretary of the Interior to establish a categorical exclusion for certain gathering lines that would reduce venting, flaring and other emissions of methane from, and the vehicular traffic servicing, onshore oil and gas wells on federal land, and, with tribal consent, Indian land.

Sec.1525.Technical corrections.

Makes technical corrections to title 23 of the United States Code.

TITLE II—TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION

Sec.2001.Transportation Infrastructure Finance and Innovation Act of 1998 (TIFIA) amendments.

Updates the TIFIA program to increase utilization, streamline the application process, and increase transparency in the vetting process for projects seeking TIFIA funds. Expands program eligibility to airport projects and additional transit-oriented development projects, subject to a cap and sunset. Extends the authorization of State Infrastructure Bank program through fiscal year 2025.

TITLE III—RESEARCH, TECHNOLOGY, AND EDUCATION

Sec.3001.Surface transportation system funding alternatives.

Provides funding to test the feasibility of a road usage fee or other user-based alternative revenue mechanisms that preserve a user fee structure to maintain the long-term solvency of the Highway Trust Fund. Builds upon the pilot program authorized in the FAST Act and strengthens the

program objectives to ensure projects test solutions for the collection, privacy, and security of data for the purposes of implementing a user-based alternative revenue mechanism.

Sec.3002.Performance management data support program.

Extends the authorization and provides a funding source for FHWA to develop, use, and maintain data sets and data analysis tools to assist metropolitan planning organizations (MPOs) and States in carrying out performance management analyses and requirements.

Sec.3003.Data integration pilot program.

Authorizes a pilot program, funded with a total of \$12.5 million from General Fund appropriations, to research and develop models that integrate real-time information, including weather conditions, roadway conditions, and information from emergency responders.

Sec.3004.Emerging technology research pilot program.

Establishes a pilot program to conduct emerging technology research, specifically including advanced and additive manufacturing (3-D printing) technologies, as well as research into activities to reduce the impact of automated driving systems and advanced driver automation systems technologies on pavement and infrastructure performance, as well as improve transportation infrastructure design. Authorizes for appropriations \$5 million per year for each of fiscal years 2021 through 2025 to support the pilot program.

Sec.3005. Research and technology development and deployment.

Expands the objectives of the Turner Fairbank Highway Research Center to support research on non-market ready technologies in consultation with public and private entities. Establishes an open challenge and research proposal pilot program that provides grants for proposals to research needs or challenges identified or determined as important by the Secretary. Also expands the Technology and Innovation Deployment Program by adding a focus on accelerated market readiness efforts, and increases funding for the program, including \$100 million in new and innovative construction technologies for smarter, accelerated project delivery. Extends the authorization for the Accelerated Implementation and Deployment of Pavement Technologies and adds pavement-related considerations to enhance the environment and promote sustainability in the reporting under this program. The modified Advanced Transportation Technologies and Innovative Mobility Deployment program includes intermodal connectivity and a rural set-aside of not less than 20 percent. Authorizes a new Center of Excellence on New Mobility and Automated Vehicles to research the impact of automated vehicles and new mobility, such as docked and dockless bicycles and electric scooters.

Sec.3006.Workforce development, training, and education.

Provides authority to allow States greater flexibility to address surface transportation workforce development, training, and education needs. These changes will help States address their current workforce gaps, such as occupations in construction, as well as future workforce needs resulting from emerging technology. Modifies an existing grant program that authorizes the Secretary to award grants to educational institutions and State DOTs to provide hands-on career opportunities to meet current and future needs and establishes reporting requirements.

Sec. 3007. Wildlife-Vehicle Collision Research.

Adds animal detection systems to reduce the number of wildlife-vehicle collisions as eligible for priority consideration for intelligent transportation system (ITS) research projects. Amends membership of the advisory committee required to advise the Secretary on carrying out ITS programs.