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MEMORANDUM

TO Legislative Committee
FROM Maria C. Tripplaar
DATE May 8, 2024
RE Federal Legislative Update

This memo provides a Federal Legislative Update on the items appearing on the agenda for the May 13, 2024, Legislative Committee meeting.

1. Congressional Update

Both the House and Senate are in session for most of the month of May, although the traditional week-long Memorial Day recess will begin on May 27th. The focus of this work period is expected to be working through FY25 appropriations, including establishing topline numbers for each of the 12 bills and preparing for Committee markups of those bills. Additionally, GT Thompson, Chairman of the House Agriculture Committee, has stated that his committee will markup the Farm Bill in the week prior to Memorial Day; text is not expected to be released until a few days prior to the markup. The topics of antisemitism on college campuses and the Southern Border are also expected to be prevalent over the next few weeks, along with the specter of another Motion to Vacate the Speaker's Chair on the House side.

2. Budget Update

In March, Congress finally passed two packages of appropriations bills to fund the government for FY24. As noted above, both the House and Senate have quickly turned their attention to FY25 and are hopeful to avoid any similar showdowns this cycle.

The new Chairman of the House Appropriations Committee, Tom Cole, has indicated that he plans to markup the bills in late May or early June, with the goal of approving all 12 bills in committee before the August recess. Chair Murray of the Senate Appropriations Committee has also committed to moving all 12 appropriations bills separately, but has not been as

outspoken about her intended timeline. Nonetheless, typically the two chambers move their respective bills close in time to each other.

3. Federal Budget Requests

Federal earmarks – also called Congressional Directed Spending and Community Project Funding – requests are typically due for submission in March, with the appropriations process intended to continue first through committee and then each chamber (House and Senate) through the spring and summer. This year, the County submitted requests for Congressionally Directed Spending to Senators Padilla and Butler in March for a total of eight County projects. On April 30, 2024, on the County’s behalf, I submitted four requests Representative Panetta for projects in his district, and another four requests to Representative Lofgren. Additionally, late on Friday, March 3rd, The Salinas Regional Sports Authority (SRSA) reached out to the Department of Public Works, Facilities, and Parks and asked about a potential additional earmark request to support the Salinas Regional Soccer Complex. SRSA had previously filed this request prior to Representative Lofgren’s deadline, and subsequently reached out and asked if the County would be willing to formally partner with SRSA on this request, bringing the County’s total requests for FY25 to nine on the House side. There is a detailed chart below outlining all nine requests.

a. *FY24 Community Project Funding Updates*

As discussed at previous Legislative Committee meetings, Monterey’s federal delegation has been extremely supportive of all the requests that we submitted last year. Ultimately, the County was awarded funding for the four project listed below. I am now working with the departments to ensure prompt disbursement of funds through the appropriate federal agency.

	Submitted by	Amount Submitted to Senate or House Appropriations Committee, respectively	Amount Approved by Committee	Amount Awarded in FY24 Appropriations	Amount Requested by County
Family Justice Center (FJC) – King City location	Sen. Padilla Rep. Lofgren	\$490,000 \$500,000	\$500,000	\$500,000	\$500,000
Pajaro County Sanitation District (PCSD) Sewer System Improvements	Sen. Padilla	\$1.5 million	\$1.5 million	\$1.5 million	\$1.5 million
Carmel River FREE Project	Sen. Padilla Rep. Panetta	\$3 million \$3 million	\$3 million	\$3 million	\$3 million \$3 million
San Lucas Drinking Water	Sen. Feinstein Sen. Padilla Rep. Lofgren	\$2 million \$2 million \$2 million	\$959,752	\$959,752	\$2 million

b. FY25 Community Project Funding Requests

As discussed above, the County submitted a total of nine projects for consideration by the federal delegation for Community Project Funding/Congressionally Directed spending – also called earmarks – for FY25. The details on each submission are reflected below.

Since our submissions in March and April to the County’s Senate and House members, respectively, and as of the time of this writing, the County has been asked to provide additional details for several projects: the Broadway Family Connection, PCSD, Salinas Regional Soccer Complex, San Lucas Clean Drinking Water, and the Skate and Bike Park Safe Access projects. Additional requests may be forthcoming in the imminent future as our federal delegation continues to weigh which projects may be submitted to the Appropriations Committees. Moreover, I note that while no decisions have yet been made by our federal delegation about which projects to forward to the Appropriations Committees, I am encouraged by the level of interest shown thus far.

FY25 Project Submitted	Description	Funding Requested	Senate Submissions	House Submission
Broadway Family Connection (Seaside)	Funding to aid in the development of the Broadway Family Connection Project to replace the current aging Social Services building with a community service hub that will co-locate social services, a family justice center, County public library, WIC programing, and community spaces for public events and programs.	\$4 million	Sen. Padilla	Rep. Panetta
Carmel River Floodplain Restoration and Environmental Enhancement (CRFREE) Project	Funding would close the \$1 million funding gap, and lead to the project being fully funded and shovel ready when FEMA funding and FY24 CDS funding becomes available. The CRFREE Project is a multi-benefit, green infrastructure project that will recreate hydrological connectivity, restore habitat, and reduce flood hazards in the Carmel River Watershed.	\$1 million	Sen. Butler Sen. Padilla	Rep. Panetta
Castroville Seawater Intrusion Project (CSIP) - Supplemental Well Rehabilitation/Replacement	Funding would be used for the planning, design, and implementation of supplemental well rehabilitation or replacement. CSIP supplements groundwater supplies and protects water quality through prevention of seawater intrusion.	\$3 million	Sen. Butler Sen. Padilla	Rep. Lofgren

Family Justice Center (FJC) – Seaside location	Funding to aid in the establishment of a Family Justice Center in Seaside to co-locate service providers for victims of domestic violence, sexual assault, child abuse, elder abuse, human trafficking, and their families.	\$4 million	Sen. Butler Sen. Padilla	Rep. Panetta
Former Ft. Ord – Blight Removal	Funding for the demolition of remnant military structures on the former Fort Ord U.S. Army base that are in a state of disuse and collapse and presenting a visual nuisance and health and safety hazard.	\$650,000	Sen. Butler Sen. Padilla	Rep. Panetta
Pajaro County Sanitation District (PCSD) Sewer System Improvements	Funding to replace and repair sanitary system sewer pipes in the Pajaro County Sanitation District (PCSD). The County has been repairing and replacing manholes and pump stations, but funding is needed to make repairs to the sewer pipes.	\$2 million	Sen. Butler Sen. Padilla	Rep. Lofgren
Salinas Regional Soccer Complex	Funding to enhance the facility's functionality, accessibility, and overall experience. The project to involve the addition of lighting, bathroom facilities, stadium seating, scoreboard, and the essential underground infrastructure that will collectively create a modern, inclusive, and dynamic environment that caters to players, spectators, and the broader community.	\$4,751,120	N/A	Rep. Lofgren
San Lucas Clean Drinking Water	Funding to aid in a long-term solution (construction of a new pipeline to connect to an adjacent community water system) to address ongoing water quality problems for the small, disadvantaged farming community of San Lucas.	\$2 million	Sen. Butler Sen. Padilla	Rep. Lofgren
Skate and Bike Park Safe Access Project	Funding to construct a new regional Bike and Skate Park providing a unique recreational opportunity to low-income disadvantaged youth in Monterey, San Benito and Santa Cruz Counties. In partnership with the City of Salinas and the Salinas Regional Soccer Authority, the project includes the expansion of the Salinas Regional Soccer Complex and multi-use trails.	\$3 million	Sen. Butler Sen. Padilla	Rep. Lofgren

4. Legislation

a. ***H.R. 4319 Farm Workforce Modernization Act of 2023 (Lofgren/Panetta) – Recommend Support***

This bill would create a workforce solution for America's agriculture industry, one of the most critical sectors of the national economy.

The bill was negotiated over eight months in 2019 with input from farmers, agricultural stakeholders, labor organizations, and farmworker advocates. In December 2019, it became the first agriculture labor reform legislation to pass the House of Representatives since 1986. Since its passage, a bipartisan coalition of Members has continually been working to move the bill through the legislative process.

Farmers and ranchers across the United States are in desperate need of a high-quality, reliable workforce, farmworkers need a stable future, and the current H-2A agricultural guestworker program needs meaningful, bipartisan reform.

Specifically, this bill:

- Reforms the H-2A program to provide more flexibility for employers, while ensuring critical protections for workers.
- Establishes a program for agricultural workers in the United States to choose to earn legal status through continued agricultural employment and contribution to the U.S. agricultural economy.
- Focuses on modifications to make the program more responsive and user-friendly for employers and provides access to the program for industries with year-round labor needs.

This legislation was introduced by Rep. Lofgren in the House, with Rep. Panetta is as an original co-sponsor. There is not yet an identical companion bill in the Senate.

5. RAISE Grant & DOT Rural Surface Transportation Grant for Davis Road Widening and Bridge Replacement Project

The Department of Public Works, Facilities, and Parks has applied for two separate federal grants this year for the Davis Road Widening and Bridge Replacement Project improving South Davis Road from Reservation Road to Blanco Road. The first grant is the U.S. Department of Transportation (DOT), Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Grant application. The second grant is the Department of Transportation's (DOT) Rural Surface Transportation Grant program (Rural).

The Davis Road project is located within a disadvantaged community, and will significantly improve a key regional route building a more efficient multi-modal corridor between Monterey County's two largest population centers, the City of Salinas and the Monterey

Peninsula connecting both communities to employment, goods, services, and education opportunities.

Specifically, the project proposes to widen a vital, narrow 2.1 mile segment of the existing two-lane South Davis Road corridor (from Reservation Road to Blanco Road) to four lanes and replaces the existing low-water bridge crossing over the Salinas River with an all-weather crossing that accommodates anticipated impacts of the 100 year flood level. Eight-foot-wide Class II bike lanes are included in the Project expanding the regional bike network as included in the Transportation Agency of Monterey County's (TAMC) 2018 and 2022 Regional Transportation Plan, and the TAMC Marina-Salinas Multimodal Corridor Conceptual Plan. Additionally, widening this corridor provides an opportunity for a rapid transit system. Safety components of the Project include constructing a roundabout at the intersection of Davis and Reservation Roads as a traffic calming safety countermeasure and expanding intersections.

As you know, the Davis Road bridge has been battered by the impacts of climate change and is only reliably passable eight months of year. The escalating storms in recent years have increased the occurrence of floodwaters inundating the roadway and overtopping the existing bridge over the Salinas River during the winter and spring months. The flooding along this crucial arterial route forces motorists, and large commercial trucks, to travel an additional 5-8 miles (or more) along already congested detour routes further exacerbating traffic conditions along these routes during peak hours impacting quality of life for both communities. Widening this road segment will also increase safety by providing sufficient space for evasive vehicle maneuvers, a refuge for vehicles experiencing mechanical problems, and reduce the risk of conflicts between motor vehicles.

After many years in use, the project area has geometric deficiencies, poor pavement conditions, and the transportation demand on the roadway network is anticipated to continue to grow. The existing roadway is not capable of supporting this level of trip demand without compromising quality of life for both communities. The project will increase roadway capacity to support future growth, bolster the road segment against the escalating threats of climate change, reduce greenhouse gas emissions by adding multi-modal transportation opportunities and will reduce vehicle miles traveled by eliminating flooded road detours, while enhancing safety, aesthetics and function.

The County's congressional delegation has been supportive of both of the grants, and I have coordinated with the Department of Public Works, Facilities, and Parks to secure letters of support for both grant applications. Additionally, I am continuing to advocate for these projects with the County's Members of Congress, and we will meet virtually with Rep. Panetta's staff on May 9, 2024, with another meeting with Rep. Lofgren's staff pending.

6. Potential Rescheduling of Marijuana from Schedule I to Schedule III

On April 30, 2024, the Department of Justice (DOJ) recommended that marijuana be reclassified as a controlled substance from Schedule I to Schedule III, which is where some

other controlled substances such as Tylenol with codeine are classified (compared to Schedule I which is where heroin is classified). The Office of Management of Budget must still approve the recommendation, and if it does so, the proposal will be published in the Federal Register to begin the formal rulemaking process. The Drug Enforcement Agency (DEA), a component of DOJ, is expected to solicit public comment on the proposed change, and an administrative law judge will review those comments before determining whether to approve a final rule.

As has been reported in the media, moving marijuana out of Schedule I could open more avenues for research; ease some of the more harshly punitive criminal consequences; potentially allow cannabis businesses to bank more freely and openly; and, perhaps most significantly for state-licensed operators, result in firms no longer being subjected to a 40-year-old tax code that disallows credits and deductions from income generated by sales of Schedule I and II substances.¹ However, according to the Congressional Research Service, the manufacture, distribution and possession of recreational marijuana would remain illegal under federal law and possibly subject to enforcement and prosecution regardless of the state's legality.² Nonetheless, the proposed rescheduling would be a dramatic and important shift toward easing federal restrictions on marijuana if it is ultimately approved. I will continue to closely monitor this developing area and provide any significant updates.

7. Federal Bill/Issues Track

Attachment(s):

Federal Bill/Issues Track

¹ <https://www.cnn.com/2024/04/30/economy/dea-marijuana-rescheduling/index.html>

² <https://crsreports.congress.gov/product/pdf/LSB/LSB11105#:~:text=The%20planned%20change%20followed%20an,would%20not%20take%20effect%20immediately.>