



Monthly Legislative Report – August 2022

August Advocacy Meetings

Congressman Lou Correa (D-CA) – We have been in close contact with Congressman Correa and his staff to discuss the Santa Ana-Garden Grove Rails to Trails earmark request included in the House Appropriations bill for \$750,000. We discussed support for OCTA's RAISE and Low- and No-Emission grant applications. We also transmitted an invitation to Congressman Correa to attend the 50th Anniversary of providing bus service in Orange County and discussed scheduling with his DC staff.

Congresswoman Young Kim (R-CA) – We have been in contact with Congresswoman Kim's senior staff this month to discuss support for OCTA's RAISE and the FY22 Low- and No-Emission grant applications. We also discussed the next steps for the OC Loop – Segment A and B (La Habra and Brea) and SR-91 (Lakeview to SR-55) Community Project Funding requests.

Congressman Mike Levin (D-CA) – We were in contact with Congressman Levin's office to discuss the next steps for the SR-74 Improvements earmark request included in the House Appropriations bill. We also discussed support for OCTA's RAISE and Low- and No-Emissions grant application.

Congresswoman Judy Chu (D-CA) – We have been on contact with Congresswoman Chu's office to continue discussions on a possible end of the year tax bill and/or tax extenders bill. We have also been discussing the continuation of the BAB subsidy that was included in the ARPA legislation. At the end of the 2021, Congress moved to prevent PAYGO from applying to ARPA in 2022 but failed to provide a permanent fix to the problem. The Congresswoman's Ways and Means staff indicated that there are ongoing negotiations with House and Senate Leadership regarding the possibility of extending this subsidy for another year.

Congresswoman Michelle Steel (R-CA) – We were in contact with Congresswoman Steel's staff to discuss the Build America Bonds and the possible elimination of payments to issuers on direct pay bonds if Congress does not act to extend the subsidy for another year in the possible end of the year tax bill. We also transmitted an invitation to Congresswoman Steel to attend the 50th Anniversary of providing bus service in Orange County.

Congresswoman Katie Porter (D-CA) – We were in contact with the Congresswoman's staff to discuss transportation programs included in the Inflation Reduction Act and the

possible eligibility of OCTA as a direct recipient for the zero-emission vehicle grant programs.

Congresswoman Linda Sanchez (D-CA) – We met with Congresswoman Sanchez and her staff this month discuss the Build America Bonds and the inclusion of possible language to extend the BAB subsidy in the end of the year tax bill.

Congressman Alan Lowenthal (D-CA) – We met with Congressman Lowenthal and his staff this month to discuss support for the RAISE and Low- and No-Emissions grants. We also discussed with his staff a provision in the IRA legislation (SEC. 60101. CLEAN HEAVY-DUTY VEHICLES) that would provide \$600M in grants for the following: (1) the incremental costs of replacing an eligible vehicle that is not a zero-emission vehicle with a zero -emission vehicle, as determined by the Administrator based on the market value of the vehicles; (2) purchasing, installing, operating, and maintaining infrastructure needed to charge, fuel, or maintain zero-emission vehicles.; (3) workforce development and training to support the maintenance, charging, fueling, and operation of zero-emission vehicles; and (4) planning and technical activities to support the adoption and deployment of zero-emission vehicles. Because there were no amendment opportunities for IRA legislation to expand eligibility, we discussed other ways to make OCTA an eligible entity for this grant program as it is further developed and/or amended in future legislation.

Senator Dianne Feinstein (D-CA) – We met with Senator Feinstein’s staff multiple times this month to discuss support for RAISE grants and FY22 Low- and No-Emission grants and transportation programs that are included in the Inflation Reduction Act.

Senator Alex Padilla (D-CA) – We have been in communication with Senator Padilla’s staff this month to discuss RAISE grants that the U.S. DOT released this month. We also discussed OC Loop and the Santa Ana-Garden Grove Rails to Trails requests that were not included in the Senate bill, but they were included in the House bill. We discussed the next steps for the appropriations requests.

Inflation Reduction Act of 2022 (Budget Reconciliation)

On August 12th, the House returned to Washington briefly to vote on the Senate-passed [H.R. 5376](#) - *Inflation Reduction Act of 2022*. The bill, which passed both chambers without any Republican support, aims at reducing Medicare costs, expanding and creating tax credits and grants for investments in renewable energy infrastructure and R&D. Notably, the bill included funding for zero emission truck programs, and port emission reduction investments. An updated one-page factsheet can be found [HERE](#). The full text of the bill can be found [HERE](#).

FY22 Low- and No-Emission and Bus and Bus Facilities Awards

On August 16th, the Department of Transportation fully announced the award recipients for the FY22 Low- and No-Emission and Bus and Bus Facilities programs. The program provided \$1.66 billion in grants to transit agencies, territories, and states to invest in bus fleets and facilities. The Orange County Transportation Authority received \$2,507,895 to buy zero-emission buses to improve air quality and paratransit service for riders with disabilities. To view the award announcement click [HERE](#).

Advanced Transportation and Congestion Management Technologies Deployment (ATCMTD) Project Awards

On August 10th, the FHWA announced the winners of the Advanced Transportation and Congestion Management Technologies Deployment for FY21. Only 10 projects were awarded out of the 35 applicants. The total awarded amount was \$45.2 million. The Orange County Transportation Authority was not selected as one of the 10 awarded entities. To view the applicants and award winners click [HERE](#).

\$750 Million IIJA Program Request for Information

On August 3rd, the White House and the Department of Energy announced a Request for Information to receive public comments on the \$750 million Advanced Energy Manufacturing and Recycling Grant Program. The program is part of the IIJA and aims to incentivize clean energy property projects and greenhouse gas emission reduction projects. The RFI responses must be submitted before 5 P.M. ET on September 16th. To view the announcement click [HERE](#).

Intercity Passenger Rail Grants

On August 18th, the USDOT awarded over \$233 million to 11 projects in 8 states for passenger rail service upgrades. The FRA's Federal State Partnership for Intercity Passenger Rail Program will see an increase of \$7.2 billion annually for the next five years from the IIJA. The FRA will make the next FY22 Partnership Program funds available this fall through a Notice of Funding Opportunity. To view a fact sheet for the Federal-State Partnership for Intercity Passenger Rail Grant Program click [HERE](#).

Justice 40 Programs Announced

On August 18th, the USDOT released a list of programs that are part of the Justice 40 initiative, which aims to provide 40% of the climate, clean energy, and other investments to disadvantaged or underserved communities. Justice 40 also aims to increase affordable transportation, improve access to quality of life in disadvantaged communities, and to prioritize these repeated investments in every state and territory. The Department

announced 39 programs under the FWHA, FRA, FTA, MARAD, and OST that follow the Justice 40 initiative. The full list of programs can be seen [HERE](#).

Fiscal Year 2022 Building Resilient Infrastructure and Communities (BRIC)

The Building Resilient Infrastructure and Communities (BRIC) program makes federal funds available to states, U.S territories, Indian tribal governments, and local communities for pre-disaster mitigation activities. With a general focus on disasters, risks, and hazards, including those associated with climate change, the guiding principles of the program are to:

- (1) Support state and local governments, tribes, and territories through capability- and capacity-building to enable them to identify mitigation actions and implement projects that reduce risks posed by natural hazards.
- (2) Encourage and enable innovation while allowing flexibility, consistency, and effectiveness.
- (3) Promote partnerships and enable high-impact investments to reduce risk from natural hazards with a focus on critical services and facilities, public infrastructure, public safety, public health, and communities.
- (4) Provide an opportunity to reduce future losses and minimize impacts on the Disaster Relief Fund.
- (5) Promote equity, including by helping members of overburdened and underserved groups and prioritizing 40 percent of the benefits to disadvantaged communities as referenced in Executive Order (EO) 14008: Tackling the Climate Crisis at Home and Abroad in line with the Administration’s Justice40 Initiative.
- (6) Support the adoption and enforcement of building codes, standards, and policies that will protect the health, safety, and general welfare of the public, taking into account future conditions, prominently including the effects of climate change, and have long-lasting impacts on community risk reduction, including for critical services and facilities and for future disaster costs.

Eligibility: State governments, Native American tribal governments (Federally recognized).

Total Program Funding Available: \$2.295 billion

Required Cost Sharing or Match: Yes.

Additional program information available [HERE](#).

(PROTECT) FORMULA Program

Please note that a separate competitive grant solicitation under the PROTECT program authorization will be issued later this year. The below overview refers to the formula funding portion of the program and we strongly recommend reaching out to your respective State Department of Transportation and/or Metropolitan Planning Organization (MPO) if available to discuss further.

The Promoting Resilient Operations for Transformative, Efficient, and Cost-Saving Transportation (PROTECT) Grant Program aims to help States and communities better prepare for and respond to extreme weather events including wildfires, flooding, and extreme heat. This program will make funding available to States to ensure that

transportation infrastructure becomes more resilient to future weather events and natural disasters by focusing efforts on planning, construction improvements to existing infrastructure, shoring-up evacuation routes, and through addressing at-risk highway infrastructure.

Eligible improvements can involve the adaptation of existing infrastructure or new construction to ensure community safety by ensuring its ability to withstand extreme weather and physical hazards. Eligible project choices may include the use of natural or green infrastructure to buffer storm surges and provide flood protection, as well as aquatic ecosystem restoration. Projects funded through the PROTECT formula program can also improve the resilience of transportation networks that serve traditionally underserved and underrepresented communities, particularly during natural disasters and evacuations. Local communities are encouraged to be in touch with their MPO's and State DOT's about this formula grant funding.

Eligibility: A State may only use its PROTECT Formula Program funds for eligible activities and eligible costs (see below) associated with –

- highway projects eligible under Title 23, U.S.C.;
- public transportation facilities or services eligible under chapter 53 of title 49, U.S.C.; or
- port facilities, including facilities that connect ports with other modes of transportation, improve the efficiency of evacuations and disaster relief, or aid transportation. [§ 11405; 23 U.S.C. 176(c)(3)(B)]

Total Program Funding Available: \$1.403 billion in FY 2022

Required Cost Sharing or Match: This solicitation generally requires a cost match of 20%.

Additional program information available [HERE](#).

Fiscal Year 2022 Railroad Crossing Elimination Grant Program

The FY 2022 Railroad Crossing Elimination Grant Program will aim to fund highway-rail or pathway-rail grade crossing improvement projects that focus on improving the safety and mobility of people and goods. Recipients will focus their programs on improving infrastructure to enhance rail safety, improving the health and safety of communities, eliminating highway-rail and pathway-rail grade crossings that are frequently blocked by trains, and reducing the impacts these inefficiencies have on underserved communities. The program will also seek to fund projects that reduce greenhouse gas emissions, address environmental injustice and racial inequities, and help produce union-supported jobs.

Eligible Entities: State, including the District of Columbia, Puerto Rico, and other United States territories and possessions; A political subdivision of a State; A federally recognized Indian Tribe; A unit of local government or a group of local governments; A public port authority; A metropolitan planning organization; A group of any of these entities.

Total Program Funding Available: \$573.26 million.

Required Cost Sharing or Match: This solicitation requires a cost match of at least 20% of the total project cost.

Application Deadlines: October 4th, 2022 at 5:00 PM EST.

Additional program information available [HERE](#).