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Regional Transportation Planning Agency - Local Transportation Commission  
Monterey County Service Authority for Freeways & Expressways  
Monterey County Regional Development Impact Fee Joint Powers Agency  
Email: [info@tamcmonterey.org](mailto:info@tamcmonterey.org)

## **EXECUTIVE COMMITTEE**

*Members are: Ed Smith, Chair; Mary Adams, 1st Vice Chair; Michael LeBarre, 2nd Vice Chair; Luis Alejo, Past Chair; Chris Lopez, County Representative; Kimbley Craig, City Representative*

**Wednesday, August 4, 2021**

**\*\*8:30 AM\*\***

### **REMOTE CONFERENCE ONLY**

*There will be NO physical location of the meeting.*

*Please see all the special meeting instructions at the end of the agenda.*

**Join meeting online at**

**<https://us02web.zoom.us/j/775161178?pwd=STY4UzZZblpOK0VLdEs3RGZUS3kyUT09>**

**OR**

**Via teleconference at +1 669 900 6833**

**Meeting ID: 775 161 178**

**Password: 536047**

### **1. ROLL CALL**

Call to order and self-introductions. If you are unable to attend, please contact Elouise Rodriguez, Senior Administrative Assistant. Your courtesy to the other members to assure a quorum is appreciated.

### **2. PUBLIC COMMENTS**

Any member of the public may address the Committee on any item not on the agenda but within the jurisdiction of the Committee. Under this item, each member of the public is allowed three minutes to address concerns. Comments in items on this agenda may be given when that agenda item is discussed. Persons who wish to address the Committee for public comment or on an item on the agenda are encouraged to submit comments in writing to Maria at [maria@tamcmonterey.org](mailto:maria@tamcmonterey.org) by

5:00 pm the Monday before the meeting, and such comments will be distributed to the Committee before the meeting.

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### **3. BEGINNING OF CONSENT AGENDA**

Approve the staff recommendations for items listed below by majority vote with one motion. Any member may pull an item off the Consent Agenda to be moved to the end of the **CONSENT AGENDA** for discussion and action.

**3.1 APPROVE** the Executive Committee draft minutes of June 2, 2021.

**-Rodriguez**

### **END OF CONSENT AGENDA**

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**4. RECEIVE** update on state and federal legislative activities and **RECOMMEND** the Board of Directors adopt positions on proposed legislation and endorse the California coalition letter to the federal delegation.

**- Watson**

*Staff and consultants will present state and federal legislative updates and present proposed legislation for the Committee to consider recommendations of positions of support or opposition.*

**5. RECEIVE** update on COVID-19 status and **DISCUSS** plans for upcoming Board and Committee meetings.

**- Hale**

**6. RECEIVE** report on draft TAMC Board meeting agenda.

**- Muck**

**7. ANNOUNCEMENTS**

**8. ADJOURN**

### Important Meeting Information

Remote Meetings: On March 12, 2020, Governor Newsom issued Executive Order N-25-20, which enhances State and Local Governments ability to respond to COVID-19 Pandemic based on Guidance for Gatherings issued by the California Department of Public Health. The Executive Order specifically allows local legislative bodies to hold meetings via

teleconference and to make meetings accessible electronically, in order to protect public health. As permitted by recently-updated orders from Governor Newsom's office, effective July 28, 2021, the TAMC Board of Directors will begin to reconvene in-person meetings; committee meetings will continue to convene remotely, until further notice. For remote meetings, the public is strongly encouraged to use the Zoom app for best reception. Prior to the meeting, participants should download the Zoom app at:

<https://zoom.us/download>. A link to simplified instruction for the use of the Zoom app is: <https://blog.zoom.us/wordpress/2018/07/03/video-communications-best-practice-guide/>.

Remote Meeting Public Comment: Due to current circumstances, there may be limited opportunity to provide verbal comments during remote meetings. Persons who wish to address the Committee for public comment or on an item on the agenda are encouraged to submit comments in writing to [maria@tamcmonterey.org](mailto:maria@tamcmonterey.org) by 5:00pm the Monday before the meeting. Such comments will be distributed to the Committee before the meeting. Members of the public participating by Zoom are instructed to be on mute during the proceedings and to speak only when public comment is allowed, after requesting and receiving recognition from the Chair.

Agenda Packet and Documents: Any person who has a question concerning an item on this agenda may call or email the Agency office to make inquiry concerning the nature of the item described on the agenda. Complete agenda packets are on display online at the Transportation Agency for Monterey County website. Documents relating to an item on the open session that are distributed to the Committee less than 72 hours prior to the meeting shall be available for public review at the Agency website. Agency contact information is as follows:

Transportation Agency for Monterey County  
www.tamcmonterey.org  
Office is closed an all employees are working remotely until further notice  
TEL: 831-775-0903  
EMAIL: info@tamcmonterey.org

Agenda Items: The agenda will be prepared by Agency staff and will close at noon nine (9) working days before the regular meeting. Any member of the Committee may request in writing an item to appear on the agenda. The request shall be made by the agenda deadline and any supporting papers must be furnished by that time or be readily available.

Alternative Agenda Format and Auxiliary Aids: If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals requesting a disability-related modification or accommodation, including auxiliary aids or services, may contact Transportation Agency staff at 831-775-0903. Auxiliary aids or services include

wheelchair accessible facilities, sign language interpreters, Spanish language interpreters, and printed materials in large print, Braille or on disk. These requests may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting and should be made at least 72 hours before the meeting. All reasonable efforts will be made to accommodate the request.

**CORRESPONDENCE, MEDIA CLIPPINGS, AND REPORTS - No items this month.**



## ***Memorandum***

**To:** Executive Committee  
**From:** Elouise Rodriguez, Senior Administrative Assistant and Clerk of the Board  
**Meeting Date:** August 4, 2021  
**Subject:** **Executive Committee Draft Minutes**

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### **RECOMMENDED ACTION:**

**APPROVE** the Executive Committee draft minutes of June 2, 2021.

### **ATTACHMENTS:**

- ▣ Executive Committee draft minutes of June 2, 2021

**DRAFT MINUTES**

**TRANSPORTATION AGENCY FOR MONTEREY COUNTY**  
 SERVICE AUTHORITY FOR FREEWAYS EMERGENCIES AND MONTEREY COUNTY  
 REGIONAL DEVELOPMENT IMPACT FEE JOINT POWERS AGENCY

**EXECUTIVE COMMITTEE MEETING**

*Members: Ed Smith (Chair),  
 Mary Adams (1<sup>st</sup> Vice Chair), Michael LeBarre (2<sup>nd</sup> Vice Chair),  
 Luis Alejo (Past Chair),  
 Chris Lopez (County representative), Kimbley Craig (City representative)*

**Wednesday, June 2, 2021**

\*\*\* 8:30 a.m. \*\*\*

ZOOM REMOTE VIDEO/PHONE CONFERENCE ONLY

<b>EXECUTIVE COMMITTEE</b>	<b>AUG 20</b>	<b>SEP 20</b>	<b>OCT 20</b>	<b>NOV 20</b>	<b>JAN 21</b>	<b>FEB 21</b>	<b>MAR 21</b>	<b>APR 21</b>	<b>MAY 21</b>	<b>JUN 21</b>
Ed Smith, <b>Chair</b> Monterey (D. Albert, A. Renny)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)
Mary Adams, <b>1<sup>st</sup> Vice Chair</b> Supr. Dist. 5 ( <del>S. Hardgrave</del> , C. Courtney)	P (VC)	P (VC)	P(A) (VC)	P(A) (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P(A) (VC)
Michael LeBarre, <b>2<sup>nd</sup> Vice Chair</b> King City (C. DeLeon)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)
Luis Alejo, <b>Past Chair</b> Supr. Dist. 1 (L. Gonzales/ <del>J. Gomez</del> )	P (VC)	P (VC)	P (VC)	P (VC)	A (VC)	P (VC)	P(A) (VC)	P (VC)	P (VC)	P (VC)
Chris Lopez, <b>County Representative</b> Supr. Dist. 2 (P. Barba)	P (VC)	P (VC)	P (VC)	P (VC)	A (VC)	P (VC)	P (VC)	P (VC)	P (VC)	E
Kimbley Craig, <b>City Representative</b> (C. Cromeenes)	P(A) (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)

*TC: via teleconference; VC: via Zoom video conference*

P = Present

A = Absent

P(A) = alternate present

**1. CALL TO ORDER:**

Chair Smith called the meeting to order at 8:32 a.m. Roll call was taken, and a quorum was confirmed. (as noted above).

Staff present: Goel, Muck, Rodriguez, and Zeller.  
Others present: Agency Counsel Katherine Hansen

**PUBLIC COMMENTS:**

None

**3. CONSENT AGENDA:**

**M/S/C**

LeBarre/Alejo/unanimous

On a motion by Committee Member LeBarre seconded by Committee Member Alejo, the committee voted 5-0 to approve the minutes from the Executive Committee meeting of May 5, 2021 and recommend the Board of Directors approve delaying the annual evaluation for the Agency Executive Director and Counsel to 2022.

**4. TAMC BOARD DRAFT AGENDA**

Deputy Executive Director Muck reviewed the draft regular and consent agenda for the TAMC Board meeting of June 2, 2021.

After Executive Committee discussion, direction was provided to staff to place the following items for consideration on the regular agenda:

- Federal Legislative Update
- Racial Equity Program
- US 101 South of Salinas Project Update

**5. ANNOUNCEMENTS**

Chair Smith asked if staff has had a conversation with PGE concerning the lease negotiation with the TAMC property. Deputy Director Muck noted that the TAMC property was not their preferred location, and they are currently evaluating two alternative sites.

**6. ADJOURNMENT**

Chair Smith adjourned the meeting at 8:48 a.m.



## Memorandum

**To:** Executive Committee  
**From:** Christina Watson, Principal Transportation Planner  
**Meeting Date:** August 4, 2021  
**Subject:** Legislative Update

### **RECOMMENDED ACTION:**

**RECEIVE** update on state and federal legislative activities and **RECOMMEND** the Board of Directors adopt positions on proposed legislation and endorse the California coalition letter to the federal delegation.

### **SUMMARY:**

Staff and consultants will present state and federal legislative updates and present proposed legislation for the Committee to consider recommendations of positions of support or opposition.

### **FINANCIAL IMPACT:**

Some of the proposed legislation may have a financial impact on TAMC.

### **DISCUSSION:**

Agency state legislative analyst Gus Khouri, federal legislative analysts Paul Schlesinger and Perrin Badini, and staff will provide updates on state and federal legislation and seek Committee input on recommended positions on draft legislation.

The updated state bill list (**attachment 1**) includes several new bills that align with the Agency's adopted legislative program (**web attachment 1**). Changes to the list since the Board adoption on May 26 are indicated via strike-out and underline. A few bills were deleted from the list as they no longer relate to TAMC priorities. Several bills are now two-year bills, which mean they could move forward in January 2022, so they will stay on the list unless amended to no longer relate to TAMC priorities. The budget trailer bills moved quickly to the Governor's desk and are on the list for informational purposes only.

The following bills are now recommended for a new or changed position:

- Assembly Bill (AB) 122 (Boerner Horvath): Vehicles: required stops: bicycles - recommend "support" position. AB 122 would legalize the bicycle safety stop (also known as the stop-as-yield). AB 122 will help all road users share the road more safely. The safety stop is proven to increase safety for people on bikes. Delaware had a 23% reduction in accidents involving people on bikes after legalizing the safety stop. The safety stop is legal in several other states: Idaho, Delaware, Oregon, Washington, Utah, Arkansas, North Dakota, and Colorado.
- Senate Bill (SB) 69 (McGuire): North Coast Railroad Authority: right-of-way: Great Redwood Trail Agency: Sonoma-Marín Area Rail Transit (SMART) District - this bill is intended to be the vehicle to allow SMART to be a multi-county/ intercity rail operator, to facilitate extensions of the SMART corridor. While not directly relevant to TAMC, we are part of the larger rail megaregion with SMART and recommend supporting our partner agency in this effort. Staff recommends a "support if amended" position.



- SB 771 (Becker): Sales and Use Tax Law: zero emissions vehicle exemption - TAMC previously opposed this bill unless it would be amended to reimburse TAMC for lost Measure X revenues. The bill was amended to apply only to state sales taxes, which removes TAMC opposition. New recommended position is "watch".

**Attachment 2** is a state legislative update, summarizing activities related to the Brown Act, the state budget, and the Climate Action Plan for Transportation Infrastructure (CAPTI). **Web attachment 2** is the full CAPTI.

On the federal front, the House passed the \$759 billion "Investing in a New Vision for the Environment and Surface Transportation in America Act" or the "INVEST in America Act", HR 3684, on July 1. **Attachment 3** is a federal legislative update focused on infrastructure, budget and appropriations.

Caltrans is leading an effort to have a unified letter to Congress representing California transportation priorities and is requesting transportation agencies to sign on to the letter. **Attachment 4** is an early draft of the letter. Staff will provide an updated draft to the Committee prior to the meeting to consider recommending the Board support the letter.

Staff will provide a verbal update on all activities at the meeting.

#### ATTACHMENTS:

- ▢ State bill list
- ▢ State legislative update
- ▢ Federal legislative update
- ▢ Draft Caltrans Federal Delegation Letter

#### **WEB ATTACHMENTS:**

- [TAMC 2021 Legislative Program](#)
- [Climate Action Plan for Transportation Infrastructure](#)

**TAMC Bill Matrix – July 2021**

<b>Measure</b>	<b>Status</b>	<b>Bill Summary</b>	<b>Recommended Position</b>
<b>AB 11 (Ward)</b>  <b>Climate Change: regional climate change authorities</b>	1/25/21  TWO-YEAR BILL	This bill would require the Strategic Growth Council to establish up to 12 regional climate change authorities to coordinate climate adaptation and mitigation activities in their regions, and coordinate with other regional climate adaptation authorities, state agencies, and other relevant stakeholders.	<b>Watch</b>  <b>Priority 2S</b>
<b>AB 14 (Aguiar-Curry)</b>  <b>Communications: broadband services: California Advanced Services Fund</b>	7/8/21  Senate Governance and Finance	This bill would authorize the board of supervisors of a county to acquire, construct, improve, maintain, or operate broadband internet access service, and any other communications service necessary to obtain federal or state support for the acquisition, construction, improvement, maintenance, or operation of broadband internet access service.	<b>SUPPORT</b>  <b>Priority 6S</b> <b>Support letter 5/11/21</b>
<b>AB 34 (Murasutchi)</b>  <b>Broadband for All Act of 2022</b>	5/20/21  Assembly Appropriations Held in Committee	This bill would enact the Broadband for All Act of 2022, which, if approved by the voters on November 8, 2022, would authorize the issuance of \$10 billion in general obligation bonds for purposes of providing financial assistance to deploy broadband infrastructure and broadband services.	<b>SUPPORT</b>  <b>Priority 6S</b> <b>Support letter 5/11/21</b>
<b>AB 41 (Wood)</b>  <b>Broadband Infrastructure deployment</b>	7/5/21  Senate Energy	This bill would require Caltrans, the Public Utilities Commission and California Broadband Council to identify priority areas for broadband deployment within the state.	<b>Watch</b>  <b>Priority 6S</b>

**TAMC Bill Matrix – July 2021**

Measure	Status	Bill Summary	Recommended Position
<p><b>AB 43 (Friedman)</b></p> <p><b>Traffic Safety</b></p>	<p>7/13/21</p> <p>Senate Transportation</p>	<p>This bill would require Caltrans to convene a committee of external design experts to advise on revisions to the Highway Design Manual to balance integrated mass transportation, highway, aviation, maritime, railroad, and other transportation facilities and services in support of statewide and regional goals. The bill would require the California Traffic Safety Program to include a traffic safety monitoring program that identifies and addresses locations with pedestrian- and bicyclist-related crashes. The bill would allow for the recalibration of speed limits of order to eliminate fatalities for motorists, bicyclists, and pedestrians. This bill has been amended to allow Caltrans and local jurisdictions to change speed limits on highways approaching schools or business districts.</p>	<p><b>SUPPORT</b></p> <p><b>Priority 9S</b></p> <p><b>Support letter</b></p> <p><b>4/6/21</b></p>
<p><b>AB 51 (Quirk)</b></p> <p><b>Climate change: regional climate adaptation planning groups and plans</b></p>	<p>1/11/21</p> <p>TWO-YEAR BILL</p>	<p>Existing law establishes the Integrated Climate Adaptation and Resiliency Program, administered by the Office of Planning and Research, to coordinate regional and local efforts with state climate adaptation strategies to adapt to the impacts of climate change. This bill would require the Strategic Growth Council to establish guidelines for the formation of regional climate adaptation planning groups. The bill would require the council to develop criteria for regional climate adaptation plans.</p>	<p><b>Watch</b></p> <p><b>Priority 2S</b></p>

**TAMC Bill Matrix – July 2021**

<b>Measure</b>	<b>Status</b>	<b>Bill Summary</b>	<b>Recommended Position</b>
<p><b>AB 67 (Petrie-Norris)</b></p> <p><b>Sea-level Rise: working Group: economic analysis</b></p>	<p>5/20/21</p> <p>Assembly Appropriations – Held in Committee</p>	<p>This bill would require a state agency to take into account the current and future impacts of sea level rise when planning, designing, building, operating, maintaining, and investing in infrastructure located in the coastal zone or otherwise vulnerable to flooding from sea level rise or storm surges, or when otherwise approving the allocation of state funds for those purposes. The bill would require the Ocean Protection Council to establish a multiagency working group on sea level rise to provide recommended policies, resolutions, projects, and other actions to address sea level rise, the breadth of its impact, and the severity of its anticipated harm. The bill would require the council to develop a standardized methodology and template for conducting economic analyses of risks and adaptation strategies associated with sea level rise. The bill would require a state agency to conduct a sea level rise analysis for any state-funded infrastructure project located in the coastal zone or otherwise vulnerable to flooding from sea level rise or storm surges, and restrict funding as needed, pursuant to that methodology.</p>	<p><b>Watch</b></p> <p><b>Priority 2S</b></p>
<p><b>AB 72 (Petrie-Norris)</b></p> <p><b>Environmental protection: coastal adaptation projects: natural infrastructure: regulatory review and permitting: report</b></p>	<p>7/8/21</p> <p>Senate Appropriations</p>	<p>This bill would enact the Coastal Adaptation Permitting Act of 2021. The bill would require the Natural Resources Agency to explore and authorize the implementation of options within the agency’s jurisdiction to establish a more coordinated and efficient regulatory review and permitting process for coastal adaptation projects. The bill would require the agency to submit a report to the Legislature with recommendations for improving and expediting the regulatory review and permitting process for coastal adaptation projects.</p>	<p><b>Watch</b></p> <p><b>Priority 2S</b></p>

**TAMC Bill Matrix – July 2021**

Measure	Status	Bill Summary	Recommended Position
<b>AB 111 (Boerner Horvath)</b>  <b>Transportation: zero-emission vehicles</b>	3/23/21  TWO-YEAR BILL	This bill would require the CalSTA Secretary to implement a Safe and Clean Truck Infrastructure Program to support the construction and operation of zero-emission medium- and heavy-duty vehicle parking and electric vehicle charging and hydrogen refueling infrastructure on public and private properties, and to encourage the use of zero-emission vehicles. This bill would make the Trade Corridor Enhancement Program an eligible source of funding.	<b>Watch</b>  <b>Priority 2S</b>
<b>AB 117 (Boerner Horvath)</b>  <b>Electric Bicycles</b>	7/12/21  Senate Appropriations	<del>This bill, as amended, would specify that programs providing incentives for purchasing electric bicycles are eligible for funding under the Air Quality Improvement Program. The bill would require the State Air Resources Board to establish and implement and administer the Electric Bicycle Incentive Pilot Project to provide incentives for purchases of electric bicycles.</del>	<b>SUPPORT</b>  <b>Priority 14S</b>
<b>AB 122 (Boerner Horvath)</b>  <u><b>Vehicles: required stops: bicycles</b></u>	<u>7/12/21</u>  <u>Senate Appropriations</u>	<u>This bill requires a cyclist, when approaching a stop sign, to yield the right-of-way to any vehicles or pedestrians that have entered the intersection, or that are approaching on the intersecting highway close enough to constitute an immediate hazard, and continue to yield the right-of-way to those vehicles or pedestrians until reasonably safe to proceed. The bill requires other vehicles to yield the right-of-way to a bicycle that, having yielded as prescribed, has entered the intersection. AB 122 would legalize the bicycle safety stop (also known as the stop-as-yield). AB 122 will help all road users share the road more safely. The safety stop is proven to increase safety for people on bikes. Delaware had a 23% reduction in accidents involving people on bikes after legalizing the safety stop. The safety stop is legal in several other states: Idaho, Delaware, Oregon, Washington, Utah, Arkansas, North Dakota, and Colorado.</u>	<u><b>SUPPORT</b></u>  <u><b>Priority 14S</b></u>

**TAMC Bill Matrix – July 2021**

Measure	Status	Bill Summary	Recommended Position
<b>AB 128 (Committee on Budget)</b>  <b>Budget Act of 2021</b>	<u>7/13/21</u>  <u>Chapter 21, Statutes of 2021</u>	<u>This bill is the main budget bill, which contains over \$5.4 billion in funding for transportation infrastructure.</u>	<b>Watch</b>  <b>Priority 1S</b>
<b>AB 149 (Committee on Budget)</b>  <b>Transportation</b>	<u>7/13/21</u>  <u>Governor’s Desk</u>	<u>This bill extends the relief for farebox recovery requirements for receiving State Transit Assistance (STA), Low Carbon Transit Operations Program (LCTOP) and State of Good Repair (SOGR) funds, through fiscal year 22-23.</u>	<b>Watch</b>  <b>Priority 1S</b>
<b>AB 339 (Lee)</b>  <b>State and local government: open meetings</b>	<u>7/13/21</u>  Senate Judiciary	<del>This bill requires all meetings, including gatherings using teleconference technology, to include an opportunity for all persons to attend via a call-in option or an internet-based service option. In-person testimony would still be required, except in the case of a declared emergency. Postings for board members participating remotely would need to be posted. The bill requires that instructions for joining remotely for public comment shall be made available to all non-English-speaking persons upon request and should be published in the two most spoken languages other than English within the boundaries of the territory over which the local agency exercises jurisdiction.</del>	<b>Watch</b>  <b>Priority 15S</b>
<b>AB 361 (Rivas, Robert)</b>  <b>Open meetings: local agencies: teleconferences</b>	<u>7/13/21</u>  Senate Judiciary Committee	This bill provides exemptions from the Ralph M. Brown Act’s meeting requirements to allow local jurisdictions to meet virtually during emergencies, provided the legislative body makes certain determinations by majority vote, publishes proper notice, and provides opportunity for public comment.	<b>SUPPORT</b>  <b>Priority 15S</b>

**TAMC Bill Matrix – July 2021**

<b>Measure</b>	<b>Status</b>	<b>Bill Summary</b>	<b>Recommended Position</b>
<b>AB 476 (Mullin)</b>  <b>Department of Transportation: state highways: transit bus pilot program</b>	3/17/21  TWO-YEAR BILL	This bill would authorize the Caltrans to establish a pilot program, of up to 8 projects statewide, to authorize a transit operator or operators to operate transit buses on the shoulders of state highways, under a project selected under the program.	<b>Watch</b>  <b>Priority 14S</b>
<b>AB 703 (Rubio, Blanca)</b>  <b>Open meetings: local agencies: teleconferences</b>	2/25/21  TWO-YEAR BILL	This bill is similar to AB 361, except that it would allow local jurisdictions to continue using teleconference capabilities, provided that access is granted to the public, without an emergency being called.	<b>SUPPORT</b>  <b>Priority 15S</b>
<b>AB 745 (Gipson)</b>  <b>Air pollution: Clean cars 4 all program</b>	5/20/21  TWO-YEAR BILL	This bill would require the California State Air Resources Board, as a part of the Clean Cars 4 All Program, to provide vouchers for zero-emission vehicles to persons of low or moderate income living in disadvantaged communities to replace vehicles that have failed a smog check inspection. <u>This item was addressed in the state budget by providing \$500 million through SB 129.</u>	<b>SUPPORT</b>  <b>Priority 4S</b> <b>Support letter 4/6/21</b>
<b>AB 786 (Cervantes)</b>  <b>CTC: Executive Director</b>	2/25/21  TWO-YEAR BILL	This bill would require the Governor, rather than the California Transportation Commission (CTC), to appoint the CTC Executive Director. This bill is unnecessary. The Governor already appoints 9 out of the 11 Commissioners, who hire the Executive Director.	<b>OPPOSE</b>  <b>Priority 1S</b>

**TAMC Bill Matrix – July 2021**

<b>Measure</b>	<b>Status</b>	<b>Bill Summary</b>	<b>Recommended Position</b>
<b>AB 955 (Quirk)</b>  <b>Highways: encroachment permits: broadband facilities</b>	7/5/21  Senate Appropriations Suspense File	This bill would establish additional procedures for Caltrans’ review of an application for an encroachment permit for a broadband facility. Caltrans would have 30-days to process a permit.	<b>Watch</b>  <b>Priority 6S</b>
<b>AB 1049 (Davies)</b>  <b>Public Transportation Account: loan repayment</b>	3/4/21  TWO-YEAR BILL	The Budget Acts of 2013 and 2014 authorized the transfer of up to \$55,515,000 as loans from the Public Transportation Account to the High-Speed Passenger Train Bond Fund. This bill would require the \$54,000,000 in approved loans to be repaid to the Public Transportation Account and be available to help offset the loss of revenues incurred by transit operators during the COVID-19 pandemic.	<b>Watch</b>  <b>Priority 1S</b>
<b>AB 1069 (Lackey)</b>  <b>Zero-emission passenger vehicles: underrepresented communities</b>	3/4/21  TWO-YEAR BILL	This bill would establish a goal of having 60% of all zero-emission vehicles be purchased by underrepresented communities, defined as individuals who self-identify as Black, African American, Hispanic, Latino, Asian, Pacific Islander, Native American, Native Hawaiian, or Alaska Native, and/or who self-identify as gay, lesbian, bisexual, or transgender.	<b>Watch</b>  <b>Priority 4S</b>
<b>AB 1147 (Friedman)</b>  <b>Active Transportation Program</b>	7/5/21  Senate Transportation	This bill requires each Metropolitan Planning Organization (MPO) to submit a 2035 target action plan by July 1, 2023 to identify barriers in meeting regional greenhouse gas (GHG) emissions reduction targets and establishes the Sustainable Communities Strategy (SCS) Block Grant Program. The Block Grant Program, upon appropriation by the Legislature, to each MPO with an approved 2035 target action plan to support efforts to meet each region’s GHG emissions reduction targets.	<b>Watch</b>  <b>Priority 14S</b>



**TAMC Bill Matrix – July 2021**

Measure	Status	Bill Summary	Recommended Position
<b>AB 1260 (Chen)</b>  <b>CEQA: exemptions: transportation-related projects</b>	7/6/21  Senate Appropriations	This bill would provide a California Environmental Quality Act (CEQA) exemption for projects by a public transit agency to construct or maintain infrastructure to charge or refuel zero-emission trains.	<b>SUPPORT</b>  <b>Priority 4S</b> <b>Support letter 5/11/21</b>
<b>AB 1499 (Daly)</b>  <b>Transportation: design-build: highways</b>	7/5/21  Senate Appropriations	This bill would <del>remove</del> <u>extend</u> the sunset date of January 1, 2024, <u>to January 1, 2034</u> , for the ability to utilize the design-build project delivery system for up to 10 projects on the state highway system.	<b>SUPPORT</b>  <b>Priority 11S</b>
<b>SB 4 (Gonzalez)</b>  <b>Communications: California Advanced Services Fund</b>	7/4/21  Assembly Appropriations	This bill would require the Governor’s Office of Business and Economic Development (“GO-Biz”) to coordinate with state and local agencies and national organizations to explore ways to facilitate streamlining of local land use approvals and construction permit processes for projects related to broadband infrastructure deployment and connectivity. <u>Amended to limit the amount collected statewide each year to \$100 million.</u>	<b>SUPPORT</b>  <b>Priority 6S</b> <b>Support letter 5/11/21</b>
<b>SB 28 (Caballero)</b>  <b>Rural Broadband and Digital Infrastructure Video Competition Reform Act of 2021</b>	7/1/21  Assembly Appropriations	This bill, the Rural Broadband and Digital Infrastructure Video Competition Reform Act of 2021 (Reform Act), would require the Department of Technology to compile an inventory of state-owned resources available for use in the deployment of broadband networks in rural, unserved, and underserved communities.	<b>SUPPORT</b>  <b>Priority 6S</b> <b>Support letter 4/6/21</b>

**TAMC Bill Matrix – July 2021**

Measure	Status	Bill Summary	Recommended Position
<p><b><u>SB 69 (McGuire)</u></b></p> <p><b><u>North Coast Railroad Authority: right-of-way: Great Redwood Trail Agency: Sonoma-Marin Area Rail Transit District</u></b></p>	<p><u>7/5/21</u></p> <p><u>Assembly Appropriations</u></p>	<p><u>This bill requires the North Coast Railroad Authority, or a successor agency, to convey and transfer all of its rights, interests, privileges, and title, lien free, to the Sonoma-Marin Area Rail Transit (SMART) District. This bill is going to be amended in order to allow SMART to be a multi-county/ intercity rail operator, to facilitate extensions of the SMART corridor. While not directly relevant to TAMC, we are part of the larger rail megaregion with SMART and recommend supporting our partner agency in this effort, once the bill is amended for those purposes.</u></p>	<p><b><u>SUPPORT if amended</u></b></p> <p><b><u>Priority 16S</u></b></p>
<p><b><u>SB 129 (Skinner)</u></b></p> <p><b><u>Budget Act of 2021</u></b></p>	<p><u>6/28/21</u></p> <p><u>Signed by the Governor</u></p>	<p><u>This budget bill contains items related to transportation infrastructure including \$2.7 billion in zero-emission vehicle infrastructure, the Active Transportation Program (ATP), Transit and Intercity Rail Capital Program (TIRCP), and the State and Local Climate Adaption funding, stating that money shall not be available for encumbrance or expenditure unless additional legislation is enacted by October 10, 2021. This language is directly related to the stalemate on exhausting the remaining \$4.2 billion Proposition 1A appropriation for high-speed rail.</u></p>	<p><b><u>Watch</u></b></p> <p><b><u>Priority 1S</u></b></p>
<p><b><u>SB 261 (Allen)</u></b></p> <p><b><u>Regional transportation plans: sustainable communities strategies</u></b></p>	<p><u>4/19/21</u></p> <p><u>TWO-YEAR BILL</u></p>	<p><u>This bill would require that the sustainable communities strategy be developed to achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2045 and 2050 and vehicle miles traveled reduction targets for 2035, 2045, and 2050 established by the Air Resources Board.</u></p>	<p><b><u>Watch</u></b></p> <p><b><u>Priority 1S</u></b></p>

**TAMC Bill Matrix – July 2021**

Measure	Status	Bill Summary	Recommended Position
<b>SB 339 (Wiener)</b>  <b>Road Usage Charge Pilot Program</b>	6/22/21  Assembly Appropriations	This bill extends by four years the Road Usage Charge (RUC) Technical Advisory Committee (TAC). The purpose of the TAC is to guide the development and evaluation of a pilot program to assess the potential for mileage-based revenue collection as an alternative to the gas tax system, gather public comment on issues and concerns related to the pilot program, and make recommendations to the Secretary of Transportation on the design of a pilot program.	<b>Watch</b>  <b>Priority 5S</b>
<b>SB 475 (Cortese)</b>  <b>Transportation planning: sustainable communities strategies</b>	3/18/2021  TWO-YEAR BILL	This bill would require the California State Air Resources Board to issue new guidelines on sustainable communities strategies and require these guidelines to be updated thereafter at least every 4 years.	<b>Watch</b>  <b>Priority 1S</b>
<b>SB 542 (Limón)</b>  <b>Sales and use taxes: exemption: medium- or heavy-duty zero-emission trucks</b>	6/1/21  TWO-YEAR BILL	Amended 3/25 to pertain to heavy/light duty truck license fees. As amended, the bill no longer impacts transportation funding programs, removing TAMC's opposition.	<b>Watch</b>  <b>Priority 1S</b>
<b>SB 551 (Stern)</b>  <b>California Electric Vehicle Authority</b>	7/8/21  Assembly Appropriations	This bill would establish the California Electric Vehicle Authority to coordinate and streamline activities among state agencies to advance electric vehicle and zero-emission charging infrastructure deployment and ensure related equity, workforce development, and economic development priorities are addressed.	<b>SUPPORT</b> <b>Priority 4S</b> <b>Support letter</b> <b>4/6/21</b>

**TAMC Bill Matrix – July 2021**

<b>Measure</b>	<b>Status</b>	<b>Bill Summary</b>	<b>Recommended Position</b>
<b>SB 643 (Archuleta)</b>  <b>Fuel Cell Electric Vehicle Fueling Infrastructure</b>	7/5/21  Assembly Appropriations	This bill would require the California Air Resources Board to prepare a statewide assessment of the fuel cell electric vehicle fueling infrastructure and fuel production needed to support the adoption of zero-emission trucks, buses, and off-road vehicles.	<b>Watch</b>  <b>Priority 4S</b>
<b>SB 671 (Gonzalez)</b>  <b>Clean Freight Corridor Efficiency Assessment</b>	7/7/21  Assembly Appropriations	This bill would establish the Clean Freight Corridor Efficiency Program to establish criteria for identifying freight corridors-throughout the state that would be priority candidates for the deployment of zero-emission medium- and heavy-duty vehicles. The focus would be on the top five freight corridors, or segments of freight corridors, with the heaviest freight volume and near-source exposure to diesel exhaust and other contaminants.	<b>Watch</b>  <b>Priority 2S</b>

**TAMC Bill Matrix – July 2021**

Measure	Status	Bill Summary	Recommended Position
<p><b>SB 674 (Durazo)</b></p> <p><b>Public Contracts: workforce development: <del>transportation-related</del> covered public contracts</b></p>	<p>7/7/21</p> <p>Assembly Appropriations</p>	<p><del>This bill would require the Labor and Workforce Development Agency to develop the California Jobs Plan Program to meet specified objectives, including creation of a form that states the minimum numbers of proposed jobs that are projected to be retained and created if the applicant wins the public contract, and proposed wages, benefits, and investment in training.. Amended to require the Labor and Workforce Development Agency to create the California Jobs Plan and the United States Jobs Plan, which requires private entities bidding on covered public contracts over \$10 million related to the procurement, manufacturing, installation, and maintenance of transportation infrastructure, excluding contracts for road, bridge, or highway construction, to include as part of their application a form stating information about jobs created and retained, and specifies that the CAJP is scored as part of the overall application. The previous version of the bill posed a possible concern of inhibiting TAMC’s ability to secure state grant funding opportunities. The bill has been amended to alleviate those concerns.</del></p>	<p><b>Watch</b></p> <p><b>Priority 1S</b></p>
<p><b>SB 726 (Gonzalez)</b></p> <p><b>Alternative fuel and vehicle technologies: sustainable transportation strategy</b></p>	<p>7/5/21</p> <p>Assembly Appropriations</p>	<p>This bill would require the California State Resources Board and the State Energy Resources Conservation and Development Commission to develop a comprehensive transportation sustainability strategy. The bill would require the Board, as part of the 2027 update of the scoping plan, to set a greenhouse gas emissions reduction target for the transportation sector.</p>	<p><b>Watch</b></p> <p><b>Priority 1S</b></p>
<p><b>SB 735 (Rubio)</b></p> <p><b>Vehicles: speed safety cameras</b></p>	<p>4/13/2021</p> <p>TWO-YEAR BILL</p>	<p>The bill would authorize a local authority to use a traffic speed safety camera system to enforce speed limits in a school zone.</p>	<p><b>SUPPORT</b></p> <p><b>Priority 9S</b></p> <p><b>Support letter 5/11/21</b></p>

**TAMC Bill Matrix – July 2021**

Measure	Status	Bill Summary	Recommended Position
<b>SB 771 (Becker)</b>  <b>Sales and Use Tax Law: zero emissions vehicle exemption</b>	5/26/21  Assembly Desk	This bill would provide a <u>state sales tax exemption on the purchase of an electric or a hybrid electric vehicle valued at \$25,000 or less. The bill specifies that there would be no local reimbursement to cities and counties for the lost revenue attributable to the exemption. This bill would impact Measure X revenues if the state did not reimburse local entities for lost revenues. The bill no longer impacts local sales tax revenue as amended, so the recommendation is to change TAMC’s position to watch.</u>	<del>OPPOSE unless amended</del> <b>Watch</b> Priority 1S Oppose unless amended letter 4/6/21
<b>SB 790 (Stern)</b>  <b>Wildlife connectivity mitigation credits</b>	7/7/21  Assembly Appropriations	This bill authorizes the Department of Fish and Wildlife (DFW) to give Caltrans mitigation credit for wildlife crossing projects. The bill could be useful for addressing work on State Route 68. <u>As amended, the bill prohibits, in each fiscal year, DFW from providing compensatory mitigation credits for more than 10 new projects or for more than 2 of those projects in each region.</u>	<b>SUPPORT</b>  Priority 11S Support letter 5/27/21
<b>SB 792 (Glazer)</b>  <b>Sales and use tax: retailers: returns: online transactions</b>	7/9/21  Assembly Appropriations	This bill would require a retailer whose annual sales of tangible personal property transacted online exceeded <del>\$1,000,000</del> <u>\$50,000,000</u> for the previous calendar year to track and report to the department the city or ZIP code where the purchaser resides for each sale within the state that is transacted online. Tracking the location of online purchases may help Measure X revenues.	<b>SUPPORT</b>  Priority 1S Support letter 4/6/21



July 12, 2021

TO: Board Members, Transportation Agency for Monterey County

FROM: Gus Khouri, President, Khouri Consulting LLC

RE: **STATE LEGISLATIVE UPDATE – AUGUST**

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### **Brown Act Exemptions for Virtual Meetings**

On March 17, 2020, Governor Newsom issued Executive Order N-29-20 in response to the COVID-19 pandemic, allowing local or state legislative bodies to hold meetings via teleconference and to make meetings accessible electronically without violating the open meeting laws found in the Bagley-Keene Act or the Brown Act.

The Governor announced California's reopening as of June 15, 2021, lifting many COVID-19 restrictions. There was some lack of clarity on what reopening would entail for public agencies, and many agencies sought clarification from the Governor's office regarding guidelines for conducting public meetings.

On June 11, 2021, the Governor issued Executive Order N-08-21 with clarifying language concerning N-29-20 on conducting public meetings, allowing for virtual meetings to continue through September 30, 2021. Notwithstanding the issuance of another executive order, local jurisdictions would have to revert back to meeting in person on that date. AB 339 (Lee) is viewed as the main legislative vehicle to amend the Brown Act to enable meetings to continue to be held virtually, but AB 339 does not provide the desired flexibility, since it requires in-person and virtual options to be simultaneously provided for every meeting.

## Fiscal Year 2021-22 State Budget Summary

Governor Newsom has signed AB 128 (Ting), the main FY 2021-22 budget bill, and SB 129 (Skinner), the supplemental budget bill, authorizing \$262.6 billion, including revenue for transportation infrastructure as follows:

- **Transit and Intercity Rail Capital Program (TIRCP) - \$2.6 billion** to augment the annual \$500 million, for a total of \$3.1 billion divided as follows: \$1 billion for rail in preparation for the 2028 Los Angeles Olympics, \$1 billion for rail infrastructure statewide, \$500 million for grade separations, and \$100 million for zero-emission rail and transit equipment purchases.
- **Road Infrastructure - \$2 billion** (\$1.1 billion special funds through 2028, and \$968 million federal funds) to support the advancement of priority State Highway Operation and Protection Program (SHOPP) projects, Interregional Transportation Improvement Program (ITIP) projects, and local road and bridge investments.
- **Regional Sustainable Communities Strategies Implementation - \$600 million** (\$100 million from the General Fund and \$500 million federal funds) for Housing and Community Development Department to provide additional planning and implementation grants to regional entities for Sustainable Communities Strategies (SCS) implementation, infill developments, targeted towards the state's climate goals and reducing vehicle miles traveled.
- **Active Transportation Program - \$500 million** (General Fund) to help clear the backlog for Cycle 5 for active transportation projects and projects identified for completion prior to 2028.
- **Zero-Emission Rail and Transit Equipment Purchases and Infrastructure - \$407 million** (\$100 million General Fund, \$280 million Public Transportation Account, and \$27 million federal funds) to demonstrate and purchase or lease state-of-the-art, clean bus and rail equipment and infrastructure that eliminate fossil fuel emissions and increase intercity rail and intercity bus frequencies.
- **Zero-Emission Buses and Trucks - \$1.4 billion** (\$1.3 billion General Fund and \$87 million Air Pollution Control Fund) to demonstrate and purchase or lease green buses and trucks.
- **Zero-Emission Vehicle (ZEV) Infrastructure - \$3.2 billion** over three-years for ZEV infrastructure.



- **State and Local Climate Adaption - \$400 million** (General Fund) for state and local grants to begin addressing climate change impacts to transportation. Caltrans reports that increasing temperatures, larger wildfires, heavier rainstorms, and rising sea levels and storm surges associated with climate change are posing a significant risk to the State’s transportation infrastructure.
- **Clean California Program - \$1.1 billion** (General Fund) to be appropriated as follows:
  - **\$296 million** for local projects on local streets and roads, tribal land, parks, pathways, and at rail and transit centers;
  - **\$335 million** for statewide litter cleanup on the state highway system; and
  - **\$287 million** for beautification projects.

SB 129 includes language pertaining to the Active Transportation Program (ATP), TIRCP, and the State and Local Climate Adaption funding, stating that money shall not be available for encumbrance or expenditure unless additional legislation is enacted by October 10, 2021. This language is directly related to the stalemate on exhausting the remaining \$4.2 billion Proposition 1A appropriation for high-speed rail. Governor Newsom is requesting the funds to complete high-speed rail construction in the San Joaquin Valley, advance work to launch service between Merced and Bakersfield, advance planning and project design for the entire project, and leverage potential federal funds. The legislature has been reluctant to grant the funding, stating investments into existing rail systems would be more beneficial. The legislature will adjourn for Summer Recess between July 16 and August 16. Regular Session concludes on September 10.

### **Farebox Recovery Relief**

On July 1, the legislature sent AB 149 (Committee on Budget) to the Governor. This bill would extend statutory relief in meeting farebox recovery requirements for receiving State Transit Assistance (STA), Low Carbon Transit Operations Program (LCTOP), and State of Good Repair funds, through fiscal year 22-23. It suspends Transportation Development Act (TDA) and STA penalties for this duration. The bill adds a list of new exemptions from the farebox recovery calculation, including on-demand service and micro transit service beyond fixed-route service, costs for security, ticketing services, pensions, planning for improvements in transit operations, integration with other operators and agencies, transitioning to zero-emission operations, and for compliance with state and federal mandates. The bill is pending action by the Governor.

### **Potential Solutions for Additional Funding**

As enacted, AB 128 (Ting) contains \$2 billion (\$1.1 billion from interest earned in state transportation funds through 2028, and \$968 million federal funds) for the SHOPP,

Interregional Transportation Improvement Program (ITIP), and local road and bridge investments. The \$1.1 billion derived from the earned interest on the Road Maintenance and Rehabilitation Account does not have any statutory obligation. This represents an opportunity to acquire additional resources to address priorities for local transportation planning agencies and other local jurisdictions.

One proposal is to take the \$1.1 billion of earned interest and redirect \$400 million (in addition to \$500 million proposed in the May Revise) to clear the backlog of projects received by the California Transportation Commission for Cycle 5 of the Active Transportation Program (ATP); \$400 million for the Solutions for Congested Corridors Program, and \$300 million for the SHOPP, which is the main account to address maintenance and rehabilitation of the state highway system.

In Cycle 5 of the ATP, the California Transportation Commission allocated roughly \$441 million, out of nearly \$2.3 billion worth of requests. While AB 128 contains an additional \$500 million, this would only fund projects that scored 86 and above. An additional \$400 million, for a total of \$900 million, could result in projects scoring 80 and above being funded. If the additional \$900 million in ATP were to be approved, the county may be able to realize additional funding for the following projects:

- King City - San Antonio Drive Bikeway & School Gap Closure (scored 82) - \$6.6 million
- Salinas - Alisal Safe Routes to School Project (scored 89) - \$1.3 million

### **Governor's Climate Action Plan for Transportation Infrastructure**

On July 12, the California State Transportation Agency announced its adoption of the Governor's Climate Action Plan for Transportation Infrastructure (CAPTI). The purpose of the plan is to implement Governor Newsom's Executive Order N-19-19. That Executive Order aims to reduce greenhouse gas emissions and vehicle miles traveled through limiting capacity projects along the state highway system, discouraging the use of single-occupant, gas-powered vehicles, while encouraging mode shift through accelerated investments into public transportation, bicycle and pedestrian programs, and electric vehicle infrastructure.

CAPTI encourages investments in improvements for disadvantaged communities, safety improvements that reduce fatalities on roadways and transit systems, projects that respond to climate risk for transportation infrastructure projects, projects that reduce vehicle miles traveled reduction, and investments into passenger rail prioritized over highways, particularly capacity projects. Impacted funding programs include the Highway Safety Improvement

Program, STIP, Local Partnership Program, Solutions for Congested Corridors Program, SHOPP, Trade Corridor Enhancement Program, and Transit Capital and Intercity Rail Program.

CAPTI policy could require TAMC to reassess its ability to leverage voter-approved investments as articulated in the expenditure plans for Measure X. While the state cannot make adjustments to locally approved sales tax expenditure plans, as the owner/operator of the state highway system, it reserves the right to place local funds on a state-owned asset and authorize the availability of state resources.

# ALCALDE & FAY

## GOVERNMENT & PUBLIC AFFAIRS FIRM



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## THIS WEEK IN WASHINGTON

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*Week of June 28-July 2, 2021*

### FEDERAL UPDATE

This week the House was in session this week and, as further detailed below, passed the \$759 billion surface transportation reauthorization and water infrastructure bill (*INVEST in America Act*, H.R. 3684) yesterday before adjourning for the July 4<sup>th</sup> recess. Also of note this week, the House passed a resolution in a mostly party-line vote of 222-190, creating a new select committee to investigate the attack on the U.S. Capitol complex on January 6<sup>th</sup>. As previously reported, legislation previously approved by the House to establish a 9/11-style bipartisan commission to investigate the July 6<sup>th</sup> attack failed to pass the Senate last month. The House and Senate will be in recess next week for the July 4<sup>th</sup> holiday and both will return to Washington on July 12<sup>th</sup>.

#### INFRASTRUCTURE

As referenced above, this week the House considered and passed the *INVEST in America Act* (H.R. 3684), now a nearly \$759 billion surface transportation reauthorization and water infrastructure bill (updated fact sheet available [here](#); surface transportation text available [here](#); surface transportation section-by-section summary available [here](#); water infrastructure text available [here](#)). The bill was approved in a mostly party-line vote of 220-201, with two Republican voting with all Democrats in support of the bill. As previously reported, the surface transportation title of the bill authorizes \$343 billion for roads, bridges, and safety, \$109 billion for transit, and \$95 billion for passenger and freight rail over 5 years, and also includes nearly \$5.7 billion for 1,473 member designated project authorizations (earmarks) across the country; the water/wastewater infrastructure portions of the package include \$51.25 billion for wastewater spending and \$117 billion for drinking water programs. As previously reported, the House-approved bill does not include any financing/revenue provisions, instead simply including a provision to transfer an additional \$148 billion from general revenue into the Highway Trust Fund (HTF), covering the gap between the bill's funding levels and available HTF funds. Democratic leadership ultimately chose to essentially delay/postpone any debate over pay-fors, which would be drafted by the House Ways & Means Committee, until negotiations on a bipartisan infrastructure package had yielded more specific topline spending levels.

During consideration of the bill, the House considered a total of 149 amendments, grouped together into 5 separate "en bloc" packages, and which ultimately added \$44 billion in spending to the approximately \$715 billion bill. Adopted amendments of note include a provision approved by a vote of 230-178 that would allow states to review high occupancy vehicle routes 10 years after construction with the option to remove the route and repay associated funds, as well as an amendment approved by a vote of 220-200 to require water infrastructure projects paid for by the Clean Water State Revolving Fund and other Clean Water Act programs undergo resiliency assessments.

As previously reported, the tentative agreement reached between the White House and a bipartisan group of Senators last week on a "Bipartisan Infrastructure Framework" includes the Committee-approved titles of the Senate's transportation reauthorization bill, including the highway title approved by the Environment and Public Works (EPW) Committee, and the freight, rail, and safety titles approved by the Senate Commerce-Science-Transportation Committee. The framework also incorporates the Senate-passed *Drinking Water and Wastewater Infrastructure Act* (DWWIA). Although these Senate bills authorize lower funding levels than those in the House-passed bill, House T&I Committee Chairman Peter DeFazio (D-OR) indicated this week that he hopes to enter into

informal negotiations on surface transportation and water infrastructure and that he hopes a bicameral agreement can be included in the bipartisan infrastructure package.

### FISCAL YEAR 2022 BUDGET & APPROPRIATIONS

This week, House Budget Committee Chairman John Yarmuth (D-KY) announced that his Committee will forgo drafting and marking up their own Fiscal Year (FY) 2022 budget resolution with reconciliation instructions, and instead will wait to see what is able to clear the Senate. As previously reported, Senate Budget Chairman Bernie Sanders (I-VT) last week floated an outline of a budget resolution calling for \$6 trillion in spending and \$2.4 trillion in revenue, as well as \$600 billion in drug pricing savings, that would net \$3 trillion in deficit spending over the next decade. In his announcement this week, Chairman Yarmuth indicated that he and Sanders have been working to refine this budget proposal and that a new outline would be released in the next week or so.

Meanwhile the House Appropriations Committee continued working on the FY 2022 Appropriations bills, with the full Committee approving the FY 2022 Legislative Branch (bill text [here](#); summary [here](#); report [here](#)), Financial Services (bill text [here](#); summary [here](#); report [here](#)), Military Construction-Veterans Affairs (bill text [here](#); summary [here](#); report [here](#)), and State and Foreign Operations (bill text [here](#); summary [here](#); report [here](#)) spending bills in party-line votes, while also approving the Agriculture spending bill (bill text [here](#); summary [here](#); report [here](#)) by voice vote.

The Committee also approved the FY 2022 Interior-Environment spending bill (bill text [here](#); summary [here](#); report [here](#)) in a party-line vote yesterday. Of particular note, the Interior-Environment bill would provide \$11.34 billion for the Environmental Protection Agency (EPA), an increase of \$2.11 billion above the FY 2021 level, of which \$5.32 billion would be for State and Tribal Assistance Grants (STAG). Additionally, the bill would provide \$5.66 billion for Wildland Fire Management, \$900 million for the Land and Water Conservation Fund (LWCF), and approximately \$444.6 million for more than 300 community projects (“earmarks”) under the EPA STAG Clean Water and Drinking Water State Revolving Fund, National Park Service Land Acquisition, U.S. Fish and Wildlife Service Land Acquisition, and U.S. Forest Service State and Private Forestry accounts.

The Committee in a party-line vote also approved its subcommittee allocations, known as 302(b)s, reflecting the \$1.506 trillion discretionary spending cap for FY 2022 that the House adopted via a “deeming resolution” (H.Res.467) earlier this month (individual spending levels available [here](#)). The allocations are roughly similar to the discretionary spending increases proposed by President Biden in his FY 2022 Budget request (16.5 percent increase for non-defense and 1.6 percent for defense) and of note the Labor-HHS-Education Subcommittee received the highest spending increase, a 36.4 percent (\$63.4 billion) over the FY 2021 level for a total of \$237.5 billion; the Defense Subcommittee received the smallest spending increase, 1.4 percent (\$10 billion) above the FY 2021 level for a total of \$706 billion in discretionary spending (*although Defense still has the largest overall allocation*). During the markup, Appropriations Committee Ranking Member Kay Granger (R-TX) criticized Committee Democrats for not considering bipartisan subcommittee allocations as a bipartisan agreement on 302(b)s will need to be reached at some point in order to garner the 60 votes needed to clear all 12 FY 2022 through the evenly split Senate.

At the Subcommittee level this week, both the Defense (bill text [here](#); summary [here](#)) and Homeland Security (bill text [here](#); summary [here](#)) spending bills were advanced to the full committee by their respective Subcommittees (via voice votes). The draft FY 2022 Homeland Security bill would provide \$24.02 billion for the Federal Emergency Management Agency (FEMA), approximately \$2.1 billion above the FY 2021 level and \$246.6 million below the President’s budget request. Of this amount, \$3.66 billion would be for grants and training and \$18.8 billion would be for the Disaster Relief Fund. The bill would also provide funding for over 70 community projects under the FEMA Pre-Disaster Mitigation and Emergency Operations Center accounts.

## California Department of Transportation

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July XX, 2021

Dear California Congressional Delegation Member:

California is the world's fifth-largest economy. Measured by value, more international goods enter California than any other state, moving through its 12 seaports, 12 major cargo-handling airports, and 3 land ports of entry with Mexico. In addition, the State's agricultural sector is a critical source of goods for export and is the largest producer of food in the United States. At the same time, the State of California has led the nation, making significant investments in our infrastructure.

California's Senate Bill (SB) 1, *the Road Repair and Accountability Act of 2017*, invests \$54 billion over ten years to fix roads, freeways and bridges in communities across California and puts more dollars toward transit and safety. Moreover, in California, 25 county transportation agencies formed the Self-Help Counties Coalition (SHCC) that will fund approximately \$194 billion of voter-approved transportation investments by mid-century, injecting billions each year into essential transportation programs and projects throughout California.

With SB 1 and the SHCC, the state and local agencies are doing their part to fund and deliver important transportation projects that are vital to the quality of life and economic strength of California, and we call for increased federal investment in infrastructure – in partnership with our ongoing investments – for the benefit of the whole country and to address significant state transportation system needs.

Forward progress to reauthorize the *Fixing America's Surface Transportation (FAST) Act* (Public Law No. 114-94) is on the horizon, with both chambers of Congress finalizing their respective bills. With less than four months until the current authorization expires, we greatly appreciate the urgency with which Congress is acting on this critical legislation.

Earlier this year, as the federal transportation agenda began to emerge, the California Department of Transportation (Caltrans) implemented its plan to convene the California Federal Affairs Working Group (Working Group). This Working Group is comprised of the stakeholders in the State's transportation system, whose members include the State of California, Metropolitan Planning Organizations (MPOs), Regional Transportation Planning Agencies (RTPAs), Tribal Governments, transportation providers, the private sector and labor.

As Congress continues its efforts to reauthorize surface transportation programs, the Working Group recommends five priority areas for inclusion as this important legislation moves forward. These priority areas are:

1. Transportation Resilience

Each year our national transportation system is stressed by blizzards, searing heat, flooding, wildfire and other severe weather events. Hurricanes have raised awareness of the vulnerability of our coastal communities, and our interior states where serious flooding has devastated our nation's communities. In California, we are facing increasingly frequent and severe floods and wildfires due to climate change. Federal investments are needed to help our State Departments of Transportation and local governments develop climate-resilient infrastructure following extreme weather events, and to mitigate the risk of future reoccurring damages. We urge Congress to ensure funding is provided for resilient transportation projects to endure our changing climate, and increasingly frequent extreme weather and wildfire events.

2. Active Transportation

We urge Congress to include the provisions in the INVEST in America Act that provide increased funding for the Transportation Alternatives Program. This funding is critical to increase safety and mobility for our nation's non-motorized users. In California, safety is always our top priority. However, our numbers have been trending in the wrong direction for some time now. Every year, about 3,600 individuals die on California's transportation system. With an unacceptable number of people dying each day on our roadways in traffic crashes we must shift our efforts to prioritize safe mobility, and federal leadership will be key in this shift to save lives.

Investing in active transportation furthers the State's sustainability and climate preparedness objectives and improves the quality of life and public health of Californians. California has made a major commitment to walking and bicycling through investment in our Active Transportation Program, and we want to continue to increase that investment with additional federal funding. Specifically, California supports tripling the amount of funding authorized for the programs that fund our ATP. Congress should also ensure that active transportation projects continue to be eligible for funding from the Highway Trust Fund.

3. Zero-Emission Bus Grant Program

We request Congress include the provision in the INVEST in America Act that rewards states and transit agencies that have made a commitment to transition to fully zero-emission fleets by granting them access to a funding set-aside for

zero-emission bus grants. This policy would support California's transit agencies in expeditiously transitioning our entire 12,000 bus fleet to zero-emission technologies while also incentivizing transit agencies across the country to take aggressive steps to accelerate zero-emission bus deployment.

4. Financing

We urge Congress to continue its support for our nation's transit agencies as they continue to recover their ridership losses due to Covid-19. Specifically, flexibility is needed to support our smaller operators whose operations and business have been severely disrupted by the response to the pandemic. We also support the provisions in the INVEST in America Act that expand and streamline the financing tools available to transit and rail agencies to augment direct investment in the nation's transportation infrastructure.

5. Transportation Equity

We request collaboration in eliminating disparities while improving outcomes for all users of the transportation network, especially in the areas of safety, multimodality, and accessibility. We also urge Congress to provide funding to enhance, repair and restore multimodal connectivity in communities impacted by the construction of highways and freeways. Additionally, we ask Congress to include the language in the INVEST in America Act that provides new funding to pilot and study reduced and fare free transit.

6. Goods Movement and Gateway Corridor Projects

We urge Congress to prioritize freight funding for Gateway Corridor projects. These projects enhance the nation's economic competitiveness, providing essential connections from the ports including those in California to the nation's largest distribution centers, ensuring vital goods move more reliably through California and the nation.

We appreciate your leadership and urge you to incorporate these priorities into surface transportation authorization legislation. California is ready and willing to partner with the federal government to match increased federal infrastructure investment to help address the expanding needs of our evolving and complex transportation system.

Thank you for your consideration.

Sincerely,



TOKS OMISHAKIN  
Director

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